

Office of the
Schools
Adjudicator

LOCAL AUTHORITY REPORT
TO
THE SCHOOLS ADJUDICATOR
FROM
Birmingham Local Authority

30 JUNE 2012

Report Cleared by (Name): Julie Newbold

**(Title): Head of School Admissions and Pupil
Placements**

Date submitted: 30 June 2012

By (Name): Mireia Mangual

(Title): School Admissions and Pupil Placements Officer

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www.education.gov.uk/schoolsadjudicator/

Please email your completed report to: OSA.TEAM@OSA.GSI.GOV.UK

Introduction

1. Section 88P of the School Standards and Framework Act 1998 requires Local Authorities to make an annual report to the adjudicator.
2. The School Admissions Code (the Code) at paragraph 6 sets out the requirements for reports by local authorities. Paragraph 3.23 specifies what must be included in the report to the adjudicator and makes provision for the local authority to include any other local issues.
3. The remit letter from the Secretary of State for Education to the Chief Schools Adjudicator also makes reference to additional matters on which he wishes to have a report included in the Chief Adjudicator's annual report. Rather than undertake a separate exercise in which information is sought from local authorities, you are asked to include any relevant information in your report to the adjudicator.

For ease of reference the legislation is given below.

Legal References

"88P Reports by local authorities to adjudicator"

(1) A local authority in England must make such reports to the adjudicator about such matters connected with relevant school admissions as may be required by the code for school admissions.

(2) In subsection (1) 'relevant school admissions', in relation to a local authority, means:

- (a) the admission of pupils to relevant schools in the authority's area;*
- (b) the admission of pupils in the authority's area to other relevant schools;*
- (c) the entry to the sixth form of pupils who have been admitted to relevant schools in the authority's area; and*
- (d) the entry to the sixth form of pupils in the authority's area who have been admitted to other relevant schools.*

(3) In this section, "relevant school" means--

- (a) a maintained school,*
- (b) an Academy,*
- (c) a city technology college, or*
- (d) a city technology of the arts."*

"Section 88Q Reports under section 88P: provision of information"

(1) A relevant person must, on request, provide a local authority in England with such information as the authority may reasonably require for the purpose of enabling the authority to fulfil their duties

under section 88P.

(2) *In subsection (1), “relevant person”, in relation to a local authority, means-*

- (a) an admission authority (other than the local authority) for a maintained school in the area of the local authority;*
- (b) -----*
- (c) any member of an appeal panel constituted under section 94 by-*

- (i) the local authority, or*
- (ii) the governing body of a foundation or voluntary aided school in the area of the local authority;*
- (d) the proprietor of-*

- (i) an Academy,*
- (ii) a city technology college, or*
- (iii) a city college for the technology of the arts,*

in the area of the local authority;

- (e) any other local authority in England;*
- (f) other person as may be prescribed.”*

Completing the Template

This template is designed to be completed electronically - boxes will expand as necessary.

Throughout this report, please include middle deemed primary schools as for pupils up to age 11 and middle deemed secondary schools as for pupils over 11.

Where type of school is given, foundation covers foundation schools and foundation schools with a foundation (trust schools).

Admission Arrangements for Admissions in September 2012

Please provide details of how the admission arrangements for schools in your local authority serves the interests of the groups of children listed below. Please include details of any problems that have arisen while allocating places for admissions in September 2012. (the Code paragraph 3.23 a refers)

Looked after Children: Children in care are given the highest priority in the oversubscription criteria for all maintained schools in the Birmingham area.

Where a school's oversubscription criteria is faith-based, and the school does not give priority to all children in care, the oversubscription criteria gives priority to children in care of their faith, and priority to children in care not of their faith over any other children not of their faith. Birmingham School Admissions Service liaises with the Looked After Children Education Service (LACES) to ensure that all children in care are identified prior to the application process so that we can make certain that a completed form is submitted for each child.

Previously looked after children Giving priority to previously looked after children was not a requirement for admission arrangements for admissions in September 2012. However, if you have any evidence about the admission of such children please include details here:

Children with disabilities: Birmingham has a number of grammar schools which use optional tests as a form of selection. However, where a prospective pupil has a disability within the meaning of the Disability Discrimination Act 1995, the LA considers whether there are any reasonable adjustments which could be made to ensure that disabled prospective pupils are not placed at a substantial disadvantage to those who are not disabled.

Children who have special educational needs: Any child with a statement of special educational need is required to be admitted to the school that is named in their statement. This gives any such child overall priority for admission to the named school.

Fair Access Protocol

The Code at paragraph 3.9 requires each local authority to have a Fair Access Protocol agreed with the majority of schools in its area. Paragraph 3.11 of the Code requires that all admission authorities must participate in the Fair Access Protocol.

- a) Please confirm that your local authority has a Fair Access Protocol that has been agreed with the majority of schools in your area.

Tick as appropriate: Yes No

If **NO**, please explain:

b) Although a majority of schools, and perhaps all, will have agreed the Fair Access Protocol, some may not have done so, please state how many schools have not agreed the Fair Access Protocol.

Type of School	Number of schools that have not agreed Fair Access Protocol	
	Schools for pupils up to age 11	Schools for pupils over age 11
Community	0	0
Voluntary Controlled	0	0
Voluntary Aided	0	0
Foundation	0	0
Academy	0	0

c) Please give your assessment of how well the Fair Access Protocol has worked in the academic year 2011/12 in placing children without a school place in schools in a timely manner. Include details of any specific problems that have been encountered in applying the protocol.

The total number of children who have been through the sharing panels this year (bearing in mind that final panel meetings have not been completed) is 594 so far.

The sharing panels have developed effective relationships across all areas of Birmingham, and in some case cross-border with neighbouring local authorities, such as Solihull LA.

The systems in place for dealing with different types of cases vary across panels. For example, some discuss all cases that meet any aspects of the criteria laid out in the Fair Access Protocol. Others deal with managed moves outside the panel meeting, while some deal with managed moves only through the panel meeting.

d) How many children have been admitted to each type of school in the area under the protocol? How many children have been refused admission to a school?

Type of	Number of children	Number of children refused
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School	admitted		admission	
	Schools for pupils up to age 11	Schools for pupils over age 11	Schools for pupils up to age 11	Schools for pupils over age 11
Community	Data is recorded in the following format: 321 children have been placed in school; 165 in alternative provision; and 108 have been referred back to school or another panel, or withdrawn			
Voluntary Controlled				
Voluntary Aided				
Foundation				
Academy				

e) Please comment below on the extent to which schools have co-operated in the operation of the protocol.

Schools have engaged well in the process. Strong partnerships have been developed by all panels with alternative providers.

f) If children have not been placed in a school through the protocol, have you used the powers of direction to provide a place for a child?

Tick as appropriate: Yes No N/A

g) If **YES**, how many children have been placed and in which type of school as a result of a direction, including a direction via the Secretary of State or after an appeal to the Adjudicator?

Type of School	Number of children placed	
	Schools for pupils up to age 11	Schools for pupils over age 11
Community		
Voluntary Controlled		
Voluntary Aided		
Foundation		

Academy		
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Please add any other relevant information you wish to include in this section.

Panels are fully operational for secondary schools, but only as a pilot for primary schools. This will develop further operationally in due course.

Co-ordination

Please assess the effectiveness of co-ordination of primary and secondary admissions for September 2012 in your local authority.

Primary: Coordination works well in Birmingham to ensure that, where possible, pupils applying for a primary school place only receive one offer. Of the 15,000 applications received by the final closing date, 400 were from families who live in another local authority. Birmingham School Admissions officers regularly meet with colleagues in neighbouring authorities to discuss coordination and ensure that there are no issues.

Secondary: Again, coordination works well in Birmingham to ensure that, where possible, pupils applying for a secondary school place only receive one offer. Of the 13,500 applications received by the final closing date, 2,000 were from families who live in another local authority.

Admission Appeals

Please provide details of the number of lodged and upheld parental appeals for admissions in September 2012.

	Lodged	Upheld
Number of appeals for pupils up to age 11.	This data will be provided in full at the end of August	
Number of appeals for pupils over age 11.		
Date up to which this information applies.		

Please note there will be an opportunity to update this data up until 31 August 2012 – the update form is attached as an appendix to this form and provided separately for you to return if you wish at the end of August.

Other Issues

Paragraph 3.23 of the Code requires each local authority to publish a copy of its report locally.

Please indicate where or how a copy of the report can be obtained by a member of the public: The report will be available to the public on Birmingham City Council's website: www.birmingham.gov.uk

If not yet published please provide details of when and where the report will be published: The report will be available on www.birmingham.gov.uk on or after 1 June 2012

Local Authority Issues

Please provide details of any other issues that you would like to raise and comment on that are not already covered in this report.

Remit Letter from the Secretary of State for Education to the Chief Adjudicator

The Secretary of State has asked that the Chief Adjudicator's annual report includes an assessment of the impact in local areas of having more own admission authorities and any implications for parental choice.

Please give the number of types of Schools in your local authority.

Type of School	Number of schools		
	Number of Schools for pupils up to age 11	Number of Schools for pupils over age 11	Total number of Schools
Community	207	27	34
Voluntary Controlled	14	0	14
Voluntary Aided	69	11	80
Foundation	3	9	12
Academy	6	24	30
Total number of Schools	300	71	370 plus 1 free school and 6 "other status"

Does the local authority carry out any investigations into the impact for parents of having many or most or all schools in an area that are their own admission authority?

Tick as appropriate: Yes No

If **YES**, what was the outcome of the investigation:

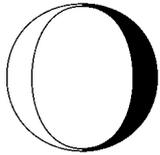
If **NO**, are there any plans to monitor the impact for parents of having an increasing number of own admission authority schools:
No plans at the present time. Birmingham LA monitors own admission authority schools' admission arrangements to ensure that they are compliant with the School Admissions Code and all relevant legislation, and are reasonable, clear, objective and fair.

If the admission arrangements of individual schools are all considered to be lawful, is there any difficulty for parents in securing a place at a local school?

Tick as appropriate: Yes No

If **YES**, has the local authority considered what might be done to overcome any difficulties:

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Office of the
Schools
Adjudicator

LOCAL AUTHORITY REPORT – Data update 31 August 2012

Local Authority

Report Cleared by (Name):

Date submitted:

By (Name):

Contact email address:

Telephone number:

In the LA Report that was submitted by 30th June 2012 we confirmed that there would be an opportunity to update some of the data information. Below is the section of the June Report concerning appeals that you may wish to update. Please complete and return by 31 August 2012.

Admission Appeals

Please provide details of the number of lodged and upheld parental appeals for admissions in September 2012.

	Lodged	Upheld
Number of appeals for pupils up to age 11.		
Number of appeals for pupils over age 11.		
Date up to which this		

information applies.		
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