Office of the Schools Adjudicator

Template for

Local Authority Report

to

The Schools Adjudicator

from

London Borough of Newham Local Authority

to be provided by

31 October 2026

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Please email your completed report to: Office of the Schools Adjudicator by 31 October 2026 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 2025/2026 academic year and be submitted to the Office of the Schools Adjudicator (OSA) by 31 October 2026.**

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[1] and the Education Middle School (England) Regulations 2002[2].

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

[1] Department for Education Statistical First Release
[2] 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 25/26 compared to 24/25**?

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:

Pan London coordination and the eAdmissions portal continue to deliver a simple, clear and transparent application process for home residents.

For reception, local processes cannot be as robust for other normal points of entry as this cohort of children is not as easily identified which makes communication and tracking more challenging. However, through working in partnership with nurseries, PVIs and Health colleagues, we attempt to fully capture this cohort as best as possible.

Furthermore, this cohort of children who start their schooling may also have additional needs that may not have been apparent prior to reception.

For admissions to atypical schools (University Technical Colleges and Studio Schools), the optional nature of coordination continues to present challenges.

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**:

No examples to provide.

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:

Newham has established statutory processes for children and young people with EHC plans at normal points of admission, including consultation with schools and settings.

During 2025/26, however, there has been increasing pressure in securing appropriate mainstream placements for some children with more complex SEND. The Local Authority has experienced instances where schools have raised concerns about their ability to meet need, particularly where children require higher levels of support.

The Local Authority continues to work with schools to promote inclusive practice, challenge consultation responses where appropriate and secure placements in accordance with its statutory responsibilities.

Newham is also strengthening its planning for phase transfer, placement decision-making and specialist provision to help identify and resolve placement pressures earlier.

Section 2 - In-year admissions

A. Which of the following best describes the overall level of challenge for your in-year admissions in 25/26 compared to 24/25?

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:

In-year admissions have always been fully coordinated in Newham which works very well. However, there continues to be a high number of Section 3.10 refusals to admit due to challenging behaviour. Much of this relates to families appearing to be changing schools to avoid behaviour sanctions or schools feeling they are unable to meet the needs of children with special educational needs (without an EHC plan) – a cohort that has been increasing.

An additional area of challenge is the placement of Year 11 pupils. Most of these children are referred via the FAP as schools do not report places being available or refuse under the grounds specified above.

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:

It is particularly challenging to find school places for LAC placed out of borough in Year 11.

Whilst there has been a marked improvement since the previous year, the dissonance between admissions legislations and the understandable expectations of Virtual Schools or other parties supporting/advocating for the child can still be challenging at times. Section 1.7 of the School Admissions Code requires schools to prioritise looked after children in their oversubscription criteria, but the expectation is they will admit. The challenges and delays could be overcome if Looked After Children were placed (like children with an EHC plan or referred through the Fair Access Protocol) outside of the oversubscription criteria.

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:

Newham has established arrangements for managing in-year admissions for children with EHC plans, including children moving into the borough. The SEND Service works alongside Education Access and schools to identify appropriate provision, undertake statutory consultation and secure placements.

However, in-year admission can be more challenging where children present with significant or emerging SEND, particularly where they do not yet have an EHC plan. Schools may need to make additional arrangements at short notice while a child's needs are still being understood.

During the year, Newham has also experienced cases in which schools have raised concerns about their capacity to meet the needs of children with EHC plans. This is particularly challenging where children have complex needs, have recently moved into the borough, or have already experienced periods out of education.

Newham continues to challenge inappropriate barriers to admission, improve the coordination of SEND and admissions processes, and develop earlier support for mainstream schools.

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:

Not applicable.

i. How many children were admitted to schools in your area under the fair access protocol between 1 August 2025 and 31 July 2026?

Type of school	Number of Primary aged children admitted	Number of Secondary aged children admitted
Community and voluntary controlled	0	5
Foundation, voluntary aided and academies	0	54
Total	0	59

ii. If you have seen a change in the number of children referred to your Fair Access Protocol between 1 August 2025 and 31 July 2026 compared to the previous academic year please indicate what you consider the key reasons for this change to be?

In the previous year, the commissioning of the LA's Newham Late Arrivals Programme (NewLAP) for Year 11 applicants ceased. The impact of this has continued into this academic year whereby schools are now required to admit more pupils as a result and has had an impact on our Alternative Provision capacity.

The falling rolls, which has previously been affecting our primary roll, has now moved into our secondary roll. This has resulted in greater sufficiency of school places and the requirement of placing children via the FAP to meet our duty to ensure unplaced children are in receipt of an offer has declined. However, our numbers have increased as a result of Section 3.10 referrals.

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:

To introduce consistency of approach and fairness for children, greater clarity should be provided as to when the FAP should be invoked. There is a statutory duty for LAs to ensure there are sufficient places for all compulsory school aged residents but there is limited guidance pertaining to the specific circumstances which constitute reasonable measures and how far a parent or LA is required to take them to demonstrate that a place cannot be secured (with the exception of circumstances where a LA does not have sufficient places).

Guidance is also required for the identification of vulnerable children when questions which may provide an indication of this are not permitted on an in-year application form. Further clarity regarding pupil information sharing by the child's previous/current school would be helpful, specifically regarding whether it must be shared, who it can be shared with and the timescales for providing information upon request.

Local experience suggests that the FAP is being used for a significant number of cases where the applicant has applied for a new school place to avoid sanctions – including permanent exclusions. However, for Section 3.10 to be applied, information must be shared. To increase the likelihood of changing school and avoiding sanctions, families are applying for schools with vacancies which can present further challenges.

The provisions set out in Section 3.10 of the Code, which enables an admission authority to refuse to admit a child where they have good reason to believe they may display challenging behaviour, can be seen to contradict Section 2.28 which requires schools to offer a place if there is one available. Due to the lack of explicit clarity that the prejudice argument permitted by Section 2.28 may also include refusals under the grounds of challenging behaviour, admission authorities and appeal panellists may take alternative views regarding which provision holds greater legal weighting.

Whilst many of the issues presented can be managed on a local level through data sharing agreements and consent processes, cross border applications present challenges due to an inability to implement a clear process resulting from a lack of clarity regarding pupil information sharing within legislation, regulations or guidance.

E. Directions to maintained schools to admit children[3]

How many directions did the local authority make between 1 August 2025 and 31 July 2026 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)?

[3] It is important that only Directions to maintained schools are included here. Numbers of Directions to academies are already held by the Department.

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 2025 and 31 July 2026 did you receive

☒ Significantly fewer applications than last year
☐ slightly fewer applications than last year
☐ about the same
☐ 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 2025/2026 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 2025/2026 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:

In-year coordination continues to work very well as we manage the application process for all schools in the borough which ensures a clear and simple pathway for all applicants. This is predominantly achieved through the use of a single application form which enables families to select any state funded mainstream school in Newham of their preference. As a result, we are not reliant on schools advising us of families who have applied and been refused, enabling us to fulfil our

Section 436A duties with greater efficiency. Where preferences cannot be met, children who are not in receipt of an offer are placed immediately.

Newham has sought to overcome the difficulties that capping year groups in-year after the school's main point of entry presents through coordinating requests to enable us to fulfil our Section 14 duties. However, the application of the PAN in only the normal year of entry may mean that a school has physical capacity to admit a pupil but is permitted to refuse as the admission would cause prejudice. This issue presents challenges when placing Year 11 children.

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):

The Code requires greater clarity on the circumstances that enable a school to set an admission limit in-year. This would result in a more transparent admissions process and an element of control over the number of places available in the local area with a view for consistency and fairness when an applicant is refused a place as the school is 'full'.

Alternative allocations continue to be a challenge for schools with vacancies as they have to manage new admissions on a weekly basis.

Delays in admission after a school is offered/allocated is a local challenge. To combat this, the Code should be specific in the number of days a pupil should be admitted after an offer of a school place has been made. As a result of unnecessary delays, families are sometimes left feeling that their child is unwanted and pursue applications for other schools.

An emerging challenge is the significant growth in the number of families who apply for their child to be educated out of their chronological age group prior to being admitted to the school. The Code does not provide clear guidance on this which results in inconsistencies across the admissions landscape.

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?

Summer born and out of year group:

All Out of Year Group Entry guidance relates or alludes to the admission of Summer Born children during the main point of entry. In response to the rising number of in-year applications for admission Out of Year Group, guidance should also include applications of this nature. This is also relevant for children who are currently being educated out of their chronological year group and make a request to transfer in-year. Experience shows that some admission authorities do not agree to the year group the child is currently being educated in whereby the only route for challenge is via the school's complaint procedure.

Capping and overallocation:

Capping needs to be officially recognised and information published regarding their use.

Enabling Own Admission Authority schools to over allocate for normal admissions means schools with lower preferences receive even fewer children as they are offered a place at one of these schools where the PAN would not have allowed. This is a particular challenge for schools who have been impacted by the national issue of falling rolls.

Information sharing:

Many schools have raised concerns regarding the barriers that are created as a result of a child's previous or current school refusing to share data to enable them to determine if Section 3.10/3.11 can be invoked. It is understood that the Data Controller of the child's current school is legally responsible for making this decision as it is being shared on a lawful basis. However, schools expect local authorities to manage the situation but neither the ICO nor DfE provide definitive advice on this. Essential guidance should be published with a specific section about information sharing, timelines and responsibilities including advice about transferring pupil files (electronic and paper) and start dates for children offered places outside of their home LA.

Parental disputes:

The LA recognises that familial relations can be complex and are exacerbated around school transfer points. Clarity over parental disputes and the fair handling of applications where there is no agreement on preferences should be explored in guidance for LAs.

Looked After Children:

The Code is clear that LAC have the highest priority in a school's admission arrangements for any school. However, this is somewhat contradicted by the expectation that schools must admit these children or face a possible direction. It should be clear as to whether LAC are the first criterion or should be placed outside of the oversubscription criteria as for children with an EHC plan or via the FAP.

SEND and mainstream inclusion:

Newham continues to experience increasing complexity in securing timely mainstream placements for some children and young people with SEND, particularly those moving into the borough, children with higher levels of need and those requiring an in-year placement.

Greater national clarity would be helpful regarding the relationship between school admissions arrangements and the statutory framework governing children with EHCPs, particularly where schools raise concerns about their capacity to meet need.

Local experience also highlights the importance of strengthening inclusive capacity within mainstream education so that SEND does not become an unintended barrier to admission.

Newham continues to develop earlier intervention, mainstream inclusion support, SEND sufficiency planning and specialist provision in response to these pressures.

Other:

The language used in the Code should be more specific where words such as 'promptly' lacks clarity and should be replaced with actual timelines. Additionally, the use of 'school days' is not a universal measurement since schools determine their own term dates. Greater consideration should be taken on the use of this metric as it can present challenges when establishing timelines and prioritising high workloads.

Section 4 - Feedback

We would be grateful if you could provide any feedback on completing this report to inform our practice for 2027.

The public nature of the LA OSA Report can present limitations in the content that is reported. By transforming the individual LA report to an LA survey which is transposed into an annual report written and published by the OSA, rather than the requirement for individual LAs to publish theirs, it may result in a more candid depiction of the admissions landscape across the country.

Whilst it is understood that Alternative Provisions and Pupil Referral Units may be community/voluntary controlled or foundation/voluntary aided/academies, including these specific provisions within these categories distorts the picture regarding the distribution of FAP allocations across the schools in each LA. Although it may be true if, for example, 25 allocations were made by foundation/voluntary aided/academies, only a small proportion may have been offered a mainstream setting with the remainder placed in an AP/PRU. This does not fully recognise the emerging dependence on AP/PRU placements, rather than an equitable distribution of children across the schools in the borough. A recommended solution would be to distinguish them as a separate category when submitting this return.

Thank you for completing this template.

Please return to Office of the Schools Adjudicator by 31 October 2026