

**Template for  
Local Authority Report  
to  
The Schools Adjudicator  
from**

**Suffolk County Council Local Authority**

to be provided by

**31 October 2024**

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Website: [Office of the Schools Adjudicator](https://www.suffolk.gov.uk/office-of-the-schools-adjudicator)

**Please email your completed report to: [Office of the Schools Adjudicator](https://www.suffolk.gov.uk/office-of-the-schools-adjudicator) by  
31 October 2024 and earlier if possible**

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## Introduction

1. Section 88P of the School Standards and Framework Act 1998 (the Act) requires every local authority to make an annual report to the adjudicator. The Chief Adjudicator then includes a summary of these reports in the annual report to the Secretary of State for Education. The School Admissions Code (the Code) sets out the requirements for reports by local authorities in paragraph 6. Paragraph 3.30 specifies what must be included as a minimum in the report to the adjudicator and makes provision for the local authority to include any other matters. Paragraphs 6 and 3.30 of the Code require that each local authority publish its report locally.
2. **This year's report must cover the 2023/2024 academic year and be submitted to the Office of the Schools Adjudicator (OSA) by 31 October 2024.**
3. Please note that, in response to feedback on the previous template and in the light of consultation with a group of local authorities, changes have been made to various sections of this year's template.

## Guidance on completing the template

4. We have included all the guidance on completing specific parts of the template in this section. There is no requirement for local authorities to include the introduction and the guidance in their published reports, but they are free to do so if they wish.
5. We should be grateful if in completing questions which ask for information about primary and secondary schools and/or pupils, local authorities would follow the approach to classification of schools used in statutory provisions and in the Department for Education Statistical First Release<sup>1</sup> and the Education Middle School (England) Regulations 2002<sup>2</sup>.
6. The Code sets out some minimum requirements on the contents of each local authority report stating that each must cover as a minimum "information about how admission arrangements in the area of the local authority serve the interests of looked after children and previously looked after children, children with disabilities and children with special educational needs, including any details of where problems have arisen."
7. The Department for Education's aim through the annual reports from local authorities is to understand how well the admissions system is working nationally, rather than to hold individual local authorities to account. By understanding the effectiveness of the system, including outcomes, the Department hopes to identify areas where the admissions system is working well and areas where it could be improved. With that in mind, when the template asks, "how well does the admission system serve the needs of

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<sup>1</sup> [Department for Education Statistical First Release](#)

<sup>2</sup> [The Education Middle School \(England\) Regulations 2002](#)

children,” the Department appreciates that it is asking local authorities to make a subjective judgement, in the understanding that everyone’s experience with the admission system will be different. The Department encourages local authorities in responding to the open questions and spaces for open comments to set out challenges that are proving difficult to overcome.

8. Guidance on specific questions and/or meaning of specific terms in this report:

- a. “in-year admissions”: This means admissions (that is children admitted to a school and not applications for places):
  - i. to a year group which is not a normal point of entry for the school concerned (for example to Year 2 for a five to eleven primary school); and
  - ii. after the end of the statutory waiting list period (31 December) to a year group which is a normal year of admission for the schools concerned (such as Year R and Year 7).
- b. Not applicable means that there were no children falling within the relevant definition.

9. We welcome all comments that local authorities make in the comment boxes and we aim to reflect those comments in the Annual Report, but we ask for the comments to be entered under the right headings. Section 3 invites comment on any other matters not specifically addressed in this template if local authorities wish to do so. The views expressed in previous years also remain a matter of public record.

10. We ask that where possible, you return the template in Word instead of PDF formatting. A number of you have commented on the formatting of the template and we have tried to make it as accessible as possible, but we are aware that some local authorities use different versions of Word.

11. Where questions request a comparison with the previous year, any new local authorities formed as a result of reorganisation should note this on the form.

## Information requested

### Section 1 - Normal points of admission

#### A. Co-ordination

Which of the following best describes the level of challenge for your **main admissions round in 23/24 compared to 22/23?**

Year Group	Much less challenging	Less challenging	No change	More challenging	Much more challenging
Reception			X		
Year 7			X		
Other relevant years of entry			X		

Please give examples to illustrate your answer if you wish:

#### B. Looked after and previously looked after children

- i. How well does the admissions system in your local authority area serve the interests of looked after children at **normal points of admission?**

Not at all  Not well  Well  Very well  Not applicable

- ii. How well do the admissions systems in other local authority areas serve the interests of children looked after by your local authority at **normal points of admission?**

Not at all  Not well  Well  Very well  Not applicable

- iii. How well does your admissions system serve the interests of children who are looked after by other local authorities but educated in your area at **normal points of admission?**

Not at all  Not well  Well  Very well  Not applicable

- iv. How well does the admissions system in your local authority area serve the interests of previously looked after children at **normal points of admission**?

Not at all  Not well  Well  Very well  Not applicable

v. If you wish, please give examples of any good or poor practice or difficulties which exemplify your answers about the admission to schools of looked after and previously looked after children at **normal points of admission**:

Admission at the normal point of entry continues to be a strength in Suffolk with looked after and previously looked after children prioritised for places in accordance with the code of practice.

### C. Special educational needs and/or disabilities

- i. How well served are children with special educational needs and/or disabilities who **have** an education, health and care plan that names a school at **normal points of admission**?

Not at all  Not well  Well  Very well  Not applicable

Please provide any comments you wish to make on the admission of children with special educational needs and/or disabilities at normal points of admission:

The vast majority of children and young people with an EHCP naming a school at normal points of entry are well served, transitioning to the named setting within their EHCP. Suffolk's number of phase transfers completed within expected timescales continue to improve. The Specialist Education Services support mainstream settings with successful transition planning.

The SEND Capital programme and SEND Sufficiency planning has resulted in more local specialist placements being available. We continued to experience high numbers of requests for specialist placements for September 2023 including for those children of reception age in the new school year. The demand for specialist placements continues to be much greater than that available.

We continue to work with mainstream settings to ensure they understand the statutory duties in respect of the consultation and admissions process.

Whilst the LA challenges mainstream settings where appropriate to do so, in some cases where discussions have taken place between the school and a family, the family has lost confidence in the school's ability to meet their child's needs. The family will then request an alternative, or specialist placement and in some cases, they pursue this through the SEND Tribunal process.

## Section 2 - In-year admissions

### A. Which of the following best describes the overall level of challenge for your in-year admissions in 23/24 compared to 22/23?

Phase	Much less challenging	Less challenging	No change	More challenging	Much more challenging
Primary				X	
Secondary					X

If you wish, please explain the factors that have changed the level of challenge for your in-year admissions:

We do not co-ordinate in-year admissions in Suffolk. This means that parents/carers must navigate what can sometimes be a complex system by applying directly to an academy, voluntary aided or free school. The service they are provided with by individual schools can be different for each parent.

We are seeing a growing number of parents/carers who apply for a primary school place, claiming to be 'refused' verbally rather than in writing even though they have completed a formal application form, or denied a place because the school claim they cannot meet the child's needs even though the child does not have an Education, Health and Care Plan.

The decreasing school population at primary level can impact on some schools' ability to organise their classes in their usual way, especially when cohorts move up through the school. This has meant more primary schools have had to reorganise their classes to better manage their pupil numbers, staffing and resources, which can then limit places to children moving into the area.

Secondary school admissions continue to be challenging as more own admission authority schools are claiming prejudice to the efficient use of resources when the number of students on roll far exceeds the point at which they claim prejudice. For example, they may advise that they can only admit up to 200 pupils in a particular year group, but they already have 212 in that year group. How can the Local Authority monitor the fairness and transparency of this to ensure that children can access suitable education provision at a local school?

We have several secondary schools that have decided to operate above PAN and allocated places up to the higher admission limit. Appeals have been heard based on the higher number of places offered. Then, from September in the normal year of entry, even though the school will have organised to accommodate the higher number of students, they revert back to their determined PAN. This means that when a school place is no longer required and is withdrawn, the place is not offered to the applicant with the highest priority on the waiting list. Furthermore, these applicants may find that their

position on the waiting list lowers as late applicants are added who then have a higher priority for a place. This arrangement will also minimise in-year admissions to that year group. There is nothing in the code of practice to prevent this from happening. However, it is unfair to neighbouring schools who are potentially destabilised with a smaller cohort than forecast in their normal intake, especially when there isn't a need for additional school places in the area, and the number if their in-year admission increases as they have places in the year of entry.

There has been an increase in the number of refusals made under paragraph 3.10 of the School Admissions Code, resulting in more cases being referred to the In-Year Fair Access Panel to identify a school place.

## B. Looked after children and previously looked after children

- i. How well does the **in-year admission** system serve children who are looked after by your local authority and who are being educated in your area?

Not at all  Not well  Well  Very well  Not applicable

- ii. How well does the **in-year admission** systems in other local authority areas serve the interests of your looked after children?

Not at all  Not well  Well  Very well  Not applicable

- iii. How well does the **in-year admission** system serve the interests of children who are looked after by other local authorities but educated in your area?

Not at all  Not well  Well  Very well  Not applicable

- iv. How well does your **in-year admission** system serve the interests of previously looked after children?

Not at all  Not well  Well  Very well  Not applicable

- v. If you wish, please give examples of any good or poor practice or difficulties which support or exemplify your answers about **in-year admissions** for looked after and previously looked after children:

Suffolk County Council only co-ordinates in-year admissions for community and voluntary controlled schools.

Problems arise when some own admission authority schools do not respond in a timely way to applications. By neither refusing or accepting the request, the Local Authority has no way of knowing that the application has been made and are



unable to support. We now have several examples of where this has led to carers and adopters simply giving up on the application and making an application to another setting. This can arise for any applicant, not only for looked after and previously looked after children but the rejection and issues this activity causes our children can be life-changing with some children losing their homes as a result.

When a previously looked after child or looked after child is refused admission to an academy within our county borders, the Virtual School Head firstly makes checks that those making the application are doing so from an informed position and that the reasons for selecting the school are sound. Possible alternatives are explored. However, if this process ascertains the setting applied for is appropriate and alternatives are not viable the LA then writes to the academy giving notice of our intention to seek a direction as per the statutory guidance. In all cases where this action has been taken the academy in question has very swiftly accepted the pupil on to their roll without the need to progress the direction further.

When a previously looked after child or looked after child is refused admission to an academy in another LA following moving there, the Virtual School Head firstly makes checks that those making the application are doing so from an informed position and that the reasons for selecting the school are sound. Possible alternatives are explored. However, if this process ascertains the setting applied for is appropriate and alternatives are not viable, the Virtual School Head writes to the Chief Executive Officer of the academy giving notice of our intention to seek a direction as per statutory guidance. In most cases where this action has been taken the academy in question has very swiftly accepted the pupil on to their roll without the need to progress the direction further.

These processes build in delay to in-year admissions for vulnerable children. We do not enter into protracted discussions and resolutions are as swift as possible. However, refusals of in-year admissions for looked after and previously looked after children are increasing and are impacting on placement stability. Carers expect the process of securing a school place to be easier than it is, and the additional challenge can add to what is already a highly challenging set of circumstances.

## C. Children with special educational needs and/or disabilities

- i. How well served are children with special educational needs and/or disabilities who **have** an education, health and care plan that names a school when they need to be **admitted in-year**?

Not at all well  Not well  Well  Very well  Not applicable

- ii. How well served are children with special educational needs and/or disabilities who **do not have** an education, health and care plan when they need to be **admitted in-year**?

Not at all well  Not well  Well  Very well  Do not know

iii. Please give examples of any good or poor practice or difficulties which support or exemplify your answers about **in-year admissions** for children with special educational needs and/or disabilities:

The LA has continued to strengthen the advice and guidance to mainstream schools and ease of access to specialist education services offered by the LA through open referrals to services, SEND multi-agency consultation meetings, regular SEN Co-ordinator (SENCo) Forums and a daily SENCo Helpline. The LA also provides additional SEND funding for children and young people at SEN Support or with an EHCP. Children are served well where schools use the services and support available to them and access additional funding to further enhance the provision, they make to support their special educational needs.

Children and young people with Social, Emotional and Mental Health (SEMH) as their primary need continue to concern settings and some admissions have been delayed. The Education Access Team, a team dedicated to the LAs statutory duties in relation to permanent exclusions, continues to support the most appropriate next steps and the identification of suitable provision. Securing a mainstream placement for those who have SEND and have been permanently excluded remains a significant challenge. Suffolk is consistent in its application of the Fair Access Protocol where this applies and will use the local Inclusion Pathway that will gather information on specific cases and challenge schools directly. This Pathway also has termly meetings with the Regional Schools Commissioner to share emerging concerns about schools' conduct with regards admissions, attendance, inclusion for example.

## D. Fair access protocol

What proportion of the state-funded mainstream schools in your area have said that they agree to the local authority fair access protocol?

### Primary

- Between 0% and 49%   
Between 50% and 74%   
Between 75% and 89%   
Between 90% and 99%   
100%

### Secondary

- Between 0% and 49%   
Between 50% and 74%   
Between 75% and 89%   
Between 90% and 99%   
100%

If you have below 75% for either phase, please explain why:

The 100% figures for state-funded mainstream schools in our area includes schools that did not respond to the consultation. However, the consultation and accompanying letter advised schools that a nil return would be considered agreement. The changes made to the protocol were made to meet statutory requirements of the current School Admissions Code.

- i. How many children were admitted to schools in your area under the fair access protocol between 1 August 2023 and 31 July 2024?

Type of school	Number of Primary aged children admitted	Number of Secondary aged children admitted
Community and voluntary controlled	0	2
Foundation, voluntary aided and academies	0	28
Total	0*	30*

\* School admission cases only.

- ii. If you have seen a change in the number of children referred to your Fair Access Protocol between 1 August 2023 and 31 July 2024 compared to the previous academic year please indicate what you consider the key reasons for this change to be?

There has been an increase in referrals due to the number of children being refused a place under paragraph 3.10 of the School Admissions Code. These children often have left a school to be electively home educated and are refused a place when they try to return to a school.

Due to the number of schools organising classes in a way that does not allow any scope for accommodating in-year applicants, this means there are some areas of the county where there are no school places available, particularly in Years 10 and 11. This had led to the Local Authority applying the Fair Access Protocol for children who have been out of education for four or more weeks where it can be demonstrated that there are no places available at any school within a reasonable distance of their home.

- iii. How well do you consider children referred to the Fair Access Protocol are served in in your area?

Not at all well  Not well  Well  Very well  Not applicable

iv. Please provide any comments you wish on the protocol not covered above:

Whilst the Fair Access Protocol works effectively across most of the county, there are some areas where schools are reluctant to accept pupils through the protocol and this can result in children being out of school for long periods of time.

When asked to place a child through the Fair Access Protocol, some schools are refusing to admit because they claim the year group is full or overfull and they are struggling to recruit both teaching and support staff and so cannot place another child. This can occur even when the school had agreed to admit above the PAN in the normal year of entry and the number of pupils has reduced from this higher admission number. There does not appear to be any justification for this when the school will have staffed and organised for the number of students they initially agreed they could take.

Whilst students are discussed with school leaders at the Fair Access Panel meetings and decisions are made by the Chair, some schools then decide after the meeting to refuse admission to the student. This can lead to some students being out of school for a significant period of time and the Local Authority then having to secure longer term alternative provision for the student.

## E. Directions to maintained schools to admit children<sup>3</sup>

How many directions did the local authority make between 1 August 2023 and 31 July 2024 to maintained schools for which the local authority is not the admission authority to admit children (including children looked after by the local authority but resident in another area)?

Total number of children	Of which, looked after	Of which, not looked after
0	0	0

## F. Other points on in-year admissions

- i. For the schools for which the local authority co-ordinates in-year applications, in the year between 1 Aug 2023 and 31 July 2024 did you receive
- Significantly fewer applications than last year
  - slightly fewer applications than last year
  - about the same

<sup>3</sup> It is important that only Directions to maintained schools are included here. Numbers of Directions to academies are already held by the Department.

- slightly more than last year
- significantly more than last year

ii. For what proportion of **primary** schools in your area did the local authority co-ordinate in-year admissions during the 2023/2024 academic year

- Between 0% and 24%
- Between 25% and 49%
- Between 50% and 74%
- Between 75% and 100%

iii. For what proportion of **secondary** schools in your area did the local authority co-ordinate in-year admissions during the 2023/2024 academic year

- Between 0% and 24%
- Between 25% and 49%
- Between 50% and 74%
- Between 75% and 100%

iv. If you wish, please provide any comments about how **well in-year admissions** works for children who are **not** looked after or previously looked after and/or do **not** have SEND:

Suffolk County Council is the admissions authority for community and voluntary controlled schools only and the in-year admissions works very well for these schools.

The LA is not the admissions authority for any other schools, and it is our view that the service a parent/carer receives depends on the individual school approached for a school place. Therefore, for parents/carers their experiences of the school admissions process can vary greatly throughout the county, and this is not fair or equitable.

v. If you wish, please provide any other comments on the admission of children **in-year** not previously raised (you may wish to include here any comments about cases where it has not proved possible to find places for children):



### **Section 3 - Other matters**

Are there any other matters that the local authority would like to raise that have not been covered by the questions above?

We would like to see the co-ordination of in-year admissions brought back as a statutory requirement. We believe this will reduce the significant safeguarding concerns that we have as a local authority. It will enable us to have 'sight' of all children within the county because whilst the School Admissions Code requires admission authorities to notify us of every application and its outcome, they often do not do this or if they do, it isn't in a timely manner. It can place barriers in the way for the most vulnerable children gaining access to an education in a timely manner. It would also support families with a similar experience to the one they receive when applying for a place in the normal year of entry. We believe this would ensure fairness and transparency regardless of an applicant's postcode or which school is applied for.

### **Section 4 - Feedback**

We would be grateful if you could provide any feedback on completing this report to inform our practice for 2025.

Thank you for completing this template.

Please return to [Office of the Schools Adjudicator](#) by 31 October 2024