

# Seeking school places:

Addressing the challenges of in-year admissions in London



# Executive Summary

Applying for a school place outside the regular points of admission is much more complicated than applying for a place at the start of primary or secondary school when there is a pan-London system for all state schools. For school admissions outside these entry points, parents and carers must follow different processes for different schools and local authorities which can involve lengthy delays, including referrals to Fair Access Protocols and the Secretary of State in the more challenging cases. This can result in many children having to wait longer for a school place, missing out on education for months while due process is followed – which can have a detrimental impact on their attainment and wellbeing.

London Councils shares the government's commitment to ensure all children, especially the most vulnerable in our society, are safe, visible and have access to an excellent education. Yet, the lack of local authority oversight of the in-year admissions system poses safeguarding risks as children missing education are less likely to have contact with statutory agencies and can fall off the radar of statutory services if the local authority is not informed when they are denied a place via the in-year admissions process.

In-year admission applications have increased significantly in London in recent years. Across 27 London boroughs, over 75,000 in-year admissions were received from September 2021 to July 2022, an increase of over 11,000 compared with the 2019-20 school year. This is a considerable cohort of children who have to apply through an unwieldy system, often facing unnecessary delays. This scale of pupil movement is comparable to the 85,000 children who were offered a place to start primary school in September 2023.

Boroughs reported that the increase is due to several factors including families moving to different boroughs due to changes in working patterns and lifestyle choices, while others move into London from other parts of the UK and abroad. In-year admissions remain challenging this academic year. London local authorities continue to receive a disproportionately high number of refugee and asylum-seeking children and families compared to other regions in England.

In-year admissions can also be challenging for schools as no immediate funding is made available by the Department for Education. If a pupil is admitted after the school census in October, the school will not generate additional per-pupil funding until the following October. Admissions to GCSE years pose particular challenges as schools have less time to prepare pupils for exams, which could affect attainment.

While many head teachers work with the local authority to admit children where they can, the lack of local authority powers allows for less inclusive practice to occur unchecked. Giving local authorities controls for management of pupil movements, including powers to direct any state-funded school to admit a child, will enable them to ensure fair allocations by making sure that undersubscribed schools are not forced to admit an excessive number of pupils in-year, and that outstanding schools admit their fair share.

Local authority oversight would bring about a simpler system for parents and put in place checks and balances to support safeguarding and ensure that children are not missing education.

## **London Councils is recommending to government that they take forward the following actions:**

1. Give local authorities the responsibility for managing all applications for in-year admissions and powers to direct any state-funded school to admit a child, where appropriate. This responsibility should be fully funded.
2. Provide guidance for schools on in-year admissions during GCSE years setting out expectations on what a school could reasonably deliver for pupils joining in each term during year 10 and year 11, including expectations for pupils who have arrived from overseas.
3. Adjust core funding based on the January school census so schools receive funding for higher pupil numbers across all year groups, as they currently do for reception year.
4. Call on Ofsted to strengthen its assessment of how a school is performing in relation to in-year admissions as part of its role in ensuring that all schools are acting inclusively.

# 1. Introduction

All children of compulsory school age are entitled to a full-time education which is suitable to their age, ability and any Special Educational Needs and Disabilities (SEND) they may have<sup>1</sup>.

School places are not automatically allocated in England, parents and carers need to apply for a place. In London, there is a co-ordinated system for the regular points of admission to primary, junior and secondary school in September for 4, 7 and 11 year olds entering reception year, year 3 and year 7. The process to apply for a school place outside the regular points of admission is more complicated for parents and carers, as they need to follow different processes for different schools and local authorities.

Starting at a new school in the middle of an academic year can involve a smooth application and transition process for children and their families. Yet, when the in-year admissions process takes too long, children can miss out on education unnecessarily. The process can involve lengthy delays with parents having to liaise with different local authorities and schools, including referrals to Fair Access Protocols, the Secretary of State and the Schools Adjudicator in the more challenging cases. Research suggests that the complexity of the current system is making it too difficult for parents to make informed choices<sup>1</sup>.

Local authorities have a duty to ensure that there is a sufficiency of school places for all children in their area and to arrange suitable education for any children who may not otherwise receive it. In 2012, changes to the Admissions Code removed local authorities' legal responsibility to co-ordinate in-year admissions, and associated powers, moving to a system where more schools take responsibility for their own in-year admissions processes. These changes have removed oversight of and vital levers in the admissions system, resulting in many children having to wait longer for a school place and leaving children out of school for months. These delays can have significant implications for a child's educational attainment and mental wellbeing, as well as posing safeguarding risks.

Our survey found that in-year admission applications have increased recently in London. Local authorities in London are reporting a much higher than average number of in-year admissions over the past year. Across 27 London boroughs, the number of in-year admissions received last school year (from September 2021 to July 2022) had increased by over 11,000 in comparison with the 2019-20 school year.<sup>2</sup> Boroughs told us that in-year admissions continue to be challenging in the current academic year 2022/23.

This report explores the cohorts of children seeking school places in-year, the challenges in the system, and the levers local authorities need to ensure that all children and young people in their area have fair and timely access to school places.



<sup>1</sup> Section 7 of the Education Act 1996. A child is of compulsory school age on or after their fifth birthday and until the last Friday of June in the school year that they reach sixteen.

<sup>2</sup> Boroughs reported that the increase is due to several factors including families choosing to move to different boroughs due to changes in working patterns and lifestyle choices, while others move into London from other parts of the UK and abroad.

## 2. Why we have in-year admissions

Children may need a new school place during the academic year for a range of different reasons. This section explores the three main cohorts seeking in-year admissions in London.

### 2.1 Children who are changing school

Children already in school may seek a place at a new school when they move home. There are also those who take up a place at a school closer to home or move to a preferred school when a place becomes available. Some changes of school are driven by a breakdown in relationships with the existing school, and can be where a child is at risk of exclusion or action for poor attendance.

### 2.2 Children arriving from overseas

Many families migrate from overseas to live in London. In most cases, foreign national children in the UK have the right to attend schools. It is the responsibility of parents to check that their children have a right and schools must not refuse to admit a child on the basis of their nationality or immigration status.

Schools provide additional support to children learning to speak English as an additional language. Admissions from overseas can present an added challenge when children have SEND that have not previously been assessed or documented, which adds pressure on school and local authority budgets.

### 2.3 Refugee/ asylum-seeking children and resettlement schemes

London local authorities support a disproportionately high number of refugee and asylum-seeking children and families compared to other regions in England. London has received a higher proportion of individuals and families arriving to claim asylum and those arriving through the Homes for Ukraine and Afghan citizens resettlement schemes. As of 31 March 2023, 0.49% of London's population was from those cohorts, compared to the England average of 0.35%, and 0.37% for the second highest region.<sup>ii</sup> London also has a higher proportion of Unaccompanied Asylum Seeking children (UASC), who represent 16% of the London looked after population compared to 7% for the England average.<sup>iii</sup>

Many children and families settle in London or stay in London when they first arrive in the UK, before moving on to settle elsewhere. This includes families arriving from Afghanistan, Hong Kong and Ukraine through Home Office resettlement schemes, as well as those arriving to seek asylum. Children who have been forced to flee their home country are likely to have additional needs relating to their welfare and integration.

Children and families are also placed by the Home Office in "bridging" and "contingency" hotels while they await assessment or transfer to other parts of the UK. This cohort presents challenges for local authorities due to the need for multiple school places close to the hotels to minimise travel time. Many boroughs reported that they have worked with schools to increase capacity near hotels but still have had to offer places that were miles away once local capacity was exhausted. Occasionally, schools are not notified when families are moved to another area and pupils are not properly taken off the school roll.

#### Supporting families in Bridging Hotels

In the summer of 2021, "bridging" hotels were set up in London, and other parts of the UK, to accommodate evacuees arriving from Afghanistan through various resettlement schemes. Local authorities worked closely with schools to meet the educational needs of over 1,000 children and young people in the hotels. They provided school places, or interim education provision, and a comprehensive wrap around package including support for mental health, SEND, learning English as an Additional Language, uniforms and school equipment. The Home Office provided local authorities with funding for school places and the required wrap around support. Unfortunately, similar funds are not made available for other asylum-seeking families (the majority) who have the same needs.

# 3. Challenges for families and schools

## 3.1 A complicated application process

Families seeking school places in London often benefit from choice of schools that are accessible by a short journey via public transport or within walking distance across a number of boroughs, but they have to deal with different processes for each admissions authority separately.

The process of applying for a school place through the in-year admissions system is complicated. There is no single point of contact, as with the co-ordinated process for entry to reception year and year 7. The School Admissions Code requires local authorities and admission authorities (school governing bodies or academy trusts) to share information about how in-year applications can be made and where places are available<sup>iv</sup>. Some schools are their own admissions authorities, so parents have to apply to them directly. Other schools take part in local authority voluntary co-ordination schemes, so parents apply through the local authority.

Families can face delays in the outcome of their applications, especially when places are not offered. When an application is refused, parents have a right to appeal but some parents do not want to go through the appeals process or can get put off the school during the lengthy process. Local authorities must make alternative education arrangements in these cases, which mostly suit families as an alternative to lodging an appeal. Research suggests that parents often lack the right information to make informed school choices due to the complex system currently in place in England<sup>v</sup>.

In-year admissions can involve a smooth and easy application and transition between schools for the family and schools, but the current system also allows a child to be out of school for months while due process is being followed.

### The long wait

If a child is not offered a school place, they may be out of school for several months which can include the following delays:

- 15 days (maximum) awaiting a decision by the governing body
- Up to 60 days before the Fair Access Protocol (FAP) is triggered, while the parents and the local authority seek a school place
- 30 days typically awaiting a FAP panel meeting
- ‘a period’ of mediation before a direction is made or the local authority requests the Secretary of State to direct
- for academies, seven days between the Secretary of State informing the academy of the request and the consideration by the Secretary of State; then an indeterminate number of days while the Secretary of State seeks advice from the Schools Adjudicator and makes a decision.
- an indeterminate number of days between the direction and the actual admission<sup>vi</sup>.

## 3.2 Implications for schools

In-year admissions have implications for school budgets and standards. The majority of school revenue funding is allocated on a per-pupil basis and no immediate funding is made available by the Department for Education (DfE) for in-year admissions. Per-pupil funding allocations for the academic year are linked to the school Census undertaken in October. If a pupil is admitted in November, for example, the school will not generate extra funding for that pupil until the following October.

Increasing numbers of schools in London are currently struggling to balance budgets due to funding levels that have not been in line with inflation, a stark decline in pupil numbers across the capital, and pressure from a combination of factors including inflationary price increases, increased spend on agency staff, pay awards, and costs relating to meeting pupils’ additional needs. Many schools are unable to set a balanced budget and are making difficult decisions that could have an impact on school standards, for example, by reducing the

number of teaching and support staff, or narrowing the curriculum offer and extracurricular opportunities. Schools also face pressure from Ofsted and the emphasis on exam results.

### **Admission to GCSE years**

The Admissions Code states that places should not be refused on the basis that children cannot be incorporated into examination classes.

In-year admissions to the GCSE years can be particularly challenging for schools. Schools are often reluctant to take on new pupils in GCSE years due to the reduced time they have to prepare pupils for exams. Schools can choose different exam boards for different subjects so children seeking a new school might not have studied the same curriculum content being taught at the new school. Additionally, many new arrivals to the country will need support to learn English as an Additional Language with a minority joining a formal education system for the first time.

High numbers of pupils arriving during the academic year can put significant pressure on individual schools in terms of ensuring sufficient teaching and support is available, at a time when schools are already under considerable financial pressure. In-year admissions involve consideration of physical capacity and site restrictions, but schools also have to manage the impact on class sizes and entry forms, staffing capacity/ ratios and resourcing for meeting additional needs relating to SEND, Social, Emotional and Mental Health (SEMH), and pupils who speak English as an Additional Language.

Boroughs report high numbers of in-year admission applications for children with SEND, some of whom have significant needs but do not have an Education Health and Care Plan (EHCP) and the funding that comes with it, which puts pressure on schools to provide additional support without any additional funding.

However, all maintained schools and academies that have places available have a legal duty to offer a place to every child who has applied for one, unless admitting the child would “prejudice the efficient provision of education or use of resources”.<sup>vii</sup>

## **4. The role of local authorities**

### **4.1 Co-ordination and signposting**

Since local authority duties to implement the in-year admissions system were removed, local authorities have taken different approaches to in-year admissions, ranging from signposting to all local schools to implementing different models of voluntary co-ordination schemes.

Some local authorities co-ordinate in-year admissions for local schools, relying on strong working relationships with both maintained schools and academies. Many boroughs praised pragmatic head teachers who work together to meet local needs.

Examples of local authority co-ordination are summarised below.

- Many local authorities co-ordinate and negotiate school admissions through head teachers’ forums or directly with individual schools.
- Some schemes have the local authority co-ordinating requests while schools make decisions, and in other schemes schools have agreed for the local authority to manage decisions on where to place the children.
- In some cases, the local authority makes the offer to parents and in others the school communicates with parents directly.
- Where local authorities are making decisions, they will allocate to the preferred school if there is a vacancy, and if not, they discuss alternative schools with vacancies with parents and carers. Some local authorities have a rota system or allocate places according to up-to-date roll and vacancy data. They request weekly or fortnightly school roll or vacancy information from schools.

- The use of a shared IT system, imports of school management information system data, or regular sharing of vacancy and roll information also allows some boroughs to screen applications to ensure they are placed within timescales, to identify possible SEND, and to monitor and track vulnerable children at risk of missing education.
- Boroughs receiving in-year admission applications from families who live in other boroughs will inform the home local authority if they are unable to provide a school place.

#### **4.1.1 Fair Access Protocols and Powers of Direction**

Fair Access Protocols (FAPs) set out how school places should be found for children who have not secured a school place through the in-year admission procedures. Each local authority must have a FAP, developed in partnership with schools, which all schools must participate in once agreed.

Boroughs said FAPs work best when all schools take ownership and come together as a local system to serve the community – schools work together to meet the needs of local children and hold each other to account. Yet practice and effectiveness of FAPs vary. The process can be lengthy and does not guarantee that a school place will be offered.

In certain circumstances local authorities and the Secretary of State can direct a school to take a child, but the process prolongs the period that children are out of school.

##### **Due process**

One borough described the steps needed to get a cohort of 18 children school places through the in-year admissions system. Unfortunately, the cohort was out of school for between three to six months.

- At the start of the process, parents and the local authority began identifying schools, making applications, being refused and going through this process for several schools. No school places were offered during the first phase of requests.
- The children were referred under the local FAP but no places were secured, with some children going through the FAP twice.
- The local authority began the process of direction and started consulting schools at the end of January. This involved numerous emails for each child and a lot of challenge back from schools. Eventually, 13 children were offered places at local schools through the threat of direction.
- Two children got a place through local authority direction in mid-February. The local authority also made a request to the Secretary of State to direct two academies in mid-February. The outcomes of these requests were successful and received at the end of April and mid-May respectively.
- One child secured a place at a school in another borough just prior to the local authority submitting a formal direction request.

#### **4.1.2 Ensuring fair access and inclusive practice**

Local authorities have a duty to ensure there are sufficient school places for children and young people in their area. However, increasingly disagreements between schools and local authorities about whether a school should accept a particular child are leading to delays in finding a school place.

Local authorities do not have the powers they require to ensure fair access to school places and inclusive practice. While many head teachers are inclusive and work with the local authority to admit children where they can, the lack of levers for local authorities allows for less inclusive practice to occur unchecked.

Boroughs shared examples of schools cherry picking from applications and refusing to offer places to children they would prefer not to admit for reasons that are in the best interest of the school, not the pupil. Boroughs reported instances of schools informally turning families away, discouraging them from applying, signposting them to other local schools, telling them they had to join a waiting list, delaying outcomes in the hope an alternative school offers a place, and bypassing the in-year process through premature referral to the FAP. When places are refused, letters of refusal do not always include the statutory right of appeal against the

decision. We also heard about schools delaying admission after offering a place through the FAP or being directed – all leading to children missing out on education.

Research suggests that there is inequity and disproportionality in outcomes for families and in the types of schools that take on more in-year admissions. A study by the Royal School of Arts (RSA) found that disadvantaged pupils were more likely to move to lower attaining schools, and that there was clustering of in-year admissions in schools with surplus places and lower attainment, which can have a negative impact on schools already under pressure. <sup>viii</sup>

The RSA also found that the majority of in-year movers were either eligible for the pupil premium, had SEND or both. Many boroughs previously told us that some mainstream schools are supporting a much larger number of children with SEND than others, and that some schools are deterred from supporting children with SEND due to financial and performance-related pressures – despite the presumption of mainstream education in relation to decisions about where children and young people with SEND should be educated in the Children and Families Act 2014.

Local authorities currently lack powers to support fair allocation of in-year admissions and make sure that undersubscribed schools are not forced to admit an excessive number of pupils in-year, which could destabilise them financially thereby impacting on standards and pupil attainment, and that outstanding schools admit their fair share.

### **Opportunity for all: Strong schools with great teachers for your child, DfE 2022 White Paper**

To deliver a “fairer and stronger school system”, the DfE stated in the 2022 White Paper that local authorities need to be empowered to deliver both the right number of school places and fair admissions for their local areas, so that no school or trust can avoid delivering on its responsibilities. <sup>vii</sup> While it maintained that trusts will continue to act as their own admissions authorities, it set expectations on all schools to work together constructively so that there are always enough places for children and to act inclusively to provide the most vulnerable and disadvantaged children with the opportunity to attend the best schools. The White Paper stated that local authorities would be given responsibility for managing all applications for in-year admissions, and that the DfE would consult on a new backstop power for local authorities to direct academies to admit children. Academies would have the right to appeal this to the Schools Adjudicator.

It also stated that the DfE would consult on a statutory framework to govern children’s movements so that all placement decisions are made in the best interest of children, especially the most vulnerable.

## **4.2 Local authority duties relating to safeguarding and children missing education**

DfE guidance states that regular attendance at school is “essential for pupils to get the most out of their school experience, including their attainment, wellbeing, and wider life chances” <sup>x</sup>. Children who are not in school are at significant risk of underachieving and becoming Not in Education, Employment or Training (NEET) later in life because they do not benefit from the opportunities that a high-quality education provides. For vulnerable pupils, regular attendance at school is also a protective factor, providing the best opportunity for needs to be identified and support provided.

Local authorities have statutory responsibilities to promote the welfare of and to safeguard children. <sup>xi</sup> They also have duties to identify children in their area who are not registered at a school and are not receiving suitable education. <sup>xii</sup>

Children missing education and children being educated outside of mainstream education (including those being home-educated) are less likely to have contact with statutory agencies and, in some cases, no contact at all. We are concerned that this poses a risk that abuse or neglect will go unnoticed by professionals with a responsibility to safeguard children. Children who are not in school are also at increased risk of being victims of extra-familial harm and exploitation. <sup>xiii</sup>

Children can fall off the radar of statutory services if they do not attend school in the first place – or if the local authority is not informed when they are removed from a school roll, when they move to a new area, when they are denied a place via the in-year admissions process or are being home educated and do not notify the local authority.



Local authorities recognise that only a minority of children being home-educated and children out of school present these risk factors but without systematic and effective checks and balances in place, vulnerable children could be put at risk of harm.

Local authorities do not have access to comprehensive data on children being added to or removed from school rolls so cannot maintain oversight of when children may be out of school. Whilst schools have a statutory duty to notify the Local Authority of on-rolling and off-rolling, this is inconsistent and often not timely. This makes it difficult for local authorities to identify all children in their area that are vulnerable to harm and to act quickly to protect them. Accurate school roll data would help local authorities track and support children missing education and ensure that all children have a school place.

### **Off-rolling**

Non inclusive decisions at point of admission are hard to track and it is equally hard for local authorities to track these decisions at point of removal from the school roll, which presents similar challenges for families and local authorities.

Off-rolling is the practice of removing a pupil from the school roll without using valid means such as a permanent exclusion, when the removal is primarily in the best interests of the school, rather than the best interests of the pupil. The main drivers behind schools taking this approach appear to be related to school performance measures and rising cost pressures which results in less support available to help pupils. <sup>xiv</sup>

Off-rolling includes pressurising a parent to remove their child from the school roll. Local authorities have concerns that Elected Home Education is used as a cover to off-roll pupils who may need additional support and have a negative impact on a school's results or resources. At present it is hard for local authorities to track where this poor practice is taking place and these children are at risk of missing education without adequate support. One local authority saw a drop in instances of off-rolling once they had automatic access to school roll data via a shared IT system.



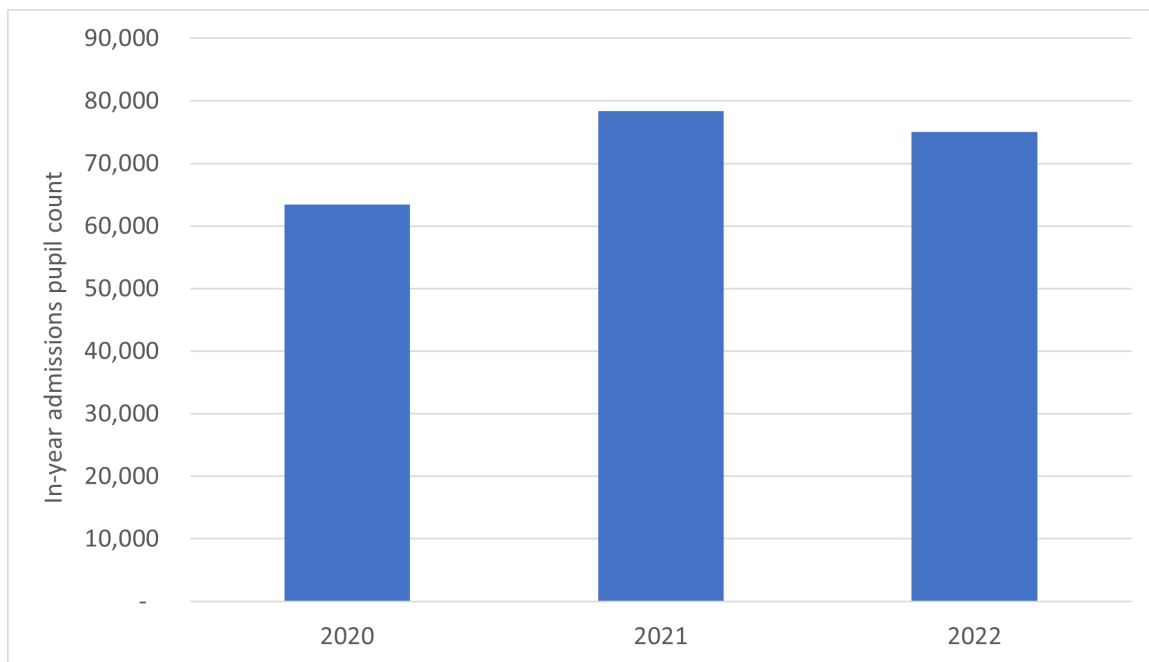
### 4.3 Scale of the London challenge

Across 27 London boroughs, over 75,000 in-year admissions were received from September 2021 to July 2022, an increase of over 11,000 compared with the 2019-20 school year (Figure 1).

This scale of pupil movement is comparable to the 85,000 children who were offered a place to start primary school in September 2023, through the pan-London admission system.

However, even for the 27 boroughs that provided data, this represents a partial picture. Lack of local authority oversight of children being added to school rolls, as set out above, makes it challenging for local authorities to capture the scale of in-year admissions. The data excludes admissions to schools that take responsibility for their own in-year admissions processes, and either do not inform or do not consistently inform the local authority of the outcome of in-year applications, masking the full scale of the issue.

**Figure 1: In-year admissions numbers are increasing across London**



## 5. Recommendations

London Councils is calling on the government to adopt the following recommendations:

### Local Authority co-ordination and oversight

**1. London Councils is calling on the government to give local authorities the responsibility for managing all applications for in-year admissions and powers to direct any state-funded school to admit a child, where appropriate. This responsibility should be fully funded.**

London Councils shares the government's commitment to ensure all children, especially the most vulnerable in our society, are safe, visible and have access to an excellent education.<sup>xv</sup>

Giving local authorities controls for effective management of pupil movements will enable local authorities to deliver the right number of school places and fair admissions for their local areas so that all children have a fair chance to attend the best schools. It would also help to put in place checks and balances to support safeguarding and ensure that children are not missing education.

Local authority oversight would make the system easier to navigate and more transparent for parents applying for in-year admissions, supporting ease of access, more timely access and fairer outcomes for children with additional needs.

Having local authorities manage applications for in-year admissions for all schools would add fairness and transparency in decisions. Local authorities can help to ensure fair allocation by making sure that undersubscribed schools are not forced to admit an excessive number of pupils in-year, and that outstanding schools admit disadvantaged pupils.

The Schools White Paper 2022 proposed that local authorities should have responsibility for in-year admissions for all schools, with the power to direct all schools to admit children, which would make the system easier for parents to navigate and local authorities to manage.<sup>xvi</sup> We call on the DfE to clarify how it will take forward these proposals.

To speed up the process for in-year admissions and minimise the risk of children being out of school for significant periods of time, local authorities also need levers around oversight of school roll data, in year capacity, communication with parents, and faster decision making, as set out below.

- **Oversight of school rolls: All schools should be required to share school roll and vacancy data with local authorities on a fortnightly basis to enable school place planning.**

Local authorities need accurate data on schools rolls and vacancies to plan pupil places. At the moment, all schools must let a local authority know about vacancies within two days of a request, but responses are not consistent. Comprehensive and up-to-date school roll data would also enable local authorities to identify children at risk of missing education, instances of off-rolling and families who may need support finding a school that would meet their child's needs.

- **Setting in year capacity: Schools should be required to set capacity for each year group at the start of the academic year.**

Setting capacity for each year group at the start of the year will prevent schools flexing capacity throughout the year or deciding not to fill vacancies to avoid taking on children with additional needs.

- **Co-ordinating communication with parents: The Department for Education should give local authorities the responsibility to receive in-year applications for all schools in their area and to communicate outcomes to parents.**

In-year admissions could be simplified for parents if local authorities were the initial point of contact for in-year admission applications for all schools in their area, and if they co-ordinated communication of the outcomes to parents. This could speed up the process for finding a school place and would give local authorities better oversight of children at risk of missing education when they have not been able to secure a school place.

- **Faster decision making: Fair Access Protocols should be more targeted so that they can bring about faster and fairer outcomes for children seeking school places.**

By the time a child is referred to Fair Access Protocols (FAPs), it is likely that they have been out of school for some time having been unable to secure a place through the in-year admissions process. It is important that the FAP delivers required school places in a timely manner.

We have a number of asks to make the process more inclusive and keep the length of time that a child is not in education to a minimum.

- The need to wait four weeks for a referral to the FAP should be removed if it is clear that there are no alternatives.
- The Admissions Code should stipulate that the local authority determines whether or not an application should be referred to the FAP, rather than individual schools.
- The Code should emphasise the presumption for mainstream unless the FAP determines that Alternative Provision is most appropriate for meeting a child's needs (this relates to references to 'challenging behaviour', 'any particular needs' and schools refusing because 'they are unable to meet the child's needs').
- The Admissions Code should stipulate that children should be admitted to school within two weeks of the decision to admit.

### **Clearer Guidance for the GCSE years**

**2. London Councils is calling on the Department for Education to provide guidance for schools on in-year admissions during GCSE years setting out expectations on what a school could reasonably deliver for pupils joining in each term during year 10 and year 11, including expectations for pupils who have arrived from overseas.**

When a pupil needs a new school place during year 10 or 11, there are limitations on the outcomes a school can deliver within different timeframes since they would have had less time to prepare pupils for exams. Schools can receive applications for in-year admissions to year 11 as late as April, for example, before exams in held May. The DfE should set out what a "good" offer would be for pupils admitted during each term in year 10 and 11, and how performance measures can take account of in-year admissions to years 10 and 11.

### **More responsive per-pupil funding**

**3. London Councils is calling on the Department for Education to adjust core funding based on the January school census so schools receive funding for higher pupil numbers across all year groups, as they currently do for reception year.**

The delay in per-pupil funding for in-year admissions is a big disincentive for schools in admitting more pupils in-year, particularly after the October census date. Adding flexibility to the core school funding system so schools can access funding for in-year admissions would enable schools to be more financially resilient and better able to manage resources for new pupils. This would also support a fairer system by making more schools more prepared to take in-year admissions.

### **Ofsted oversight of school admissions practices**

**4. London Councils is calling on Ofsted to strengthen its assessment of how a school is performing in relation to in-year admissions as part of its role in ensuring that all schools are acting inclusively.**

When evaluating a school's approach to inclusion, Ofsted inspectors report on any evidence that pupils are leaving a school roll to serve the school's interests, not their own<sup>xvii</sup>. Ofsted recognises that disadvantaged pupils, those with SEND, and pupils with low prior attainment are disproportionately removed from the school roll. Ofsted should track non-inclusive practice in decisions made by school governing bodies regarding adding children to the school roll (for in-year admissions) as well as decisions to remove children from rolls. This should include oversight of the number upheld admissions appeals and how many times a school has been directed to accept a pupil.

## 6. References

- <sup>i</sup> Burgess S, Cantillon E, Cavallo M, Greaves E and Zhang M (2023) "School admissions in England: the rules schools choose on which pupils to admit", University of Bristol, <https://bit.ly/3y8SEko>
- <sup>ii</sup> Home Office (2023) "Immigration System Statistics: Regional and Local authority data - Immigration groups"
- <sup>iii</sup> Department for Education (2023) "CLA on 31 March by characteristics – LA" dataset
- <sup>iv</sup> Department for Education (2021) "The School Admissions Code"
- <sup>v</sup> Burgess S, Cantillon E, Cavallo M, Greaves E and Zhang M (2023) "School admissions in England: the rules schools choose on which pupils to admit", University of Bristol, <https://bit.ly/3y8SEko>
- <sup>vi</sup> RSA (2013) "Between the cracks: exploring in-year admissions in schools in England"
- <sup>vii</sup> Department for Education (2021) "The School Admissions Code"
- <sup>viii</sup> RSA (2013) "Between the cracks: exploring in-year admissions in schools in England"
- <sup>ix</sup> Department for Education (2022) "Opportunity for all: Strong schools with great teachers for your child", DfE White paper
- <sup>x</sup> Department for Education (2022) "Working together to improve school attendance – improving attendance to increase access to education"
- <sup>xi</sup> Department for Education (2018) "Working Together to Safeguard Children"
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