

Phil Norrey
Chief Executive

To: The Chair and Members of the
Cabinet

County Hall
Topsham Road
Exeter
Devon
EX2 4QD

(See below)

Your ref :
Our ref :

Date : 7 February 2019
Please ask for : Karen Strahan, 01392 382264

Email: karen.strahan@devon.gov.uk
:

CABINET

Friday, 15th February, 2019

A meeting of the Cabinet is to be held on the above date at 10.30 am in the Committee Suite - County Hall to consider the following matters.

P NORREY
Chief Executive

AGENDA

PART I - OPEN COMMITTEE

1 Apologies for Absence

2 Minutes

Minutes of the meeting held on 9 January 2019 (previously circulated).

3 Items Requiring Urgent Attention

Items which in the opinion of the Chair should be considered at the meeting as matters of urgency.

4 Announcements

5 Petitions

6 Question(s) from Members of the Council

FRAMEWORK DECISION

- 7 Revenue Budget, Medium Term Financial Strategy 2019/2020 - 2022/2023 and the Capital Programme for 2019/2020 - 2023/2024 (Pages 1 - 6)

Report of the County Treasurer (CT/19/5) on the Council's Budget for 2019/2020, will follow.

The Cabinet will accordingly consider:

- Cabinet Service Budgets 2019/2020, to follow
- Scrutiny Budget Recommendations, (CSO/19/8), attached.
- Budget Consultation Meetings (CSO/19/7), attached.

Electoral Divisions(s): All Divisions

KEY DECISIONS

- 8 Admission Arrangements and Education Travel Review: Approval to admission arrangements for subsequent academic year (Pages 7 - 194)

Report of the Head of Education and Learning (CS/19/5) seeking approval to the Admission & Education Transport Policies for 2019-20 and 2020-21, attached.

The policies are also attached, with changes annotated in red:

- Proposed 2019-20 In Year Co-ordinated Admissions Scheme;
- Proposed 2020-21 Normal Round Admissions Scheme;
- Proposed 2020-21 Education Transport Policy; and
- Proposed 2020-21 Post-16 Education Transport Policy.

All policies for consideration have been subject to an Equality Impact Needs Assessment, at www.devon.gov.uk/admissionarrangements

Electoral Divisions(s): All Divisions

- 9 Highways Budget: Allocation of additional capital funding for carriageway structural maintenance and bridge structural repairs (Pages 195 - 200)

Report of the Chief Officer for Highways, Infrastructure Development and Waste (HID/19/7), seeking approval to increase the 2018/19 Highways, Infrastructure Development and Waste (HIDW) capital programme with the additional funding received by the Government, attached.

Electoral Divisions(s): All Divisions

- 10 Newton Abbot Exeter Road Improvements seeking approval to commence land acquisition and go to tender (Pages 201 - 222)

Report of the Head of Planning, Transportation and Environment (PTE/19/8), seeking approval to proceed with land acquisition, side roads orders and a tender exercise for a scheme to widen the existing footway and highway between Whitehill Close and Churchills Roundabout on the A382, Newton Abbot, attached.

An Impact Assessment is attached separately for the attention of Members at this meeting.

Electoral Divisions(s): Newton Abbot North

MATTERS REFERRED

- 11 Corporate Infrastructure and Regulatory Services Scrutiny Committee - Planned & Reactive Maintenance Task Group Report (Minute 110) (Pages 223 - 238)

At its meeting on 29 January 2019, the Corporate Infrastructure and Regulatory Services Scrutiny Committee considered the Report of the Planned & Reactive Maintenance: Potholes and Drainage Task Group (Minute *110 refers) and the recommendations contained therein.

The Committee noted an internal website should be available shortly to provide information on highways works and historic information and also that raising awareness through the Highways and Traffic Orders Committees at Recommendation 1b would alleviate issues around communication.

The Corporate Infrastructure and Regulatory Services Scrutiny Committee RESOLVED that the Task Group Report be commended to the Cabinet.

Recommendation

(a) that the Corporate Infrastructure and Regulatory Services Scrutiny Committee be thanked for its Task Group Report and the recommendations be endorsed; and

(b) that the relevant Cabinet Member and Chief Officer for Highways, Infrastructure Development and Waste be asked to take forward the Report and progress / co-ordinate the recommendations contained therein, engaging other partners and contractors as necessary.

STANDING ITEMS

- 12 Question(s) from Members of the Public

- 13 Minutes

Minutes of the bodies shown below are circulated herewith for information or endorsement as indicated therein:

- a Devon and Exeter Rail Project Working Party - 18 January 2019 (Pages 239 - 242)
- b Devon Education Forum - 23 January 2019 (Pages 243 - 248)

[NB: Minutes of [County Council Committees](#) are published on the Council's Website:

Minutes of the [Devon Education \(Schools\) Forum](#):

Minutes of the [South West Waste Partnership](#)

Minutes of the [Devon & Cornwall Police & Crime Panel](#)

- 14 Delegated Action/Urgent Matters (Pages 249 - 250)

The Registers of Decisions taken by Members under the urgency provisions or delegated powers will be available for inspection at the meeting in line with the Council's Constitution and Regulation 13 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012. A summary of such decisions taken since the last meeting is attached.

15 Forward Plan (Pages 251 - 260)

In accordance with the Council's Constitution, the Cabinet is requested to review the list of forthcoming business (previously circulated) and to determine which items are to be defined as key and/or framework decisions and included in the Plan from the date of this meeting.

[NB: The Forward Plan is available on the Council's website at: <http://democracy.devon.gov.uk/mgListPlans.aspx?RPId=133&RD=0&bcr=1>]

PART II - ITEMS WHICH MAY BE TAKEN IN THE ABSENCE OF THE PRESS AND PUBLIC

NIL

Notice of all items listed above have been included in the Council's Forward Plan for the required period, unless otherwise indicated. The [Forward Plan](#) is published on the County Council's website.

Notice of the decisions taken by the Cabinet will be sent by email to all Members of the Council within 2 working days of their being made and will, in the case of key decisions, come into force 5 working days after that date unless 'called-in' or referred back in line with the provisions of the Council's Constitution. The Minutes of this meeting will be published on the Council's website, as indicated below, as soon as possible.

Members are reminded that Part II Reports contain confidential information and should therefore be treated accordingly. They should not be disclosed or passed on to any other person(s).

Members are also reminded of the need to dispose of such reports carefully and are therefore invited to return them to the Democratic Services Officer at the conclusion of the meeting for disposal.

Membership

Councillors J Hart (Chair), S Barker, R Croad, A Davis, R Gilbert, S Hughes, A Leadbetter, J McInnes and B Parsons

Cabinet Member Remits

Councillors Hart (Policy, Corporate and Asset Management), Barker (Resources), Croad (Community, Public Health, Transportation & Environmental Services), Davis (Infrastructure Development & Waste), R Gilbert (Economy & Skills) S Hughes (Highway Management), Leadbetter (Adult Social Care & Health Services), McInnes (Children's Services & Schools) and Parsons (Organisational Development & Digital Transformation)

Declaration of Interests

Members are reminded that they must declare any interest they may have in any item to be considered at this meeting, prior to any discussion taking place on that item.

Access to Information

Any person wishing to inspect the Council's / Cabinet Forward Plan or any Reports or Background Papers relating to any item on this agenda should contact Karen Strahan, 01392 382264. The Forward Plan and the Agenda and Minutes of the Committee are published on the Council's Website and can also be accessed via the Modern.Gov app, available from the usual stores.

Webcasting, Recording or Reporting of Meetings and Proceedings

The proceedings of this meeting may be recorded for broadcasting live on the internet via the 'Democracy Centre' on the County Council's website. The whole of the meeting may be broadcast apart from any confidential items which may need to be considered in the absence of the press and public. For more information go to: <http://www.devoncc.public-i.tv/core/>

In addition, anyone wishing to film part or all of the proceedings may do so unless the press and public are excluded for that part of the meeting or there is good reason not to do so, as directed by the Chair. Any filming must be done as unobtrusively as possible from a single fixed position without the use of any additional lighting; focusing only on those actively participating in the meeting and having regard also to the wishes of any member of the public present who may not wish to be filmed. As a matter of courtesy, anyone wishing to film proceedings is asked to advise the Chair or the Democratic Services Officer in attendance so that all those present may be made aware that is happening.

Members of the public may also use Facebook and Twitter or other forms of social media to report on proceedings at this meeting. An open, publicly available Wi-Fi network (i.e. DCC) is normally available for meetings held in the Committee Suite at County Hall. For information on Wi-Fi availability at other locations, please contact the Officer identified above.

Questions to the Cabinet / Public Participation

A Member of the Council may ask the Leader of the Council or the appropriate Cabinet Member a question about any subject for which the Leader or Cabinet Member has responsibility.

Any member of the public resident in the administrative area of the county of Devon may also ask the Leader a question upon a matter which, in every case, relates to the functions of the Council. Questions must be delivered to the Office of the Chief Executive Directorate by 12 noon on the fourth working day before the date of the meeting. The name of the person asking the question will be recorded in the minutes. For further information please contact Karen Strahan on 01392 382264 or look at our [website](#)

Emergencies

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If you need a copy of this Agenda and/or a Report in another format (e.g. large print, audio tape, Braille or other languages), please contact the Information Centre on 01392 380101 or email to: centre@devon.gov.uk or write to the Democratic and Scrutiny Secretariat at County Hall, Exeter, EX2 4QD.



Induction loop system available

NOTES FOR VISITORS

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SatNav – Postcode EX2 4QD

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The nearest mainline railway stations are Exeter Central (5 minutes from the High Street) and St David's and St Thomas's both of which have regular bus services to the High Street. Bus Service H (which runs from St David's Station to the High Street) continues and stops in Wonford Road (at the top of Matford Lane shown on the map) a 2/3 minute walk from County Hall, en route to the RD&E Hospital (approximately a 10 minutes walk from County Hall, through Gras Lawn on Barrack Road).

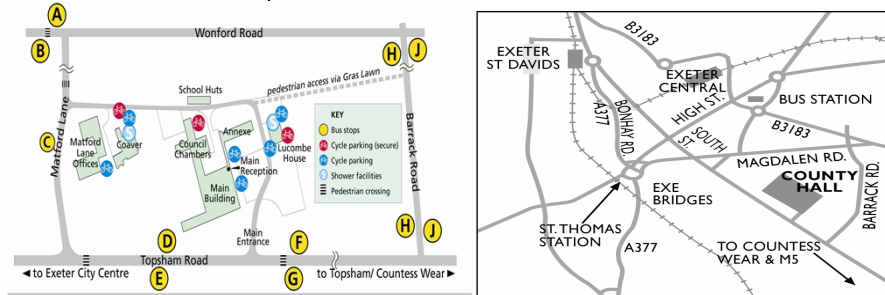
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NB   Denotes bus stops

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First Aid

Contact Main Reception (extension 2504) for a trained first aider.

Scrutiny Budget recommendations 2019/20

Scrutiny Committees' note the Government's provisional financial settlement and the spending targets determined by the Cabinet, expressing concern nonetheless at the continuing financial pressure faced by local authorities and the potential consequences on the ability of the Council to do what matters for the citizens of Devon; specifically, Scrutiny:

Welcomes and supports

1. The proposed 1% Social Care Precept;
2. The commitment to invest monies from the business rates retention pilot scheme into Children's Services including for Edge of Care and Crisis Care, with an expectation of innovative invest to save initiatives;
3. Additional investment of;
 - i. £8.2 millions for looked after children;
 - ii. £1 million additional funding to support the scrutiny recommendation on changes to foster care allowances; and
 - iii. The planned investment of £2 millions in service improvement and development.
4. The Council's flexible and adaptable approach moving to direct delivery of the following services:
 - i. Residential Short Breaks;
 - ii. Rehab officers or Visually Impaired Children's Services;
 - iii. Public Health Nursing; and
 - iv. Portage.
5. Increased use of Capital prevention strategies to alleviate revenue spend on highways.
6. The continuation of service provision despite challenging budgets in the:
 - i. 50 libraries and 4 mobile libraries across Devon;
 - ii. continued support for democracy and the effectiveness of scrutiny.

Records Concern:

7. That the budgets prepared based on Cabinet's approved targets are sufficient to meet the demands placed on those services and that the apportionment of resources between the various services is appropriate and proportionate. Most notably:
 - i. Potential future overspend of the Children's budget, noting with concern the estimated future cost to the authority due to demographic pressure and increases in demand notwithstanding the recognition of the robust planning undertaken by the Service to address needs led budgets;
 - ii. The reduction in Public Health grant (as a key player in promoting health and wellbeing of the population); and the increased demand and budget pressures in adult social care and asks Cabinet to continue to put pressure on Central Government; and
 - iii. The impact of Brexit on the Council's budget and the impact on staff recruitment especially adequate recruitment of nurses to private residential homes.

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Requests that Cabinet:

8. Continue to pursue the investment in Devon's children until funding for education is needs led and equitable with other similar local authorities. Scrutiny welcomes the endeavours undertaken by this Council to achieve fairer funding for children in schools across Devon and the additional £10.2million increase in the Dedicated Schools Grant. However, Scrutiny highlights the reality that this is mainly due to an increase in pupil numbers and in real terms there will only be an additional £10 per pupil and is still a **shortfall of £294 compared to the national average** funding for each pupil. Scrutiny encourages consideration of how parents and schools' voices' can be recognised and supported on these issues, including sharing information (e.g. a factsheet).
9. Continue to press Government for investment in SEND support; whilst commending the work in increasing specialist provision as well as the success in developing two new special schools in Tiverton and Newton Abbot.
10. Call on the Government for the swift publication of the Green Paper anticipated to address funding in adult social care including adequate funding for care workers, recognising the interrelated nature of system working with the NHS and highlights the limitations of short-term funding affecting long term planning for local services, most notably the Improved Better Care Fund.
11. Consider a co-ordinated approach to address concerns about recruitment and retention of teaching and learning support staff, including:
 - I. Recognition and extension of Devon approaches to mentoring, coaching and career development as well as the launch of a new DCC recruitment website with a dedicated section on the benefits of working in education in Devon; and
 - II. lobby central government reflecting the serious concerns about recruitment and retention of teaching staff.
12. Consider additional funding to be made available to support winter planning for Adult Social Care if possible.
13. Ensures that all risk and impact assessments continue to be updated and are compiled with the evidence gathered during this budget preparation exercise and any subsequent engagement processes to support the proposed way forward.

Requests that the NHS:

14. Continues to work with Devon County Council to ensure the continuation and extension of a comprehensive offer for 0-25 mental health prevention and support and requests further updates to scrutiny as available.
15. Support integrated working arrangements with Public Health around sexual health.

COUNTY COUNCIL BUDGET CONSULTATION 2019/20 WITH DEVON'S BUSINESS COMMUNITY, REPRESENTATIVES OF OLDER PEOPLE AND THE VOLUNTARY SECTOR AND TRADE UNIONS

1.0 Recommendation: that the contents of the report and the representations of the consultees be noted.

2.0 Introduction

2.1 The Leader of the Council, other Members and officers met with the representatives of the Business Community, organisations which champion the cause of older people and the voluntary sector, and Trade Unions. This was to discuss the County Council's budget for 2019/20 in line with statutory requirements and previous good practice.

3.0 Budget Consultation with Parish and Town Councils

3.1 The Leader of the Council attended 7 local meetings during September and December 2018 as part of the budget consultation process. These were based on existing Town and Parish Cluster meetings or similar in each District or City Council area. An eighth meeting was put back at the request of East Devon District Council. The meetings were attended by a total of approximately 200 local representatives.

3.2 At each meeting the Leader gave a short presentation of key budgetary issues and factors affecting the County Council and the wider Devon area before inviting open questions.

3.3 The key themes to emerge included: Highway maintenance and attention to minor rural roads (including the need for more local spot contracting arrangements); School funding and new school planning; The pressure on Children's Services and problems with Special Educational Needs; Social Care funding for the elderly and tackling issues such as loneliness and isolation; and services for young people including access to mental health services.

3.4 Other issues raised included: Brexit and its economic and social impact; Greater delegation of powers and funding; The potential for more community self-help and volunteering and closer working with the voluntary sector; Business rates relief for small businesses; the mismatch between roads infrastructure investment and local district development plans.

3.5 Issues and suggestions related directly to the budget and efficiency included: Possible opportunities relating to the use of Growth Fund and the Business Rates Pilot; The need to raise Council tax and local precepts to fund essential local services; The better use of reserves and a consideration of more innovative

capital investment; The consideration of local government re-organisation as a means of saving money; The potential for greater lobbying of Government to push for more resources and to ensure Devon is treated fairly.

4.0 Budget Presentation

- 4.1 The Senior Assistant County Treasurer gave a presentation on the 2019/20 budget at each of the three consultative meetings.
- 4.2 The presentation first reflected upon the impact of the Comprehensive Spending Review outlining the significant changes to the way in which Local Government was funded. The reduction in core funding from 2010/2011 to 2018/19 was outlined in terms of the cash reduction year on year and the real term cumulative impacts on the Council.
- 4.3 The presentation also highlighted the current position in terms of the revenue budget for 2018/19 and the reserves and balances in terms of the County fund and the earmarked reserves. The earmarked reserves of Devon County Council were compared with the reserves of other English County Councils.
- 4.4 Looking forward to 2019/2020 and beyond, the Autumn Statement (published on 29th October 2018) outlined £650 million extra funding in 2019-20 for local authorities to help deliver the services communities need and to support the most vulnerable residents. The Provisional Settlement (announced on 13th December 2018) gave details of the final year of the current funding settlement which saw core funding reduced by £13.5 million, equivalent to 11.7%. The Adult Social Care Precept rules remain unchanged from 2017/18 – with a limit of 6% over three years, in 2017/18 DCC used 3%, a further 2% in 2018/19, leaving 1% available in 2019/20. Furthermore, the basic increase in Council Tax that will trigger a referendum is now 3%.
- 4.5 The presentation underlined that the 2018/19 100% Business Rates Retention Pilot created an estimated Devon County Council share gain of £16.6 million. It was noted, however, that Devon's bid for the 2019/20 75% Business Rates Pilot had been unsuccessful, this was to be expected however, as few councils had successful bids in both 2018/19 and 2019/20.
- 4.6 Finally, the presentation outlined the budget targets for 2019/20 and the budget timetable. As part of these budget targets, a 2% increase in spending on Adult Care and Health and a 9.4% increase on Children's Services were highlighted.

5.0 Representatives of the Business Community: 15 January 2019

- 5.1 Businesses and organisations represented at this meeting included Andrew Butler (NFU), Dirk Rohwedder (Seedbed), Julie Hawker (Cosmic) and Philip Dredge (CVS and DEVA).

- 5.2 Issues and questions raised by the group and discussed with County Council representatives included:
- a concern that Council finances could be affected by the loss of EU funding;
 - the Council's use of the additional funding from the 100% business rates pilot;
 - the Council's position on raising business rates;
 - the impact of the growth of online retail and mobile businesses on business rates collection;
 - the Council's planned decrease in spending on corporate services; and
 - the level of spending on infrastructure.

6.0 Representatives of Older People and the Voluntary Sector: 16 January 2019

6.1 Representatives at this meeting included Revd Iain McDonald (Devon Faith and Belief Forum), David Incoll (CAB), Sheila Curzon (National Pensioners convention), Andrea Scott (Age Concern Barnstable and District), Alison Dolley (Cosy Devon), Molly Holmes (Age UK Mid Devon), Dr Louise MacAllister (Devon Communities Together), Tony Siddal (Devon Communities Together), Shirley Fewings MBE (Assist Teignbridge), Beth Reynolds (Libraries Unlimited), Frances Canning (Devon Communities Together), Helen Imber (Healthwatch Devon), Claire Porton (Healthwatch Devon), Ruth Marchant (Devon Parent Carers Voice), Colin Lomay (Retired members, Unison), Sandra Ragalsky (Fawcett Society), Nrvan Zawal (Hikmat Devon CIC).

- 6.2 Issues and questions raised by the group and discussed with County Council representatives included:
- the level of Council Tax collection in Devon;
 - clarification on the council's involvement with the NHS 10 Year plan;
 - noting the voluntary sectors ability to aid in long term care plans;
 - the financial challenges posed to voluntary sector through a reduction of funding since 2010;
 - the impact of the closure of Day Services on carers;
 - a concern over a decrease in staff numbers and how this may impact the Council's service provision;
 - the potential for large returns on investment into the voluntary sector;
 - the importance of sustained partnership working between the voluntary sector and the County Council in meeting the needs of people in Devon and reassurance that the Council will continue to support voluntary organisations;

- concern over the increasing need for mental health charities; and
- concern over the impact of the struggling Highstreet.

7.0 Representatives of Trade Unions: 16 January 2019

7.1 Representatives at this meeting included Andy Bowman (UNISON), Paul Gosling (NAHT Devon), Darienne Flemington (UNISON), Tim Hodge (Devon NUT), Steve Ryles (UNISON) and Nigel Williams (Devon NASUWT).

7.2 Issues and questions raised by the group and discussed with County Council representatives included:

- clarification on the level of the Council's reserves in relation to that of other local authorities;
- questions surrounding how overspending from previous years is factored into next year's budget;
- concerns as to whether the Council is planning on re-opening children's homes;
- concerns over the cost of the retention of care workers;
- a concern that Council finances could be affected by the loss of EU funding; and
- concerns regarding the implementation of the pay award to employees of providers delivering services on behalf of the Council

8.0 Conclusion

The consultations carried out provided a positive opportunity for the people of Devon to specify their priorities in future service delivery, particularly in times of austerity where difficult choices have had to be made. The data collected, and feedback received provides a valuable snapshot of current opinion on where resources should and should not be allocated in future.

Jan Shadbolt, County Solicitor

ELECTORAL DIVISIONS: ALL

Local Government Act 1972: List of Background Papers

Contact for Enquiries: V Church (01392) 383691
Room: G31

<u>Background Paper</u>	<u>Date</u>	<u>File Reference</u>
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Nil

ADMISSION & EDUCATION TRANSPORT POLICIES FOR 2019-20 AND 2020-21

Report of the Head of Education and Learning

Please note that the following recommendations are subject to approval by the Cabinet and confirmation under the provisions of the Council's Constitution before taking effect.

Cabinet are asked to consider the following recommendations as well as the recommendations in section 2 below;

1. Note the admission arrangements were proposed and consulted on by the Local Authority.
2. Approve the admissions cycle timetable drawn up for the admissions arrangements cycle, set out at **Appendix Three**.
3. Determine the Normal Round Co-Ordinated Admissions Scheme for 2020-21, the In-Year Co-Ordinated Admissions Scheme for 2019-20 and the Education Transport Policies for 2020-21 summarised at **section 2** below.
4. Approve representations to the Department for Education regarding normal round co-ordination for new free schools, set out at **section 4.2** below

1. PURPOSE OF REPORT

- 1.1 The Local Authority (Devon LA) has a statutory responsibility to propose, consult on and determine admission arrangements for community and voluntary controlled (VC) schools and co-ordinated admission schemes for the normal round of admissions to all state-funded schools. Consultation in Devon is held ahead of the statutory deadline for annual determination by Cabinet. Schools that are their own admissions authority are responsible for their own arrangements and determined by the schools themselves.
- 1.2 This paper is to report the outcome of the consultation on primary and secondary school admission arrangements for 2020-21 and the co-ordination of primary and secondary school admissions and to seek approval to the schemes. Admission to special schools and fee-paying independent schools is not included.
- 1.3 This paper also proposes the Education Transport Policies for 2020-21.

2. RECOMMENDATIONS

- 2.1 Members are requested to:
 - a) approve the Published Admission Numbers for community and VC schools for 2020-21 (see **Appendix One**)
 - b) approve the catchment areas for community and VC schools for 2020-21 set (see **Appendix Two**)
 - c) approve the admissions timetable for the next year (see **Appendix Three**)
 - d) determine the normal round co-ordinated admissions scheme for 2020-21 (see **Appendix Four**)

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- e) determine the in-year co-ordinated admissions scheme for 2019-20 (see **Appendix Four**)

2.2 Members are also requested to:

- f) approve the Education Transport Policies for 2020-21 (see **Appendix Five**)
- g) approve the proposal to make representations to the Department for Education over normal round co-ordination for new free schools (see **section 4.2**)

3. CONSULTATION ON ADMISSION ARRANGEMENTS

3.1 Education Authorities are required to consult annually on their admission arrangements and to determine them by 28 February. Devon consulted on the proposed admission arrangements for community and VC schools for which it is the admissions authority and on the proposed co-ordinated admission schemes for primary and secondary schools. Where a school converts to academy status after determination, the published admission arrangements for them will remain in place.

3.2 Consultation took place from the beginning of November 2018 on the admission arrangements. It was open to own admission authority schools to participate in the consultation, including academies through an Admissions Traded Service. Joint consultation is intended to place as many admission arrangements in one place as possible for the benefit of consultees.

3.3 An email was sent to schools at the beginning of November 2018, notifying them that the consultation website was live. Details of the consultation were also sent electronically to all neighbouring LAs and the Church of England and Roman Catholic Dioceses, relevant Trades Unions, local Members of Parliament, community groups and Early Years settings. The Devon Education Forum has been consulted through reporting to the School Organisation, Capital and Admissions Forum.

3.4 The consultation website set out all aspects of the proposed admission arrangements and enabled schools and other consultees to respond to the proposals online via email direct to Devon. Responses were required by 4 January 2018 in order to allow consultees time in which to respond.

3.5 The following were also used to publicise the consultation:

- An advert placed in the first edition of the Western Morning News in November 2018
- Devon County Council website
- Devon's "Have Your Say"

3.6 All community and voluntary controlled schools were sent a link to an admissions policy document for the school for 2020-21, drafted on the same lines as those for own admission authority schools.

3.7 The number of responses received remains low. A number of responses were received with regard to specific, local admissions issues, detailed at www.devon.gov.uk/admissionarrangements This is in common with neighbouring LAs.

4. CO-ORDINATED ADMISSION ARRANGEMENTS 2020-21

- 4.1 Devon is required under the School Admissions Code to co-ordinate all normal round admissions to state-funded schools, with the exception of new Free Schools where the Department for Education's instruction is to not coordinate. Devon has consulted annually on co-ordinated admissions schemes for primary and secondary schools; the proposed scheme for 2020-21 was a combined scheme for the Normal Round of Admissions into all state-funded schools. Normal round is the first opportunity to be admitted into any school, such as at the beginning of Reception, Year 3 for junior schools and Year 7 for secondary schools. It also includes Year 7 for all-through schools. It brought forward the arrangements from the previous academic year, with some amendments, detailed at **Appendix Four**. On average, the co-ordinated schemes manage 7,500 primary admissions, 7,000 secondary admissions and 6,500 in year admissions each year.
- 4.2 The Department for Education (DfE) requires that new free schools do not participate in a LA co-ordinated admissions scheme for their first intake year. This prevents parents from applying for these schools along with other preferences on one form and can lead to a child receiving more than one offer of a school place and another child consequently being refused admission. This is contrary to the fundamental principles that underpin co-ordination and officers propose to make representations to the DfE on this matter.
- 4.3 Devon's arrangements oversaw 15,006 applications for Devon-resident children for the 2018-19 normal round of admissions when 94% of 7487 applicants for secondary transfer were offered their first preference school and 98.1% were offered one of their preferences. For admissions into the Reception class, 95.1% of 7519 were offered their first preference school and 98.5% were offered one of their preferences. For in-year admission, 90.6% of 5274 applications for children living within and outside Devon were offered their first preference and 96.8% were offered one of their preferences.
- 4.4 Devon is not required to co-ordinate in-year admissions to all state-funded schools. It must manage in-year applications for community and VC schools and extends this facility to all state-funded mainstream schools. The purpose is to enable parents to apply for one or more schools at the same time and promote a fair, transparent and lawful admissions process for all children in the county. By doing so, Devon seeks to minimise instances where children are missing education and ensure compliance with the School Admissions Code and School Admissions Appeals Code. Devon has consulted annually on an in-year co-ordinated admissions scheme; the proposed scheme for 2019-20 was brought forward from the previous academic year. As an integral part of a fair, legal and transparent admissions service, Devon-wide in-year co-ordination is supported by funding from the Dedicated Schools' Grant for all state-funded, mainstream schools.
- 4.5 Published Admission Numbers (PANs) were proposed for community and VC schools, taking into account the available accommodation, expected local demand, sensible organisation, a strategic overview of the number of places in an area, the constraints of Key Stage One Class Size Legislation and the flexibility to increase PANs where this becomes necessary. The proposed PANs are listed at **Appendix One** and can be found in the individual admissions policy document for each school at <http://devon.cc/schoolpolicy>
- 4.6 The proposed catchment areas for community and VC schools were brought forward from the previous academic year with no amendments. During the consultation, one community school proposed an amendment to its catchment. An initial discussion about a change to the catchment area was not followed up by the school.
- 4.7 Devon's Fair Access Protocol provides for vulnerable children who otherwise would be out of school. It is continually reviewed in consultation with Devon schools and must

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reflect local circumstances. There are no new amendments to the Protocol which was revised last year. However, further work is planned on this policy which will focus on learners who are ready to be reintegrated from Alternative/Medical Provision.

- 4.8 The primary and secondary co-ordination schemes have statutory deadlines. They must be determined by the end of February ahead of applications in September for admission the following September. This has been taken into account in a timetable for the admissions process which is detailed at **Appendix Three**.

5. OWN ADMISSION AUTHORITY SCHOOLS

- 5.1 Many schools in Devon are responsible for their own admissions policy and decisions in response to admissions applications. These are academy, free, studio, voluntary aided and foundation schools and university technical colleges (UTCs). At the time of drafting there were:

Academy schools	156
Foundation schools	38
Free schools	7
Studio schools	1
University Technical College	1
Voluntary Aided	30

There remain, a number of schools for which Devon is the admissions authority:

Community schools	85
Voluntary Controlled	33

- 5.2 All LAs have a responsibility under the School Admissions Code to collate and publish the admission arrangements of all schools, including own admission authority schools. Devon meets this requirement by publishing a copy of all policies at <http://devon.cc/schoolpolicy> and reviews the policies of all schools to ensure that they are legally compliant. Where it identifies that any part of a school's admission arrangements may be unlawful, it will raise the issue with the school's admissions authority and seek amendments to make the arrangements lawful. Where agreement is not reached, it will reach decide whether to formally object to the arrangements to the Office of the Schools' Adjudicator and also, where appropriate, make representations to the Regional School Commissioner and Education & Skills Funding Agency.
- 5.3 The first stage of the compliance process is to work closely with own admission authority schools with their admissions policies. Where amendments are made to policies for community and VC schools, they are recommended to all own admission authority schools. In most cases, Devon formulates the policy for schools to consider and approve.

6. EDUCATION TRAVEL ARRANGEMENTS

- 6.1 In previous years, the Education Transport Policy has been included in the admissions consultation and Members have been requested to consider them at the same time. The arrangements proposed for 2020-21 for statutory age children and Post-16 students are those previously determined for 2019-20 with changes proposed to wording to improve understanding, indicated by tracked changes in highlighted text.
- 6.2 Responses were received during the consultation, suggesting amendments to the catchment area for Chulmleigh Community College so that the consultees would be entitled to free transport on catchment school grounds. Amending the catchment area

would be a matter for the Chulmleigh Academy Trust. It is not recommended to Cabinet to automatically recognise increased catchment areas for transport purposes.

- 6.3 There are no proposed changes to policy in the policies recommended to Cabinet for determination.

7 FINANCIAL CONSIDERATIONS

- 7.1 There are no direct financial considerations of this report. Further to the report to Cabinet last February on this matter, Devon has revised its Traded Service arrangements in response to the increased numbers of own admissions schools.

8 SUSTAINABILITY CONSIDERATIONS

- 8.1 The admissions policy supports the principle of providing local places at local schools.

9 EQUALITY CONSIDERATIONS

- 9.1 Equality of access to education opportunities is a fundamental feature of school admission arrangements. All policies for consideration have been subject to an Equality Impact Needs Assessment, at www.devon.gov.uk/admissionarrangements

- 9.2 Increasingly in a more autonomous school system, LAs need to ensure schools comply with the admissions code and be prepared to challenge practice that is neither legal nor inclusive

10 LEGAL CONSIDERATIONS

- 10.1 School admission arrangements are a statutory function of Devon County Council. Setting fair, transparent and legal co-ordinated admission arrangements ensures that Devon meets its duty and enables parents, schools and other interested parties to have confidence in them.

- 10.2 The admission arrangements have been proposed and the subject of consultation under requirements of the statutory School Admissions Code 2014. Arrangements must be determined by Devon by 28 February and must be compliant with the statutory requirements of the Code. The amendments to policies are compliant with the Code.

11 RISK MANAGEMENT CONSIDERATIONS

- 11.1 The key risk is that admission arrangements are not determined by the statutory date of 28 February. This would mean that Devon County Council was not compliant with the requirements of the Code. It would be liable to censure from the Department for Education and the Office of the Schools' Adjudicator (OSA).

- 11.2 By not determining compliant arrangements, Devon parents and schools would be a) unable to plan effectively for the next school admissions round in 2020-21, applications for which will open in the autumn 2019 or b) to effectively plan for in-year admissions during 2019-20. This would be a failure of Devon to formulate and manage a fair and transparent admissions system. Furthermore, Devon's neighbours would have cause for concern that Devon may not meet its duty to co-ordinate arrangements for admissions across local authority boundaries. Action on the recommendations addresses this risk.

12. CONCLUSION

- 12.1 Devon County Council has more than one role in school admissions. It must set admission arrangements for those schools where it is the admissions authority and it must manage normal round admissions for all state-funded schools and children within its area. Where it believes that the arrangements for own admission authority schools are unlawful, it has a further duty to seek a local agreement for them to be lawful or make a formal objection.

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The recommendations in this paper will ensure Devon County Council meets its statutory responsibilities in respect of school admissions.

Dawn Stabb
Head for Education and Learning

ELECTORAL DIVISION: All

Cabinet Member for Children, Schools and Skills: Councillor James McInnes

Contact for enquiries: Andrew Brent, Education and Learning Policy Officer 01392 383000

Local Government Act 1972. Background Papers:

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Appendix One – Proposed Published Admission Numbers for Community and Voluntary Controlled schools

Published Admission Numbers can also be viewed as part of each school's admissions policy for each academic year, published at <http://devon.cc/schoolpolicy>

School number	School name	Published Admission Number 2020-21
2400	Abbotskerswell Primary School	12
2201	Ashwater Primary School	8
2206	Beaford Community Primary & Nursery School	15
3101	Berry Pomeroy Parochial Church of England Primary School	15
3053	Berrynarbor Church of England Primary School	12
2210	Bishops Nympton Primary School	10
2402	Bishopsteignton School	30
2717	Bolham Community Primary School	16
2404	Bovey Tracey Primary School	40
2002	Bow Community Primary School	20
2472	Bradley Barton Primary School and Nursery Unit	60
3001	Brampford Speke Church of England Primary School	10
3002	Branscombe Church of England Primary School	10
3003	Broadhembury Church of England Primary School	8
2408	Broadhempston Village Primary School	10
3004	Burlescombe Church of England Primary School	12
2215	Caen Community Primary School	60
2476	Canada Hill Community Primary School	45
2007	Cheriton Fitzpaine Primary School	15
3105	Chudleigh Church of England Community Primary School	60
2220	Clawton Primary School	13
3777	Clyst Heath Nursey and Community Primary School	45
2009	Clyst St Mary Primary School	30
2411	Cockwood Primary School	12
2010	Colyton Primary School	25
3152	Cornwood Church of England Primary School	15
2025	Countess Wear Community School	45
2015	Culmstock Primary School	15
3107	Dartington Church of England Primary School	50
2431	Decoy Primary School	60
2416	Denbury Primary School	20
2223	East Anstey Primary School	7
2207	East-The-Water Community Primary School	60
2603	Ermington Primary School	25
2420	Exminster Community Primary	60
2226	Fremington Community Primary and Nursery School	60
3059	Georgeham Church of England (VC) Primary School	15
3060	Goodleigh Church of England Primary School	10
3061	Great Torrington Bluecoat Church of England Primary School	75
2604	Gulworthy Primary School	12
2228	Halwill Community Primary School	15

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Appendix One – Proposed Published Admission Numbers for Community and Voluntary Controlled schools

2605	Hatherleigh Community Primary School	30
3779	Haytor View Community Primary School	30
2012	Hayward's Primary School	60
2448	Hazeldown School	60
2432	Highweek Community Primary and Nursery School	60
3063	Holsworthy Church of England Primary School	45
2048	Honiton Primary School	60
2231	Horwood and Newton Tracey Community Primary School	14
3065	Ilfracombe Church of England Junior School	120
2232	Ilfracombe Infant and Nursery School	120
3111	Kenn Church of England Primary School	15
3013	Kentisbeare Church of England Primary School	25
2234	Kentisbury Primary School	8
2424	Kenton Primary School	15
2050	Kilmington Primary School	15
2257	Kingsacre Primary School	30
2425	Kingsbridge Community Primary School	60
3112	Kingskerswell Church of England Primary School	60
2026	Ladysmith Infant and Nursery School	90
2027	Ladysmith Junior School	90
3154	Lamerton Church of England Voluntary Controlled Primary School	8
2079	Landscore Primary School	60
2237	Langtree Community School and Nursery Unit	12
2612	Lifton Community Primary School	25
3028	Littleham Church of England Primary School	30
2428	Loddiswell Primary School	15
3014	Lympstone Church of England Primary School	30
3114	Malborough with South Huish Church of England Primary School	15
2610	Manor Primary School, Ivybridge	40
2238	Marwood School	17
2622	Mary Tavy and Brentor Community Primary School	15
2614	Milton Abbot School	15
2715	Modbury Primary School	30
2239	Monkleigh Primary School	15
2054	Newton Poppleford Primary School	30
2055	Newton St Cyres Primary School	15
2029	Newtown Primary School	30
2240	North Molton School	15
3015	Offwell Church of England Primary School	17
3066	Parracombe Church of England Primary School	8
3016	Payhembury Church of England Primary School	15
2205	Pilton Infants' School	60
3017	Plymtree Church of England Primary School	15
2059	Sandford School	30

Appendix One – Proposed Published Admission Numbers for Community and Voluntary Controlled schools

2060	Seaton Primary School	60
2618	Shaugh Prior Primary School	10
2243	Shebbear Community School	10
2244	Shirwell Community Primary School	8
2062	Shute Community Primary School	12
		150 for Year 7 and
4011	Sidmouth College	10 for Year 12
3022	Silverton Church of England Primary School	20
2245	South Molton Community Primary School	30
2216	Southmead School	60
2242	St Giles-on-the-Heath Community School	15
4501	St Luke's Science and Sports College	196
3069	St Mary's Church of England Primary School, Bideford	60
3128	St Michael's Church of England Primary School	60
2442	Starcross Primary School	30
3024	Stoke Canon Church of England Primary School and Pre-school	20
2033	Stoke Hill Infants and Nursery School	90
2034	Stoke Hill Junior School	90
2445	Stokeinteignhead School	15
2446	Stokenham Area Primary School	30
2609	The Erme Primary School	25
2461	The Grove Primary School	45
2090	The Topsham School	30
3025	Thorverton Church of England Primary School	12
2710	Ugborough Primary School	25
3026	Uplowman Church of England Primary School	8
2073	Upottery Primary School	15
2209	West Croft School	90
2249	West Down School	15
2074	Whimble Primary School	20
2075	Willand School	60
2724	Willowbrook School	60
3011	Withycombe Raleigh Church of England Primary School	90
3375	Wynstream School	60

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Appendix Two – Proposed amendments to Catchment areas for Community and Voluntary Controlled schools

1. The proposed 2020-21 catchment areas for community and voluntary controlled schools have no amendments from the previous academic year.
2. Catchment area maps can be viewed at www.devon.gov.uk/schoolareamaps

Appendix Three – admission arrangements timetable

Timetable for the admissions cycle for 2019 and 2020

Statutory dates are in bold.

	Action	Action by
31 January 2019	Deadline for the completion of the consultation on proposed admission arrangements	Admission Authority
28 February	All policies to be formally determined – including the date of determination in the Policy version section.	Admission Authority
28 February	Appeals timetable to be published	Admissions Service Admissions authority
15 March	All policies to be published on school websites All faith policies to be forwarded to Diocese All policies to be forwarded to LA Policy Officer.	Admission Authority
By 15 May	Deadline for objections to the OSA	
Summer term 2019	Review content and presentation of policies for 2021-22	Admissions Service
By 1 September	All faith own admission authority schools will receive a suggested new document for consideration	Admissions Service
By 15 September	All other own admission authority schools will receive a suggested new document for consideration	Admissions Service
By 30 September	Faith schools to meet and agree a proposed policy then forward to Diocese (CE confirmed timescale)	Admission Authority
By 31 October	Diocese to forward proposed policies to LA Policy Officer.	CE Diocese Catholic Diocese (to be confirmed)
By 31 October	All other own admission authority schools to return proposed policies to LA Policy Officer.	Admission authority
1 November	LA-hosted consultation live for proposed admission arrangements for 2021-22	Admissions Service
3 January 2020	LA-hosted consultation ends	Admissions Service
31 January	Deadline for the completion of the consultation on proposed admission arrangements	Admission Authority
28 February	All policies to be formally determined – including the date of determination in the Policy version section.	Admission Authority
28 February	Appeals timetable to be published	Admissions Service Admissions authority
15 March	All policies to be published on school websites All faith policies to be forwarded to Diocese All policies to be forwarded to LA Policy Officer.	Admission Authority
By 15 May	Deadline for objections to the OSA	

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Appendix Four – recommended amendments to the Co-ordinated Admissions Schemes

1. The proposed policy documents can be viewed at <http://devon.cc/lapolicies>:
 - Proposed 2019-20 In Year Co-ordinated Admissions Scheme
 - Proposed 2020-21 Normal Round Admissions Scheme.
2. Amendments to wording are highlighted in red text.
3. Dates have been rolled forward for the new academic year.
4. The second oversubscription criterion for children with an exceptional need for admission to a school will be supported by a Supplementary Information Form. This will be used for all community and voluntary controlled schools and is available for all own admissions authority schools. This is intended to help parents to be realistic in their requests for exceptional priority and to enable them to provide supporting evidence. Very few requests are made in-year for exceptional needs priority and the introduction would be for the normal round of admissions in September 2020.
5. Waiting lists will operate for one academic year at a time. The statutory requirement is for lists to be held until the end of the first autumn term after the normal point of entry into school. Devon practice has been to keep waiting lists for as long as at least one name remained on them. As recommended, parents will in future be required to renew their application at the end of an academic year, thereby confirming address, contact and other details are up to date.
6. There is clarification around which application form can be used and that responsibility for submitting an application rests with the parent or post-16 student, including applications to transfer to an age atypical school or from an all-through school.
7. References to applications for children not currently in the UK have been simplified: applications will only be accepted where there is a right of abode in the UK or the child has a valid visa permitting entry into the country.
8. Whereas the Schools Minister has written open letters in 2015 and 2017 regarding delayed admission for summer-born children and additional priority for children in care and adopted from abroad, there remains no change to legislation. There is no recommendation to amend policy without the anticipated amendment to the Admissions Code.

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Appendix Five – recommended amendments to the Education Transport Policy

1. The proposed policy documents can be viewed at <http://devon.cc/lapolicies>:
 - Proposed 2020-21 Education Transport Policy
 - Proposed 2020-21 Post-16 Education Transport Policy.
2. Amendments to wording are highlighted in red text.
3. Dates have been rolled forward for the new academic year.

In-Year Co-ordinated Admissions Scheme 2019-20

for applications to State-funded schools made after 1 June 2019, for admission into school
from 1 September 2019 to July 2020,
Reception to Year 11

RECOMMENDED TO CABINET

- All Local Authorities (LAs) must co-ordinate applications at the normal round of admissions to state-funded schools in their areas, [see What is the purpose of this Scheme?](#)
- Admissions policies must make it clear that all parents **must** apply for admission, and
- How to apply for admission, see [How to apply for a place at the normal round](#) and [How to apply for a place at other times](#)
- When to apply, see [When to apply for a place](#)
- What happens after application, see [What happens after an application is made](#)
- What happens when an application is successful, see [Outcomes of the application process](#)
- What happens when an application is **not** successful, see [Outcomes of the application process](#) and [Admission Appeals](#).
- Our Scheme says how we consult and set it each year, see [Policy version](#)
- [Appendix A](#) contains detailed information and definitions of the terms we use.

Text that is [underlined in blue](#) indicates a link to further information within the document or online. If you don't have access to the internet or have any questions about this Scheme or admissions in general, please ask for advice from the school or the LA School Admissions Team.

A green square logo with the text "Devon School Admissions Service" in white, stacked vertically.

In-Year Co-ordinated Admissions Scheme 2019-20

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General Information and Contacts

Date	8 February 2019
Review date	Annual
Approval	by Cabinet Members of Devon County Council
Author	Schools Access Services admissions@devon.gov.uk
Sponsors	Dr Phil Norrey, Chief Executive Jo Olsson, Chief Officer for Children's Services
Key partners	Babcock Learning and Development Partnership Devon Association of Primary Headteachers Devon Association of Secondary Headteachers Devon Association of Governors Church of England Diocese of Exeter Roman Catholic Diocese of Plymouth
Other contacts	Karen Howes, Admissions Manager 01392 383000 karen.howes@devon.gov.uk School Admissions Service 0345 155 1019 admissions@devon.gov.uk Simon Niles, Children's Services Strategic Manager 01392 383000 simon.niles@devon.gov.uk Dawn Stabb, Head of Education and Learning 01392 383000 dawn.stabb@devon.gov.uk Education Transport Team 0345 155 1019 schooltransportservicequeries-mailbox@devon.gov.uk Clerk to the Independent Devon Schools Appeals Panel 01392 382486 www.devon.gov.uk/admissionappeals
Other links	Department for Education 0870 000 2288 www.education.gov.uk Office of the Schools Adjudicator www.education.gov.uk/schoolsadjudicator Children's Education Advisory Service – Ministry of Defence 01980 618244 enquiries@ceas.detsa.co.uk The Education & Skills Funding Agency (ESFA) 0370 000 2288 www.gov.uk/government/organisations/education-and-skills-funding-agency School Admissions Code www.gov.uk/government/publications/school-admissions-code--2 School Admissions Appeals Code www.gov.uk/government/publications/school-admissions-appeals-code

1 Equality and Safeguarding Statements

- 1.1 Devon County Council will only commit to policies and practices which will eradicate discrimination and promote equality for all, regardless of age, gender, disability, religion and belief, race and ethnicity and sexual orientation. This Scheme will be subject to an Impact Assessment which will be integral to all reviews.
- 1.2 Devon County Council and its partners recognise that safeguarding is everybody's responsibility. Whether their interest is in all young people 'staying safe' in all aspects of our services, or whether they are working in specific areas of vulnerability, all staff will have appropriate training and induction so that they understand their roles and responsibilities and are confident in carrying them out. Settings, schools, children, young people and their parents or carers, or any member of the community should feel secure that they could raise any issues or concerns about the safety or welfare of children and know that they will be listened to and taken seriously. This will be achieved by maintaining an ethos of commitment to safeguarding and promoting the welfare of children and young people. This is supported by a clear child protection policy, appropriate induction and training, briefings on and discussion of relevant factors and refreshed learning in line with current legislation and guidelines.
- 1.3 Devon County Council acts as a Corporate Parent for Children in Care. This means that the LA has a legal and moral duty to provide the kind of support that any good parents would provide their own children. This Scheme has been written to comply with this principle.

2 What is the Purpose of this Scheme?

- 2.1 This Scheme will make provision for parents to make applications for children to join schools at any time after the normal round of admissions. It also provides for children to be offered a single school place where one is available.
- 2.2 This Scheme is made by Devon County Council, acting in accordance with The School Admission (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012, and the School Admissions Code 2014 (Department for Education). It is mindful of good practice presented in the 2010 and 2012 School Admissions Codes where it remains compliant with the 2014 Code.

Where any part of this Scheme is identified at any time as not being compliant with the School Admissions Code 2014, it will be amended without delay to meet the requirements of the Code. Amendments will be recorded in the Policy History below.

- 2.3 This Scheme applies to all [types of state-funded school](#) at [primary and at secondary phase](#), including all [admissions authorities](#) for those schools within the administrative area of Devon County Council. It does not apply to admission to special schools¹ or for boarding places in schools.² Throughout this Scheme, references to school will be limited to state-funded schools: those maintained by the LA and academies.

Where Devon's [Normal Round Co-ordinated Admissions Scheme](#) manages applications for any state-funded schools in the country, this In-Year Scheme manages applications for schools within Devon only and provides for children whether they live in Devon or not.

- 2.4 This Scheme will be put to public consultation before being considered and determined by the Cabinet of Devon County Council, according to the statutory timetable for doing so under the School Admissions Code. This includes individual school admissions policy documents

¹ Information about admissions to special schools is available from the Devon 0-25 Special Education Team.

² This Scheme will not apply where boarding accommodation is provided for pupils at state-funded schools. In Devon, this applies to Queen Elizabeth's.

for community and VC schools.³ The admissions policy documents for own [admissions authority](#) schools will also be the subjects of consultation where changes are proposed or where they have not been consulted on for 7 years.

2.5 The Devon Schools Admissions Service will operate to meet the statutory responsibilities of Devon County Council, the LA for the County of Devon⁴, with regard to admissions to school and to support schools in delivering their responsibilities. The School Admissions Service will:

- Act as admissions champion for children and families;
- Offer advice to parents⁵ and schools;
- Monitor and challenge the admission arrangements and practices of schools within the Devon County Council area and those others affecting the residents of Devon;
- Operate a [Normal Round Scheme](#) to co-ordinate applications by parents and allocate places on behalf of schools for the first admission to a primary, infant, junior, secondary, studio school and university technical college (UTC)⁶;
- Operate this In-Year Scheme to co-ordinate admissions to school at other times during Year Groups Reception to 11;
- Operate a [Fair Access Protocol](#) to ensure children at risk of missing education In-Year are allocated a school place quickly, even where local schools have reached an admissions limit⁷;
- Act as the admissions authority for community and voluntary controlled schools;
- Assist other schools in delivering their admissions responsibilities including ranking applications, operating their [oversubscription criteria](#) and managing waiting lists as required;
- Support schools in the preparation and presentation of school admissions appeals;
- Liaise with other teams within the LA and beyond where this assists in the planning of school places across the county;
- Report no less than annually on school admissions within Devon as required to the Office of the Schools' Adjudicator and partner organisations across the county.

2.6 This Scheme also applies to [parents](#) who wish their children to be admitted to school In-Year. Parents are required by law to make a formal, written application for admission to school.

2.7 Parents can apply for a school place either direct to a school which is its own admission authority or via the LA. While it is not mandatory for parents to apply via the LA where the child lives, this Scheme recognises the merits of a co-ordinated system which allows parents to apply via Devon LA for places at Devon schools:

Consistency and transparency in school admissions is fundamental to confidence that all parents have the same opportunity for a child to be admitted to a school and that decisions on admission will be taken in a timely, fair and reasonable manner.

By co-ordinating applications, the LA is better able to meet its statutory responsibility to give advice on vacancies and the options open to parents where schools are unable to admit.

³ Admissions policies for individual schools determined by the Cabinet of Devon County Council will remain the arrangements should a school convert to foundation or academy status. Necessary amendments will be made only with regard to changes of name and to confirm that admissions authority responsibilities will be taken on by the governing body or trust of the school.

⁴ This excludes the areas covered by Plymouth City Council and Torbay Council.

⁵ Any reference to parents will also include carers and guardians unless otherwise specified.

⁶ See the Devon Normal Round Co-ordinated Admissions Scheme at www.devon.gov.uk/admissionarrangements

⁷ See the Devon Fair Access Protocol at www.devon.gov.uk/admissionarrangements

Children are less liable to miss education where there are difficulties in securing admission to a local school. Where children are not in school there is a heightened risk to their welfare.

While all schools in Devon are encouraged to participate in this Scheme, the LA recognises that some may opt to manage applications directly. The School Admissions Service of the LA operates this Scheme and can advise on those schools which have consulted on and determined arrangements making provision for direct applications to the school. The decision on whether or not a place can be made available at any school will be made according to the same criteria regardless of the route for the application.

All state-funded schools are required to participate in Devon's Fair Access Protocol.

3 How do Parents make an In-Year Admissions Application?

3.1 Key points:

All parents must apply for a school place – no places are guaranteed for siblings or for children living close to school or where members of the family have attended the school for many years.

Applications are made either to Devon LA (see section 3.10),
OR in school in certain circumstances (see section 3.11),
OR direct to the school if it has consulted on and determined arrangements that require parents to apply direct to the school (see section 3.12).

Applications to the LA are made using a [common application form](#), online or on a paper version of the form (see Appendix 7).

Some schools require a [Supplementary Information Form](#) to be completed by parents who would like additional priority on certain grounds.

Applications can be made at any time but will not be considered further in advance than 8 school weeks⁸ before the place is required (this is extended to 16 school weeks for children of UK service personnel families).

All applications will receive an offer or a refusal.

There is a [right of appeal](#) to an independent panel if an application is refused.

There is a right to a place on a [waiting list](#) if an application is refused unless a school's own determined arrangements specify that a waiting list will not be open after the first term in the entry year to the school.

3.2 Parents seeking an In-Year admission to school for the 2019-20 academic year can apply from around the summer half-term of 2019, during the previous academic year. In all cases, offers that are made will be for full-time admission either as soon as possible from September 2019 or, where the child already has an appropriate local school education, at the beginning of the next term or half term.⁹

⁸ This period is to allow time for the child to move home where necessary. It would also be sufficient time in most cases to enable an appeal to be heard where a request has been refused. Applications for admission further in advance will not be considered as it will not be possible to confirm whether a vacancy would be available as requested.

⁹ For transfers without a house move, the default will be to offer at the beginning of the next term. Where the receiving school takes a view that it is necessary to admit the child sooner, this will be an arrangement between the school and the parent.

- 3.3 It is not necessary for a child to be resident in the Devon County Council administrative area to apply for and attend a Devon school. Co-ordination of applications is conducted by the LA with schools located in the county and not across county borders.

Places will not be offered unless the child will be able to attend school on a daily basis from the home address. A place will normally be allocated prior to actual residence within a reasonable travelling distance of home only on receipt of a solicitor's letter or rental agreement confirming the intention and date of moving to a named property. However, it is recognised that not all parents will be in a position to provide this information. Parents unable to provide these forms of evidence should contact the LA.

- 3.4 Where a child has ~~a Statement of SEN or an~~ Education, Health and Care Plan, any application will be forwarded to Devon's 0-25 SEN Team for consideration and consultation with schools.
- 3.5 The offer of a school place by the LA will lapse if not taken up within 10 school days of a start date. Parents may resubmit applications if the offer has lapsed.
- 3.6 All applications for admission must receive a response from the LA or, for applications direct to a school, from the school.

3.7 In-Year Application Timescale

There is no closing date for In-year applications. Applications will be considered at the earliest opportunity with an expectation that a decision on which education setting is to be offered within a maximum of 15 school days. Applications received by the LA or by a school by 2pm on the same day will be considered together, ahead of any applications received thereafter.

- For applications using the D-CAF, the LA will inform the school within 5 school days.
- For community and VC schools, the school will inform the LA within a further 5 school days of any reasons why it believes the LA should refuse admission OR
- For other schools, the admission authority¹⁰ will meet, reach a decision and inform the LA whether a place can be made available within a further 5 school days.
- The LA will collate the responses from schools and operate its Fair Access Protocol where necessary and, within a further 5 school days, send a formal decision letter to the parent, offering or refusing admission as appropriate.

Where a school does not respond within a reasonable time,¹¹ the LA may assume that the school is unable to offer a place. In these circumstances, the LA will send a formal refusal letter on behalf of the school, advising the parent of the right of appeal and to a place on the waiting list. The LA will also be obliged to consider whether a refusal appears to be lawful. If it believes that a refusal is unlawful, the LA has a statutory duty to direct admission.¹²

There may be occasions when this timescale cannot be met, where, for instance, the decision of another admission authority is delayed. In the case of applications for a place at a selective school, it may be necessary for the child's ability to be assessed through an entrance test or report. The LA will inform the parent of delays in the allocation process. It may seek to offer a place at a lower ranked preference or otherwise where there is a

¹⁰ This will be the Governing Body or the academy trust.

¹¹ This will be up to 15 school days, except where the school has a good reason why this timescale cannot be met.

¹² For community and voluntary controlled schools, the LA instructs the school to admit – there is no recourse for the school's Governing Board; for foundation and voluntary aided schools, the LA informs the school that it is minded to direct admission and the Governing Board then has up to 15 school days to refer the case to the Office of the Schools' Adjudicator for a decision; for academies, the LA must request a direction to admit by the Education and Skills Funding Agency.

prolonged delay in confirming whether a place can be offered at a school. The higher ranked preference will still be required to reach a decision on whether a place is available.

3.8 Applications under this Scheme are managed using an equal preference system, as required under the School Admissions Code 2014:

- Parents can apply or express a preference for¹³ one, two or three schools anywhere in England.
- Parents must rank those schools in the order they would most like to be offered a place.
- Schools will not be advised of the order of preference expressed by the parent.
- Each preference will be considered alongside all others for the same Year Group at the school that are received by 2pm on the same day, and a ranked or prioritised list produced using the school's [oversubscription criteria](#) only if there are more applications than places available at the school. If there are no more applications than places available, applications will not be refused on the grounds that the school is over-subscribed.
- From these ranked preference lists, the LA will identify which children could be offered a place at more than one school. The LA will then offer a place at the school **ranked highest** for which a successful application has been made. Other lower ranked offers will be discarded, allowing further offers to be made to any children who are next on the schools' lists.
- Parents will have the right of appeal for any school at which an application has been refused. Children's names will be added to waiting lists automatically where they are maintained. Schools must operate a waiting list until the end of the autumn term of the first year of admission and may continue to hold waiting lists so long as there is at least one child requiring a place.
- Where no preference can be met:
 - where the child is new to the area so does not already have appropriate education provision locally, the LA will make an alternative offer which may be done through its Fair Access Protocol;
 - where the child already has education provision locally, no alternative offer will be made. The current provision will remain in place. Parents will be able to make further preferences.

3.9 Parents are encouraged to choose which school they would like their children to attend. As this will mean that there is more demand than there are places at some schools, it is necessary to manage the choices of parents and the availability of places. This is done by enabling parents to apply for school places and reaching decisions in a clear, fair and consistent manner when a school is oversubscribed.

Parents can **choose the schools they apply for** but **cannot choose the school their children will attend**. In the large majority of cases in Devon, applications are not refused. At the normal round into a school, this only happens where a school has more applications than there are places available and all available places are offered to children with a higher priority for admission to that school OR where the child is not of an age to be admitted to that school. For In-Year admissions, a number of schools will have been filled at the normal round. It is not lawful to keep back empty places in case, for instance, children move into a school's catchment and would like to be admitted.

3.10 **Applications via the School Admissions Service: the D-CAF**

The D-CAF is a common application form with space for up to three preferences.

¹³ To "apply for a place" or to "express a preference" or to "name a school on an application" have the same meaning.

Parents apply by completing the D-CAF and handing, posting or emailing it¹⁴ to the School Admissions Service at County Hall in Exeter which acts for the LA. The LA will contact the schools named on the form to advise them of the preference.¹⁵ Schools which are their own admissions authority will inform the LA whether a place can be offered. The LA will take the views of community and VC schools into account.

- Where a place could be offered at more than one school, the LA will offer a place at the school ranked highest by the parent and inform all schools involved of the outcome.
- Where a place could be offered at only one school, the LA will offer a place and inform all schools involved of the outcome.
- Where no place could be offered at a preferred school, the LA will consider whether the child should be allocated a place under the Fair Access Protocol OR send a formal refusal letter to the parent with the reason for refusal, information regarding the right of appeal and any waiting list. The LA will inform all schools of the outcome.

Where it is clear to the LA that the parent will be offered a place at the first preference, the schools named as second or third preference will not be informed of the application. The LA will forward the information on the D-CAF that a school would need to make a decision whether a school place can be offered but will not forward the D-CAF itself as this could tell the school which preference it was.

3.11 Applications via the School Admissions Service: the D-CAF6

The D-CAF6 is a common application form with space for one preference only. It will be available to parents to complete instead of a D-CAF under the following circumstances:

- the child is new to an area and does not have a school place locally; **and**
- the parent has only one preference for school; **and**
- the child does not have an Education, Health and Care Plan ~~or a Statement of SEN~~; **and**
- the child has not been permanently excluded from his or her last school; **and**
- there is no person or body with a legal objection to the application; **and**
- the parent is advised by the school, in contact with the School Admissions Service, that there is a vacancy which is not also the subject of another application; **and**
- the school has not raised any concerns that further information may affect the outcome of the application.

In these circumstances, a parent may complete a D-CAF6 during a visit to the school. This will allow the child to be admitted at the earliest opportunity. In completing the D-CAF6, the parent will voluntarily forego additional preferences and will be offered a place on the basis of the information provided on the form. It is not expected that a D-CAF6 will be issued to a parent by a school unless it is able to make a place available.

It will not be appropriate for a parent to complete a D-CAF6 where:

- the child is on roll at another local school; **or**
- the preferred school does not have a vacancy; **or**
- the preferred school has outstanding applications for admission which would make it oversubscribed; **or**
- the parent has other preferences for schools; **or**
- the child has an Education, Health and Care Plan ~~or a Statement of Special Educational Needs~~; **or**

¹⁴ This may be in addition to a school Supplementary Information Form (SIF) where this is provided by the school to either arrange a selection test or aptitude assessment or to operate particular oversubscription criteria.

¹⁵ This will include schools that require applications to be made direct to the school.

- the child has been permanently excluded from his or her most recent school or comes from a Pupil Referral Unit or similar provision; **or**
- another person or body may have a legal objection to the application; **or**
- the school has concerns that further information may affect the outcome of an application.

In any of these circumstances, a D-CAF should be completed rather than a D-CAF6.

When a school forwards a completed D-CAF6 and there is no other competing application, the LA will amend its records accordingly and send a formal offer ~~letter~~ to the parent.

Where a D-CAF6 is sent direct to the LA by a parent, the LA will check with the school that it issued the form. If it did not, the LA will provide the parent with a D-CAF for completion.

3.12 Applications direct to a School

Unless the admissions authority for a school has consulted on and determined admission arrangements that require applications to be made direct to the school, all applications for In-Year admission to a Devon state-funded school must be made via the LA. For the 2019-20 academic year, the following schools require direct applications:

- The Atrium Studio School
- Bideford College
- Brayford Academy
- High Bickington Church of England Primary Academy
- Pilton Bluecoat Church of England Academy
- South Devon UTC
- Sparkwell All Saints Primary School
- Steiner Academy Exeter
- Umberleigh Primary Academy
- Witheridge Church of England Primary Academy

For these schools, parents should complete the school admissions application form.

The school must offer or refuse admission according to the number on roll and its own oversubscription criteria. The expectation is that the application will be successful except where the school can establish that there would be a prejudice to efficient education or the efficient use of resources should the child be admitted or where admission would breach Infant Class Size Legislation which limits a class with a single teacher to 30 children where all or the majority are of Reception, Year 1 or Year 2 age.¹⁶

- Where the application is successful, the school must make a formal offer to the parent.
- Where the application is unsuccessful, the school must send a formal refusal to the parent, with the reason for refusal, information regarding the right of appeal and any waiting list and refer the parent to the LA for advice.

For all applications, the school must inform the LA on receipt of the application and also inform the LA of the outcome without delay.

As these applications are not co-ordinated by the LA, it is possible that parents may wish to also apply to other schools. This should be done at the same time to minimise the risk of the child being out of school unnecessarily.

¹⁶ For Children in Care, the expectation is that there would be a **significant** prejudice to efficient education.

4

The Common Application Form

- 4.1 There will be a standard form for schools known as the Common Application Form. This is available to parents in hard copy and electronic format where possible.¹⁷ It enables parents **to apply for**, or **to name** or **to express a preference for** schools.

Devon In-Year forms may only be used for Devon schools. Where a school outside of the Devon County Council administrative area is named on an application, the LA will advise the applicant to contact the school or relevant LA.

Common application forms must be returned to the LA (either online or in paper copy) as soon as possible but no earlier than 8 school weeks in advance of the place being required.¹⁸

The D-CAF will be used for admitting pupils into the first year of education at any school **after** the Year Group has begun or into any other Year Group at the school.

The D-CAF6 will be used for admitting pupils into the first year of education at any school **after** the Year Group has begun or into any other Year Group at the school under certain circumstances (see section 3.11).

Parents of young people seeking places in post-16 education may complete a D-CAF.¹⁹ However, applications will not be co-ordinated by the LA and parents are advised to contact the school and to use their own application forms. In either case, applications must be made direct to the establishment.

- 4.2 The common application form will:
- invite the parent to express up to three preferences for in ranked order of preference;
 - invite parents to give their reasons for each preference;
 - explain that the parent will receive no more than one offer of a school place and that a place will be offered at the highest ranking school for which they are eligible for a place and if a place cannot be offered at a nominated school, a place may be offered at an alternative school;
 - specify where it must be returned.
- 4.3 The common application form will be available from the LA online and on request through the My Devon Call Centre.
- the common application form will be accompanied by a written explanation of the co-ordinated admissions scheme including details of neighbouring authorities.
 - an electronic version of the common application form will be available for parents at www.devon.gov.uk/admissions instead of completing a hard copy.²⁰
- 4.4 The LA will take all reasonable steps to ensure that every parent resident in the LA area and beyond has access to a copy of the common application form together with written guidance or an e-version of the guidance. The onus will remain on parents to make applications notwithstanding the efforts undertaken by the LA to alert them to the process.
- 4.5 Parents can apply by completing:
- the online form at www.devon.gov.uk/admissionsonline;²¹ or
 - a paper D-CAF, returned to the LA; or
 - a paper D-CAF, returned to the child's current school; or

¹⁷ See Appendix 7 for the different application forms in Devon.

¹⁸ Or 16 school weeks for children of UK service personnel.

¹⁹ A young person aged 16 or who will be 16 on admission, may submit an application in their own name.

²⁰ The LA recognises that the large majority of applications at the normal round are submitted online.

²¹ When this facility is made available.

- a paper D-CAF, returned to the school ranked highest; or
- (for sixth forms and schools that have opted out of co-ordination) a school application form, returned to the school.

All forms returned to schools will be forwarded to the LA. Schools may take a copy of each application form before forwarding it to the LA. They should keep a record of forms forwarded to the LA for processing.

5 Supplementary Information Forms (SIFs)

- 5.1 Some schools ask parents to complete a SIF where additional information is required by the school to apply its oversubscription criteria. This may be the case at faith schools for example. Parents should check whether a school they are interested in issues a SIF.

SIFs must be returned to the address on the form as soon as possible but no earlier than 8 school weeks in advance of the place being required²² unless otherwise advised. Where they are received by the LA in error they will be passed onto the school.

- 5.2 SIFs for Devon schools will be available from the LA online [at http://devon.cc/schoolsifs](http://devon.cc/schoolsifs) and on request through the My Devon Call Centre.

- 5.3 SIFs are not application forms; parents must also complete a common application form and name the school on it for an application to be valid. Where SIFs are received directly by schools, the school should inform the LA without delay so it can verify whether an application form has been received from the parent, and, if not, contact the parent and request that they complete one.

6 Duplicate and Disputed Application Forms

- 6.1 Where conflicting preferences are received from more than one parent, the LA will contact both parents and request that they reach agreement on the preferences for school for the child. In doing so, the LA is concerned that more than one set of preferences from parents and more than one offer of a school place can be unsettling and upsetting for the child.

Applications by parents are subject to Data Protection legislation. Information contained on an application form will not be shared with another party including another person with parental responsibility for the child without the agreement of the person who completed the form unless there is a legal requirement to do so. The LA **will** inform another parent that an application has been made and the schools named as preferences if requested to do so because both parents are entitled to an involvement in decisions about their children.²³

In the event that no agreement is reached and an offer is made to each parent, an offer will not be held open once the child has been physically admitted to another school. Where an application is submitted for a child to transfer to another school against the wishes of the parent with whom the child normally resides, that application will not be considered unless a court order requires the LA or admission authority for the school to do so. This may be the case, for instance, where a new Child Arrangements Order is made or a Specific Issues Order confirms that the preference of one parent should be considered over that of another.²⁴

²² Or 16 school weeks for children of UK service personnel.

²³ [No information will be shared if a parent provides evidence of legal grounds such as a court order that prevents access by the other parent.](#)

²⁴ Nevertheless, where a child is removed from one part of the county or country to another and is unable to attend the school where he or she is on roll, the LA will be mindful of education and safeguarding considerations. It may make arrangements for the child to receive education pending the outcome of any legal proceedings.

Should court proceedings delay the take up of a place by either parent, applications must be renewed and will be considered according to whether the schools can accommodate at that time. An application for admission by one child will not be affected by a delay in court proceedings or a house move for another.

- 6.2 Where the outcome of preferences for more than one parent would result in duplicate offers being made for the same school, only one place will be offered with regard to the child.

7 Changes of Parental Preference

- 7.1 Changes of parental preference will not be accepted verbally. A change in preference submitted by a different person will be considered as a disputed application (see paragraph 7).

- 7.2 A parent can change his or her preference at any time, replacing the former preference.

8 When do parents make an In-Year Admissions Application?

- 8.1 Applications for In-Year admission for 2019-20 can be made to the LA from **1 June 2019** (from **18 March 2019** for children from UK service personnel families.) They can be submitted shortly before these dates but will only be processed by the LA from these dates.

Applications direct to schools should be made according to any timetable published by the schools in their admissions policies.

- 8.2 Applications for In-Year admission for 2019-20 can be made up to the end of term in July 2019 for immediate admission. Places may not be made available for admission for less than 2 school weeks.²⁵

- 8.3 In-Year applications will be considered together in daily batches. Those received by 2pm on the same day will be considered together before those applications received by 2pm on the next day.

- 8.3 Children who do not already have a local education provision will be offered a place in a state-school, for admission as soon as possible. Children who already have appropriate education provision locally but who wish to transfer will be offered a place where a vacancy is available. Transfers will be offered for admission at the beginning of the next term. This approach seeks to minimise the number of cases where a child transfers because of minor or short-term issues in school or with peer groups. It enables parents and schools to work together to resolve problems and by doing so, avoid the disruption that In-Year transfers impose on children's progress.

Where the head teacher of the new school agrees that there is a need for the child to be admitted sooner, this will be arranged between the school and parent.

9 Late Applications

- 9.1 There are no late applications for In-Year admission. They are submitted when the parent wishes to do so and considered no sooner than 8 school weeks before the place is required.²⁶

10 Where no Application is Received

²⁵ Exceptions may be made for children from the Gypsy, Roma and Traveller communities or other children where it is necessary for welfare and safeguarding reasons.

²⁶ Or 16 school weeks for children of UK service personnel.

- 10.1 No place will be allocated for In-Year admission without an application. However, where a child who is resident in Devon is identified as a Child Missing Education (CME), the LA will work with the person or body with parental responsibility to ensure that appropriate education is put in place as soon as possible.

Children in Care to Devon who are placed in other parts of the country will not Miss Education. The LA will work with other LAs and schools to ensure places are secured in appropriate settings.

11 What Happens after an Application is Made?

- 11.1 The admissions authority for schools will decide on the priority each application will have and this will have an impact on the offers that the LA will make on behalf of schools. The LA will act as a clearing house for the allocation of In-Year places in schools on behalf of admission authorities. The LA will make a decision where:

- it is acting in its separate capacity as an admission authority, or
- an applicant is eligible for a place at more than one school, or
- an applicant is not eligible for a place at any school that the parent has named.

11.2 Step 1

The LA will process all applications it receives on the same day, identifying all those for a Year Group at a school. It will verify that the information that is required to reach a decision has been received. Where, for instance, evidence of an address is necessary, that will be sought from the parent. The application will not be considered to have been made until this has been received.

Step 2

Within 5 school days, the LA will notify schools of applications that have been received for them within 5 school days. Irrespective of the parent's order of preference, it will send own admission authority schools all details from the application form necessary to apply their oversubscription criteria and rank applications.²⁷

Step 3

Within a further 5 school days, own admission authority schools will rank its list of applications using its oversubscription criteria and information from SIFs as appropriate. They will inform the LA whether places can be offered to any of the applicants.²⁸ In most cases there will only be one application and the admissions authority will only say whether a place can or can't be offered.

For community and VC schools, the school will inform the LA of any reasons why the LA should refuse admission to any of the applicants. This should be the view of the Governing Board.

Step 4

Within a further 5 school days the LA will process the information from schools and where the child is:

- eligible for a place at only one of the nominated schools, that school will be allocated to the child;

²⁷ As all schools must use equal preference, they will not be notified of the ranking made by parents on application form.

²⁸ Where a place can be offered by an admission authority on faith grounds, the LA may use this information to determine eligibility for Education Transport assistance. It should be provided whether or not the school is over-subscribed.

- eligible for a place at two or more of the nominated schools, the child will be allocated a place at whichever of these is the highest ranked preference.
- not eligible for a place at any of the nominated schools, the LA will consider whether to allocate a place under the Fair Access Protocol or refuse the application. For allocations under the Fair Access protocol, it may be necessary to discuss this with the school.

Step 5

The LA will inform schools of the children to be offered places on their behalf and inform the parent of the outcome. This will be by email if the parent where possible or by second class post. It will give the following information:

- the name of the school at which a place is offered;
- if appropriate, the reasons why the child is not being offered a place at any other school named on the application form;
- if appropriate, information about the statutory right of appeal against the decisions to refuse places at the other named schools;
- contact details for the school;
- the date by which parents should notify the LA in writing if they do not wish to take up the place that has been offered;

11.3 The LA will not inform parents of places still available at other schools unless requested to do so by the parent.-

12 When will Parents be told the Outcome of the Admissions Application?

12.1 The outcomes of an application will be:

- **Offer.** An offer will be made at a school named by the parent; or
- **Refusal.** Application will be refused. Parent has the right of [appeal](#) and to a place on a waiting list; or
- **Refusal with an alternative offer.** The LA may offer another school under the Fair Access Protocol. Parent has the right of [appeal](#) and to a place on a waiting list; or
- **Application not accepted.** This may be where a parent is seeking admission for a child not of an appropriate age to attend the school. As an example, a parent may seek admission for a 3 year old child to a primary phase school. It would be for the school admissions authority to decide whether that would be appropriate. If not, the parent would not have the right of appeal for admission. The school complaints procedure could be followed.

12.2 Parents are not required to inform the LA that they will accept their offer.

Where a child does not start at the school within 10 school days of the date for which admission was offered, the offer will lapse. Parents can reapply for a place after this if required.

Where parents are aware, for instance, that a child's arrival in a new area will be delayed, they should let the school know. Prolonged delays may lead to the offer being withdrawn, particularly where another child has been refused and is ready to take the place up immediately.

13 The Right of Appeal

13.1 Parents who have been refused a preference and are dissatisfied with the school that has been allocated have the right of appeal to a Panel, independent of the admissions authority for the school. This includes parents who have been offered a second or third preference who wish to appeal for a place at a school that has been refused. It also includes those who have been allocated an alternative school under the Fair Access Protocol.

School admissions appeals are **for admission** to a school that has been refused and not **against admission** to a school that has been allocated.

- 13.2 For most Devon schools, parents should contact the Devon Admissions Service to request appeal forms. They will then be sent the relevant appeal forms by the Admissions Service, either electronically or in hard copy. Whenever possible, appeals will be heard alongside other appeals for the same school.

Where a school manages its own admissions and appeals arrangements, the parent will be directed to contact the school.

- 13.3 Parents may appeal for any school for which their application for admission has been refused. They may not appeal for a place to a school which was not offered because a higher preference was offered.
- 13.4 An appeals timetable will be published online each year by **28 February** on the Devon admissions appeals website.

14 **Waiting Lists**

- 14.1 For Devon schools, where an application has been refused, the child will be placed on a waiting list for vacancies. The list will be kept in oversubscription criteria order by the LA unless, after the beginning of the **autumn term 2019**, it is passed to the school by mutual agreement. Waiting lists will be kept for the entire academic year so long as at least one name is on them unless a school that is its own admission authority has determined admission arrangements not to do so. The LA believes that it is good practice for waiting lists to be maintained so long as there is at least one name on them.²⁹ This ensures that parents are not required to be in very frequent contact with a school to check whether a vacancy has arisen. However, parents must confirm they wish their child to remain on a waiting list at the end of each academic year.

Only children refused admission following a formal application will be added to waiting lists.

- 14.2 At the point when the In-Year Co-ordinated Scheme begins on **1 September** each year, waiting lists for secondary and junior schools will be recalculated by admission authorities using the published oversubscription criteria as at that point children will no longer be attending linked or feeder schools.
- 14.3 Parents of children on a waiting list may be contacted from time to time to check they still want the child to remain on the list and will be contacted at the end of each academic year.

- 14.4 **Where two or more Year Groups in a primary-phase school are mixed in a class, waiting lists will be combined and vacancies filled from that combined list as appropriate.**

This may mean, for instance, that in a class of Year 3 and Year 4 children and an Admission Number of 15, a Year 3 leaver may be replaced by a Year 4 child. The class would then include 14 Year 3 children and 16 Year 4 children. An application for Year 3 would be refused on school full grounds even though the number of Year 3 children was below the Admission Number. With In-Year admissions, the overriding consideration will be whether there is a prejudice to efficient education or the efficient use of resources.

15 **Admission out of a Child's Chronological Cohort**

²⁹ This will be the case for community and voluntary controlled schools.

- 15.1 Places will usually be offered in the Year Group according to the child's date of birth³⁰ but a parent may submit an application for a Year Group other than the child's usual or chronological Year Group. A request solely on parental preference grounds is a valid request though it can be helpful when supporting evidence, including the views of independent professional(s) working with the child is also submitted. The admissions authority for the school will decide on the most appropriate Year Group setting for the child on a case by case basis. It will give reasons in writing for any refusal to accommodate a parent's preference for admission out of the child's chronological Year Group. Where a place is refused in a different Year Group but a place is offered in the school, there will be no right of appeal. Parents may then follow the school's complaints procedure.

Where the admissions authority decides that a child is not of an appropriate age to be admitted to the school - for instance a parent seeking admission to school for a 3 year old child – it may refuse to accept the application.

Approval for admission out of a child's chronological Year Group does not establish a priority within oversubscription criteria for the child. A decision at one school does not bind another school.

- 15.2 Parents should not assume that, for example, delayed admission into Reception will be followed by a similar decision at a transfer to another school. The head teacher of another school may consider that the needs of a child whose admission to Reception was delayed can best be met with his or her chronological Year Group.

- 15.3 Where twins or other multiple birth siblings have birthdays recorded on their birth certificates on either side of midnight on **31 August**, the siblings will have been born in different academic years. In anticipation that parents will want the children to be admitted to school together, a parent may specify that both of the twins (or all triplets etc) be admitted to the same academic year. This will mean that one or more of the children is admitted out of his or her chronological cohort. Subject to paragraph 14.2, the expectation will then be that the children will continue to be taught with that cohort as their school career progresses.

16 Selection and Aptitude Testing – Secondary schools only

- 16.1 Some secondary schools are designated as selective or grammar schools. Children are admitted provided they have been successful at an entrance test. Other schools have up to 10% of places available to children who meet the school's criteria and can demonstrate and aptitude in named subjects.

Where a selection or aptitude test is part of the school's admission arrangements, the admission authority for the school may make it clear to a parent that they must express a preference on the D-CAF. The school should inform the LA of all requests to sit a selection or aptitude test in order to ensure that a common application form is completed with respect to each child.

- 16.2 It is the responsibility of the parent to make arrangements with the school to arrange to attend the selective testing. Parents must complete a registration form and return it to the school in order to arrange for the child to sit the selection test. While parents may express a preference for selective schools in another LA, they must make arrangements directly with the school.

The following Devon schools operate selection testing or aptitude assessments as part of their admission arrangements. All require an additional registration form to be completed in order to arrange for a child to sit a selection or aptitude test.

³⁰ The Year Groups appropriate to dates of birth are detailed at Appendix 6.

**Colyton Grammar School
St Luke's Science and Sports College**

- 16.3 Parents who request that their child sits the selection or aptitude test will be informed of the outcome of the test or assessment before they are required to express preferences for school places.
- 16.4 Parents will be notified direct by selective schools of the outcome of testing. The LA will not enter into any correspondence with parents regarding the outcome of testing except where a parent has concerns that a school's admission arrangements have not been followed.

17 Home Address

- 17.1 The LA in its role as an admission authority will not accept more than one address as the child's home address. Own admission authority schools are likely to take adopt the same policy. The terms of a child arrangements or other court order may clarify the home address.

Where necessary to determine which address to recognise and in the absence of a court order, the LA will consider the home address to be with the parent with primary day to day care and control of the child on school days. In reaching this decision, evidence may be requested to show the address to which any Child Benefit³¹ is paid and from which the child is registered with a medical GP. Any other evidence provided by parents will also be considered by the LA or school in reaching a decision on the home address for admissions purposes. This may be necessary for instance where parents do not agree on the child's home address. Parents are urged to reach agreement or seek a Specific Issues Order from a court to decide which parent should or should not pursue an application. Where they do not, the LA will determine the home address.

Where the LA asks for evidence of the address from which a child would attend school, this would often be written confirmation of a house purchase or a formal tenancy agreement. Some families may be unable to provide this - for example, where a house move is at very short notice or where a family is escaping domestic violence. Applicants who cannot provide this evidence should contact the LA or school. There is no intention to penalise families where there is a genuine reason why the usual evidence cannot be provided.

- 17.2 Parents are requested to provide accurate and up-to-date information on their application form.

In order to enable all parents to have confidence that applications are prioritised according to published oversubscription criteria and to minimise the risk of children gaining admission through the provision of fraudulent or misleading information, the admissions authority for each school may investigate addresses. Where a child's home address changes after the allocation of places that change must be notified to the LA immediately. A decision will then be made by the admission authority in accordance with the oversubscription criteria as to whether he or she is still eligible for a school place. If not, the place may be withdrawn. The following will be taken into consideration:

- whether it was reasonable for the parent to believe on the date the offer was made that the child would attend school from the first address;
- whether a move was required at short notice due to unavoidable personal circumstances;
- whether the new address provides appropriate accommodation;
- whether a move into the catchment area or closer to the school is followed by a further move back to the original address or other address outside the catchment area or further away from the school;

³¹ Child Benefit will not be an automatic determining factor. This benefit is not universal and does not necessarily reflect a child's main residence. Payment of the Benefit can take some time to follow the child after a change in living arrangements.

- the address record of any other children in the family.

Any investigation into fraudulent addresses will be limited to the address at which the parent declared that the child would be attending school from when the decision to offer or refuse admission was made. A subsequent, newly declared address will not be taken into consideration.

- 17.3 Where concerns are expressed that an address has been given which is fraudulent or misleading, further information may be requested from the parent and an Education Welfare Officer may visit the address to establish whether residence is genuine.
- 17.4 While the purpose of investigations into a child's home address is to reduce the use of fraudulent addresses which gain an advantage over other children, parents should be assured that there will be no automatic withdrawal of the offer of a school place. No place will be withdrawn where the family circumstances are vulnerable and no parent should feel that unorthodox circumstances will be penalised.
- 17.5 A place may be withdrawn after admission where a fraudulent or misleading address has been used to gain advantage over other applicants. In considering whether this is appropriate, the admission authority will take into account the length of time the child has been attending. The School Admissions Code indicates that a place should not be withdrawn after a child has been on roll for more than a term.

18 Where Age is Disputed

- 18.1 A parent may be required to provide evidence of the child's date of birth if he or she has not been previously admitted to a school in the United Kingdom. Where it is required, a short birth certificate is acceptable, as is a passport.
- 18.2 Where the child is in the Care of a LA and his or her age is unclear or in dispute, the child's age will be determined before the offer of a school place or as soon as is reasonably possible following the emergence of a dispute over age. Where necessary, the child will be referred to a social care officer for assessment.

19 Applications from outside the United Kingdom

- 19.1 Where applications are received from outside the United Kingdom, they will not be considered unless they meet the terms of paragraph 19.2 or the applicant can provide evidence of right of entry to the United Kingdom. No offer of a school place will be made which may influence the decision of the United Kingdom Border and Immigration Agency.
- 19.2 Where a child is not currently in the United Kingdom, an application will be accepted:
 - with a photocopy or scan of his or her passport confirming [a right of abode in this country](#); or
 - with a photocopy or scan of his or her passport including a valid visa or other document allowing for entry into the United Kingdom.
- 19.3 Where a child is resident in Devon or its environs and is living with a host family, the LA will contact the home family – the family abroad with whom the child is normally resident. All applications will be from the home family unless there are reasons why this is not possible. This will be to ensure that the birth family is aware of the address at which the child is residing, gives authority to a member of the host family to seek a school place and is aware that no fees are payable for the application, allocation or provision of a school place where a child is of statutory school age.
- 19.4 Where a child who is not a UK citizen has been resident in the UK before or after an application is submitted and then leaves the country, evidence of right of return will be

required. It will not be assumed that a child will be in position to return to the country or to a previous address.

- 19.5 Children who are taken out of the area on prolonged visits or holidays are liable to be removed from the roll of a Devon school on the grounds that they are not “ordinarily resident” in the area and are therefore unable to attend the school. After 20 school days unauthorised absence or 10 school days unauthorised absence following authorised absence for a family holiday of up to 10 school days, where the child is not residing at the address from which he or she was attending school, an Education Welfare Officer may confirm to the school that the child is no longer ordinarily resident at that address and may be removed from the school roll. In these cases, the parent must reapply for admission and will be subject to paragraphs 19.1-19.4.

~~19.6 Countries in the European single market are: Iceland, Liechtenstein, Norway and Switzerland and the European Union (EU) countries: Austria, Belgium, Bulgaria, Croatia, Republic of Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and the UK.~~

~~19.7 This policy may be amended in response to developments with the withdrawal of the UK from the European Union.~~

20 UK service personnel and other Crown servants

- 20.1 Families of UK Service personnel and other Crown servants are subject to frequent movement at short notice. This can mean that children of such families are disadvantaged educationally. Admission authorities must allocate places in advance where the family is relocated by the Ministry of Defence, Foreign and Commonwealth Office or Government Communications HQ. In-Year applications for children of UK service personnel will be considered up to 16 school weeks in advance.
- 20.2 Decisions on whether a place can be made available will be based on a Unit address in advance of a home address being confirmed. Where it is necessary to measure the distance to school for the purposes of deciding priority in relation to other applicants, the main entrance of the Unit will be used.
- 20.3 The child shall have a parent who is a serving member of the UK Services with a confirmed posting to the area or other Crown servant returning from overseas to live in the area. This does not include a member of the reserve forces moving from one part of the county to another without there being a posting. No additional places are created to meet demand created by postings to an area.
- 20.4 The School Admissions Code does not permit higher priority to be given to children of UK service personnel when admissions authorities set over-subscription criteria. Neither does it provide for the consideration of family background when deciding whether a place should be made available.

21 Gypsy, Roma or Traveller families

- 21.1 Families from Gypsy, Roma and Traveller communities are subject to frequent movement at short notice. This can mean that children of such families are disadvantaged educationally and have additional challenges when accessing education. Children from Gypsy, Roma and Traveller communities have a higher risk of underachievement or exclusion from school.
- 21.2 The School Admissions Code does not permit higher priority to be given to children of Gypsy, Roma and Traveller communities when admissions authorities set over-subscription criteria.

Neither does it provide for the consideration of family background when deciding whether a place should be made available.

- 21.3 The term Gypsy, Roma and Traveller means:
- Gypsies, including Romanies, Romanichals, Welsh Gypsies/Kaale, Scottish Gypsies/Travellers; or
 - Irish Travellers, Minceir; or
 - Roma from Eastern and Central Europe; or
 - Showmen (Fairground people); or
 - Circus people; or
 - Boat Travellers / Bargees; or
 - New Travellers or New Age Travellers; or
 - (in addition to any above criterion) the parent is engaged in a trade or business of such nature that requires them to travel from place to place.

Some Gypsy, Roma and Traveller families live in houses or on permanent sites for at least part of the year. The nature of the parents' work may mean that they travel at other times of the year. The term 'travelling' means travelling as part of the parents' trade or business. It does not mean travelling as part of a holiday or extended holiday.

- 21.4 Schools should make provision to support children from Gypsy, Roma and Traveller families in enrolling, with particular reference to issues such as school uniform in order that their actions and requirements are not discriminatory. Parents will be asked to give as much notice as possible of dates when they will be travelling away in order to better plan on-going education and accurately record absence and attendance data.

22

School Uniforms

Individual schools will ensure that other policies do not undermine the principles of fair access. This includes a requirement for expensive school uniform, sportswear or school visits or other activities, unless arrangements are put in place to ensure that parents on low incomes can afford them. Here, low income should mean those parents entitled to the maximum level of working tax credit or where the child is eligible for free school meals. Schools where there is a uniform should:

- ensure it is widely available, not from an expensive sole supplier;
- not operate as sole suppliers in order to raise additional school funds;
- have arrangements so that no family feels unable to apply for admission on account of high uniform or specialist equipment costs;
- operate discreet schemes to reduce cost, widely publicised and clearly explained in admissions or other literature provided by the school.

23

Home-School Agreements

The LA recognises the benefits of clear understanding and agreement of expectations between schools, parents and children. Schools will not ask parents to sign, or express a willingness to sign, Home-School Agreements before they have been offered a place at the school. The offer of a school place will not be conditional on signing an Agreement.

24

School Charges

There is no charge to parents for applying for a place at any school, for admission or for the provision of education. No activities such as school visits are compulsory. A policy on charging for activities must be available on request from the school and can be viewed on school websites.

Education Travel

Parents should consider how their child would travel to and from school for the whole time he or she attends. Transport may be provided at no cost to the parent where the child is attending the catchment school or the closest school available. Where a parent does not make an application for a school, this will be considered to be a deliberate decision with regard to school places. If a place would have been made available at a school closer to home had the parent applied when they could have applied, there will be no automatic entitlement to Education Transport support to a school further away from home.

Parents should review the [Education Travel Policy](#) for further information regarding transport to and from school, particularly in relation to low-income families, children attending the nearest school to home on the grounds of belief and exceptions to eligibility on the designated school grounds.

Parents should not rely on other arrangements continuing for the time their child is at a particular school. This includes the provision of particular public service routes and lift-share arrangements.

Parents are encouraged to use sustainable transport methods to get their child to and from school.

26

Admission Numbers (ANs)

- 26.1 Each school will operate with a Published Admission Number (PAN) for its intake year(s). This will be determined by the admission authority for the school as part of the admission arrangements. Once determined, this will be the minimum number of children to be admitted throughout that intake Year should there be sufficient demand.
- 26.2 In most cases, the PAN for a Year Group of children will become the Admission Number (AN) at the end of the intake year. It may be amended to reflect a change in circumstances at the school and so increased or decreased. Places will be offered to the AN and may offered above it if it is believed that there would be no prejudice to education or if the disadvantage to the child is considered to be greater than any prejudice to the school.

27

Admissions to Sixth Forms

- 27.1 Admission arrangements for community and VC sixth forms in the Devon LA area have been delegated to individual establishments (ie to Sidmouth College). Parents or young people seeking a place at a sixth form should contact establishments directly for admission.³²

Applications for In-Year admission may still be made using the D-CAF. All completed forms will be forwarded by the LA to the school. The LA will not process applications or make offers as part of a co-ordinated scheme for sixth form admission.

- 27.2 Each sixth form will produce a prospectus which will detail minimum entry requirements, a timetable for application and option forms to be submitted contact information and details of the courses available for students.

28

Exceptional Need for Admission to a School

- 28.1 Devon's admission arrangements for community and VC schools allow for higher priority for children where there is an exceptional need for a child to attend a specific school and not another. The need must be specific to that school: a child may have very challenging

³² Young people over the age of 16 when admission is sought can apply for admission in their own right. They can also appeal against a decision to refuse admission. Parents may still act on their behalf.

circumstances that require additional support but if that support could also be provided at another school, there would be no exceptional need to attend a specific school.

It is not expected that a parent will seek priority on exceptional needs grounds to more than one school. This will be limited to the first preference.

28.2 Most own admission authority schools in Devon operate with this oversubscription criterion.

29 Children and Young People who are Transgender

Children and young people who are transgender should feel able to apply to a school without any restrictions. Where a school or college is co-educational, the gender a person associates with has no bearing on an admissions application. Devon's application forms ask for the child's gender in order to assist with identification. All schools and colleges will be supportive of their pupils and students individual circumstances.

There are no single sex schools in the Devon County Council area. Devon does not manage in-year applications for admission to schools outside of the county and would refer any applications to the appropriate admissions authority or co-ordinated scheme should an application for a school in another LA area be received, be they single sex or co-educational.

30 Objections

For information on how to object to the terms of this or any other admissions policy or procedure, advice is available at www.schoolsadjudicator.gov.uk. A formal objection must be made by **15 May 2019**.

Policy version:

This policy was considered for determination by the Cabinet of Devon County Council on 9 February 2018 following a consultation hosted at www.devon.gov.uk/admissionarrangements between November 2017 and January 2018. It will be reviewed and determined annually. The next consultation period will be for in-year admissions in September 2019 and will be between November 2018 and January 2019.

Policy History				
Date	Summary of change	Contact	Implementation date	Review date
10/2016	2016-17 In-Year Scheme rolled forward to formulate the 2017-18 In-Year Scheme	Policy and Strategy Officer (Education)	9/2017	10/2017
11/2016	2017-18 In-Year Co-ordinated Admissions Scheme consultation	As above		
9 Feb 2017	Scheme determined by the Cabinet of Devon County Council	As above	9/2017	10/2017
10/2017	2017-18 In-Year Scheme rolled forward to formulate the 2018-19 In-Year Scheme	As above	6/2018	10/2018
11/2017	2018-19 In-Year Co-ordinated Admissions Scheme consultation	As above		
10 Feb 2018	Scheme determined by the Cabinet of Devon County Council	As above	6/2018	10/2018
10/2018	2018-19 Scheme rolled forward to formulate the 2019-20 In-Year Scheme	As above	6/2019	10/2019

Admissions Glossary and Definitions

Admissions authority	<p>This is the body responsible for proposing, consulting on and determining the admissions policy and also for reaching decisions about offering or refusing applications.</p> <p>Where the LA is the admissions authority (for community and voluntary controlled (VC) schools), it will seek the views of the head teacher or governing body.</p>
Admission Number or AN	<p>For In-Year admissions only, this is the equivalent of the Published Admission Number for the normal round of admissions. It is the number of places available in each Year Group after the intake year. It will often be the same as the PAN that was originally determined for that Year Group. It may be increased or decreased where the amount of accommodation has changed or where class sizes change because of reorganisation in the school.</p>
Appeals	<p>If a school's admissions authority refuses admission at the normal round, the refusal will be because it believes it would "prejudice the provision of efficient education or the efficient use of resources". For the normal round this will not be below the PAN. This is the principal justification under the School Standards and Framework Act 1998 for refusing admission. If we refuse admission, it will be in writing, there will be the right of appeal to an Independent Appeals Panel and to a place on a waiting list. If an application for admission is unsuccessful, parents have a statutory right of appeal to a panel which is independent of the LA and the school. Appeal papers will either be sent with the refusal letter or can be requested from the LA. Parents have at least 20 school days to return the papers, together with any supporting evidence. (Papers can be submitted earlier than 20 days if a parent chooses to do so).</p> <p>An appeal for a place in Reception, Year 1 or Year 2 may be subject to Key Stage 1 or Infant Class Size Legislation. This is a more limited process which reviews the original decision to refuse admission. The Panel will decide whether an additional child would breach the legal maximum of 30 children in a Key Stage 1 class with one teacher, whether the school's policy and those of the LA are lawful and have been applied correctly and whether it was a reasonable decision to refuse the application in the circumstances known to the admissions authority at the time the original decision to refuse was made. There are very limited exceptions which would allow a school to exceed 30 children in a Key Stage 1 class.</p> <p>The Clerk to the Independent Appeals Panel will give at least 10 days' notice of the appeal date. Parents will also be told when to submit any further information to be considered. Parents will receive evidence on from us before the appeal hearing. After appeals are heard, decision letters should be sent within five school days; notice of the decision is available by telephone before then.</p> <p>Appeals at the normal round of admissions will be heard within 40 school days of the deadline for lodging appeals. Where the application was not</p>

	made in time for a decision to be made on the national offer date, they will be heard within that 40 day period or, if that is not possible, within 30 days of the appeal being lodged.
Application	<p>For normal round admissions, the LA considers applications to have been made on the national closing date or the date when the application was submitted or amended with new information if later.</p> <p>There is no closing date for in-year admissions. Applications can be made at any time though will not be processed further in advance than 8 school weeks (or 16 school weeks for children of UK service personnel and Crown Servants).</p> <p>It is a parent's responsibility to make sure that the LA is informed about changes to circumstances and eligibility for priority if, for instance, a sibling is taken onto a school's roll after the closing date or the home address changes.</p>
Catchment or Designated Area	<p>The catchment is the geographical area that a school is primarily intended to serve. There is a higher admissions priority for children who live in it. Children living in a residential property on the boundary line will be considered to be living within the catchment area.</p> <p>The large majority of schools in Devon operate a catchment area. Maps can be viewed at www.devon.gov.uk/schoolareamaps.</p>
Children formerly Looked After	These children were looked after until they were adopted (see the Adoption and Children Act 2002 section 46) or made the subject of a child arrangements order or a special guardianship order (Children Act section 14A). Child arrangements orders are defined in s.8 of the Children Act 1989, as amended by s.12 of the Children and Families Act 2014.
Chronological Year Group	This is the group of children usually taught together according to their date of birth. Children born between 1 September and 31 August have the same chronological Year Group. Parents can request admission to a different Year group where they believe the child is particularly advanced or has missed a significant part of the curriculum through illness or other reason. Parents of summer-born children can request delayed admission to Reception, to be admitted out of the chronological Year Group.
Common Application Form	<p>This is the name for the application form provided by a local authority. They must be used for any application for admission to a school at the normal point of admission. The form provided by the local authority where the child lives must be used, regardless of where the school is. Most parents apply online through Devon. The Devon common application forms for normal round admission are: D-CAF1 for Key Stage 1, D-CAF2 for Key Stage 2, D-CAF3 for Key Stage 3, D-CAF4 for Key stage 4 and D-CAF5 for Key Stage 5.</p> <p>The Devon common application form for in year admissions are the D-CAF and the D-CAF6. They may only be used for state-funded schools located in Devon (not Torbay or Plymouth).</p>

<p>Compulsory School Age</p>	<p>Children reach compulsory school age on the prescribed day following their 5th birthday (or on their fifth birthday if it falls on a prescribed day). They must be in full time education by the beginning of the term following this. The prescribed days are 31 August, 31 December and 31 March. Children who are of compulsory school age do not have to be in school – they may be Home Educated. It is more accurate to say this is the compulsory schooling age.</p> <p>The Raising of the Participation Age (RPA) means that up to their 18th birthday, young people must be in full time education, in an Apprenticeship or in part-time education or training if they are employed, self-employed or volunteering for 20 hours or more a week.</p>
<p>D-CAF and D-CAF6</p>	<p>Devon’s Common Application Forms for In-Year admissions, enabling a parent to name up to 3 schools. This is available from the LA and at devon.cc/applicationforms.</p> <p>The D-CAF6 is an application form available in school and provided to a parent where the school is able to confirm a place direct with a parent in certain circumstances. Where a parent visits the school, we may invite the parent to complete a D-CAF6 instead of a D-CAF in cases where:</p> <ul style="list-style-type: none"> • a child moves into the area <i>and</i> • the parent only intends to apply for a place here and at no other school, <i>and</i> • the child does not have an EHCP, <i>and</i> • the child has not been Permanently Excluded from a school, <i>and</i> • the parent is not in dispute with another person with parental responsibility over residence or school admissions, <i>and</i> • we have a confirmed vacancy in the relevant Year Group, <p>This serves as a school application form rather than a Common Application Form and allows for children to start here as soon as possible when they are new to the area. If the child already has a school place locally, the application must be made on the D-CAF and admission would normally be at the beginning of the next term. A formal decision letter will follow from the Devon Admissions Team in all cases.</p>
<p>Deferred Admission</p>	<p>This is where the parent of a child below compulsory school age puts off admission into a Reception class within the same academic year or to Year 1 in the following academic year, no later than the beginning of the term after the child’s fifth birthday.</p> <p>Please see the table below for the points to which children can defer admission.</p>
<p>Delayed Admission</p>	<p>This is where the parent of a summer-born child puts off admission into a Reception class until the start of the September after the fifth birthday and not the September after the fourth birthday.</p>
<p>Distance measurement</p>	<p>The LA uses its own Geographical Information System, an electronic mapping system, to measure distances for school admissions and Education Transport purposes. The majority of own admissions authority schools also</p>

	use this system through arrangements with the Devon School Admissions Service.
Documentary evidence	Once a place has been offered to a child, schools may ask for evidence of identity - usually a short birth certificate. This may not be necessary where the child has been on roll at another school in England which can confirm that evidence has been seen at that school. Admissions authorities may also request evidence that a child's address is genuine or that the person who made an application for admission was legally permitted to do so.
Education, Health and Care Plans	Any child whose Education, Health and Care Plan names a school will be admitted to that school. This will reduce the number of places available to other children accordingly. An Education, Health and Care Plan is a formal document issued by the LA describing a child's additional needs and how they will be provided for in school.
Education transport	<p>Parents should consider how their child will get to school for the whole of their time on roll. Parents are advised not to rely on lifts, car shares or public service vehicles always being available. Supported transport will be provided by the LA for Devon-resident children attending a school if it is the catchment school for the child's home address (recognised by the LA for transport purposes) or the closest school available when the parent could apply or, for Children in Care, the closest available Good or Outstanding school, as rated by Ofsted. The home address must be further than a walking distance of two miles. Applications for transport should be made direct to the LA where a child lives. Our admissions direct line measurement policy does not apply to Devon's school transport decisions.</p> <p>It is possible that this is the closest available school for admissions purposes, using straight-line measurement, but not the closest school for the purposes of entitlement to free school transport from the LA. Parents who rely on free transport are strongly advised to check whether there is an entitlement with the Education Transport Team before accepting a school place.</p>
Equally ranked preference scheme	<p>Parents can express a preference for one, two or three schools. They should be named in the order the parent most would like a place to be provided. This is called the ranking. It might be possible for each school to offer a place. If that happens, a place will only be offered at whichever of the schools that could offer a place the parent ranked highest. So, if places are available at School 1 and School 3, a place will be offered at School 1 only.</p> <p>Equally ranked preference schemes are a legal requirement which enable parents to apply for the school they prefer without risking admission to the closest school or a catchment school.</p> <p>Parents do not have to name more than one school on an application but are encouraged to do so, particularly where they have a preference that is not the closest or catchment school.</p>
Exceptional social or medical need	Children for whom an exceptional social or medical need to attend a school and only that school is demonstrated will have a higher priority for admission. This does not guarantee a place or create a vacancy. In all cases,

	<p>satisfactory supporting evidence from a relevant professional, independent of the family will be required.</p> <p>Priority according to exceptional need cannot be agreed except for the school that is a parent's first or only preference.</p>
Extended schooling	Information on services beyond the normal school day should be available from the school office and the school website.
Fair Access Protocol	All LAs are legally required to operate a Fair Access Protocol across their area and schools must take part in the Protocol. This ensures that children who are vulnerable, unable to access an appropriate school place under the standard In-Year admission arrangements for the area have an admissions safety net. This may mean that a child is admitted In-Year even though the school is full and other children have been refused admission.
Faith oversubscription criteria	<p>A number of Devon schools give additional priority for admission where faith criteria are met by an applicant. Examples of faith criteria are:</p> <ul style="list-style-type: none"> • To regularly attend, either the parent or child attends church services on at least a monthly basis, and for a minimum period of one year immediately prior to the application being made. • A Christian church is one which subscribes to the doctrine of the Holy Trinity or a church recognised by Churches Together in England.
Fees and charges	There is no charge for applying for a place in a state-funded school, for admission or for the provision of education. Schools must not request donations before or during the admissions process and any donations made to the school following admission are entirely voluntary. No activities such as school visits are compulsory. A policy on charging for activities should be available on request from a school office.
Home Address	Places are offered on the basis of where the child will attend school, not necessarily where they live when the application is made. If a school has vacancies then it doesn't matter whether the home address is in the school's catchment or not – though the LA would only offer places to a child who will be living close enough to the school to attend on a daily basis.
Home-School Agreement	Admission to school is not conditional on signing a home-school agreement. However, many schools will ask parents to agree with their Home-School Agreement after children have been offered a place, believing this is a positive way of promoting greater involvement in a child's education.
In-Year admissions	This is where a child joins the school at any time after the first opportunity for admission at the normal round for that school.
Key Stage 1 class size legislation	This limits the number of children in a Reception, Year 1 or Year 2 class (or a class where the majority of children are aged 5, 6 or 7 years) to 30 children for each teacher. There are a number of permitted exceptions to this limit. Being an exception to Key Stage 1 class size legislation is not a guarantee of admission as there may still be insufficient space in the classroom to admit another child.

Linked School	A school which works with another to develop curriculum links and to ease transition for pupils from primary school to secondary school. Sometimes called a feeder school. Admissions priority because a child attends a linked school is not a guarantee of admission and only applies at the normal round of admissions. It does not apply for In Year admissions.
Looked After Children	These children are Looked After by or provided with accommodation in the exercise of its functions (see the Children Act 1989 section 22(1)) by a local authority.
Member of staff	<p>For community and voluntary controlled schools, this will be any salaried person employed at the school. Where the duties of a member of staff are undertaken at different schools in a federation or chain of schools, there will be admissions priority only at one school. This will be at the member of staff's base school where that can be identified. Where it can't be identified, we will expect that priority will be at the school where the member of staff is expecting to work for the majority of the time in the current academic year.</p> <p>Similar terms will apply to own admission authority schools where there is priority for children of staff.</p>
Multiple birth siblings	<p>Where applications are received from families with multiple birth siblings (twins, triplets, etc.), every effort will be made to allocate places here, including offering admission above PAN wherever possible. This recognises the exceptional nature of the emotional bonds between multiple birth siblings. Where that is not possible, parents will be invited to decide which of the children should be allocated the available place(s) or seek admission to an alternative school with sufficient vacancies to accommodate both or all of the multiple birth siblings.</p> <p>Where a school doesn't have sufficient space to admit all of the multiple birth siblings and one or more is refused admission, the LA does not consider that the school would be obliging the children to attend different schools. It is the parent's responsibility to decide not to place the children in another school without sufficient room.</p> <p>For most schools, random allocation will not be applied to multiple birth siblings (twins and triplets etc.) from the same family tied for the final place. Schools will admit them all, as permitted by the infant class size rules for primary and infant schools) and exceed the PAN.</p>
National Offer Date	<p>Normal round places are offered by the LA on the national offer date. For secondary schools, this is 1 March or the next working day if that falls on a weekend or Bank Holiday. The national offer date for primary schools is 16 April or the next working day if that falls on a weekend or Bank Holiday.</p> <p>There is no national offer date for in-year admissions.</p>
Normal Round Admissions	This is where a child joins a school at the first opportunity for admission or at another point within an all-through school where the school routinely admits a large number of children. In Devon, the normal round is at the beginning of the following academic years:

	<p>Reception – Primary and Infant schools Year 3 – Junior school Year 7 – Secondary school, including in all-through schools Year 9 – the Atrium Studio School Year 10 – the South Devon UTC Year 12 – all schools with a sixth form</p>
Nurseries and pre-schools	<p>Very few schools in Devon give priority for admission to children at a school nursery or pre-school. Parents of all children must apply for admission to the school. The LA invites applications for children regardless of where their Early Years provision has been.</p>
Objections to admissions policy	<p>Advice is available from the Office of the Schools Adjudicator on how to object to the terms of this or any other admissions policy. Objections must be made by 15 May 2019.</p>
Oversubscription criteria	<p>Where the number of applications exceeds the number of places available in the Year Group admissions authorities use published criteria to decide which children have priority for admission. They are not used when a school has sufficient places for the children who have applied for admission.</p>
Parent	<p>When we say parent, we also mean carer or guardian.</p> <p>A parent is any person who has parental responsibility or care of the child. Where admission arrangements refer to parents this can mean one parent or both. We may ask for evidence of parental responsibility where a person is acting as a parent but does not hold formal parental responsibility.</p> <p>A LA may act as the corporate parent for a Child in Care.</p>
Part-time attendance in Reception	<p>Parents can choose to accept the offer of admission into Reception for part-time rather than full-time attendance until the child is of compulsory school age. It is for the school to decide what the part-time offer is here and it is for the parent to decide whether to accept that part-time offer or for attendance to be full-time.</p>
Phase	<p>Schools are primary or secondary phase. The primary phase is Key Stages 1 and 2 and includes infant, junior and primary schools. It also includes First and some Middle schools which may be found in other LA areas.</p> <p>The secondary phase is Key Stages 3 and 4 and includes secondary and studio schools and UTCs. It also includes High and some Middle schools which may be found in other LA areas.</p> <p>Key Stage 5 comprises further education, at sixth form or Further Education College.</p>
Published Admission Number or PAN See also Admission Number	<p>This is the minimum number of places available at the school at the normal round. In limited circumstances, more will be admitted. It is calculated taking into account the physical capacity of the school, the level of demand expected from local, in-area children and sensible school organisation. Once a PAN has been determined, the school may not refuse admission below the PAN. If there is unexpectedly high demand and the school</p>

	believes it could admit more children, it will inform the LA and either increase the PAN or admit children above-PAN.
School day, school week	<p>A school day is simply a day on which children are expected to attend, one of the 190 school days that are required for maintained schools. These will not be the same days for each school as schools are at liberty to set their own academic terms through the year and to set non-pupil days as they see fit.</p> <p>A school week comprises 5 school days for that establishment. This will not necessarily be 5 days from Monday to Friday.</p>
Service families	<p>For children of UK service personnel and other Crown Servants schools must consider a family posted to the area as meeting residence criteria even if a home address has not been identified and a unit address is used. This requires written confirmation from the relevant government department: the Ministry of Defence, the Foreign and Commonwealth Office or Government Communications Headquarters.</p> <p>There is no additional admissions priority for children of service families. However, service family children are permitted exceptions to Key Stage 1 class size legislation and are also recognised by Devon as being a vulnerable group of children within the Fair Access Protocol.</p>
Sibling	<p>'Sibling' means a natural brother or sister, a half brother or sister, a legally adopted brother or sister or half-brother or sister, a step brother or sister or other child living in the same household as part of the same family who, in any of these cases, will be living at the same address at the date of their application for a place.</p> <p>A younger sibling who has been offered a place within the normal admissions round will be considered as if he or she were on roll for the purposes of oversubscription priority where a child seeks admission in-year.</p> <p>Where a school doesn't have sufficient space to admit a sibling of a child already attending here, and one or more child is refused admission, the LA doesn't consider that it would be obliging the children to attend different schools. It is the parent's responsibility to decide not to place the children in another school that does have sufficient room.</p>
Supplementary Information Form or SIF	This is a form in addition to the LA common application form. Some schools use SIFs to collect information necessary to apply one or more of their oversubscription criteria. It should be submitted by the closing date for normal round admissions or as soon as possible.
Tie breaker	To distinguish between children in a particular oversubscription criterion, priority will be determined on the basis of distance between home and school. This is measured in a straight line from an entrance door of the residential dwelling to the centre of the main school entrance on Devon LA's Geographical Information System (GIS). Children who live closer to the school have a higher priority for admission. Where two or more children reside within a block of flats, they will be deemed to live at an equal distance from the school.

	<p>If the tie-breaker above is not sufficient to distinguish between applicants in a particular oversubscription criterion, there will be a random ballot. This will be undertaken by a person independent of the school by the operation of an electronic list randomiser.</p> <p>Random allocation will not be applied to multiple birth siblings (twins and triplets etc.) from the same family tied for the final place.</p>
Types of state-funded school	<ul style="list-style-type: none"> • Community • Voluntary Controlled (VC) <ul style="list-style-type: none"> - both maintained by the LA and with the LA as the admissions authority • Foundation school • Voluntary Aided (VA) <ul style="list-style-type: none"> - both maintained by the LA but with the school governing body as the admissions authority • Academy • Free school • Studio school • University Technical College (UTC) <ul style="list-style-type: none"> - all independent of the LA, with the academy trust being the admissions authority.
Uniform	<p>Children attending many schools are expected to wear a uniform. Some of the items required can be purchased from schools themselves and the rest from most retail outlets. Parents unable to purchase items of uniform or equipment should not be penalised. Many schools operate a scheme to assist families in need.</p>
Waiting Lists	<p>All schools must operate a waiting list for the intake year at least until the end of the autumn term. Most in Devon go further than this and operate a list for each year group until the end of the academic year. This will be maintained by the school and shared with the LA. It will contain the names of all children whose application for admission that year has been refused.</p> <p>Waiting lists for secondary and junior schools will be recalculated at the end of August 2018 at which point normal round priority on the grounds that the child attended a linked school no longer applies.</p> <p>Children's positions on the waiting list will be determined solely in accordance with the oversubscription criteria. Positions will be reordered whenever anyone is added to or leaves the waiting list. Therefore, a child's name can go up or down on the list. The length of time on a waiting list does not affect a child's position.</p>

Deferring Admission into Reception

Child's fifth birthday	Parent can defer admission or child can attend part-time until the start of term in
1 September – 31 December 2019	January 2020
1 January – 31 March 2020	January 2020 OR April 2020
1 April – 31 August 2020	January 2020 OR April 2020 OR September 2020 by making a fresh application for a Year 1 place (June 2020) or making a fresh normal round application for Reception in 2020-21

**Oversubscription Criteria – Community and Voluntary Controlled
Infant and Primary Schools 2019-20**

if there are more applications than places for in year admissions

Any child whose Education, Health and Care Plan names a school will be admitted to that school. Where the number of applications exceeds the number of places available, the following oversubscription criteria will be used to prioritise applicants:

- 1. Looked after children and children who were previously looked after but immediately after being looked after became subject to adoption, a child arrangements order, or special guardianship order.**
- 2. Priority will next be given to children based on their exceptional medical or social needs or those of a parent with evidence from a medical specialist or social worker of the child's or parent's need and why they must attend this school rather than any other, based on those needs.**
- 3. Priority will next be given to children living within the catchment area set out in the map, who are siblings of pupils on roll at this school (or, for an infant school, at the linked junior school).**
- 4. Priority will next be given to other children living within the catchment area.**
- 5. Priority will next be given to children living outside the catchment area, who are siblings of pupils on roll at this school (or, for an infant school, at the linked junior school).**
- 6. Priority will next be given to children of members of staff who have been employed at this school for more than two years or recruited within the past two years to fill a vacancy for which there was a skills shortage.**
- 7. Other children.**

Notes and definitions to these criteria are included with the policy document for each school and with the LA Glossary.

**Oversubscription Criteria – Community and Voluntary Controlled
Junior Schools 2019-20**

if there are more applications than places for in-year admissions

Any child whose Education, Health and Care Plan names a school will be admitted to that school. Where the number of applications exceeds the number of places available, Devon will use the following oversubscription criteria to prioritise applicants:

- 1. Looked after children and children who were previously looked after but immediately after being looked after became subject to adoption, a child arrangements order, or special guardianship order.**
- 2. Priority will next be given to children based on their exceptional medical or social needs or those of a parent with evidence from a medical specialist or social worker of the child's or parent's need and why they must attend this school rather than any other, based on those needs.**
- 3. Priority will next be given to children living within the catchment area set out in the map who are siblings of pupils on roll at this school or at the linked infant school.**
- 4. Priority will next be given to other children living within the catchment area.**
- 5. Priority will next be given to children living outside the catchment area who are siblings of pupils on roll at this school or the linked infants school.**
- 6. Priority will next be given to children of members of staff who have been employed at this school for more than two years or recruited within the past two years to fill a vacancy for which there was a skills shortage.**
- 7. Other children.**

Notes and definitions to these criteria are included with the policy document for each school and with the LA Glossary.

**Oversubscription Criteria –
Community and Voluntary Controlled Secondary Schools 2019-20³³**
if there are more applications than places for in-year admissions

Any child whose Education, Health and Care Plan names the school will be admitted to that school. Where the number of applications exceeds the number of places available, the following oversubscription criteria will be used to prioritise applicants:

- 1) **Looked after children and children who were previously looked after but immediately after being looked after became subject to adoption, a child arrangements order, or special guardianship order.**
- 2) **Priority will next be given to children based on their exceptional medical or social needs or those of a parent with evidence from a medical specialist or social worker of the child's or parent's need and why they must attend this school rather than any other, based on those needs.**
- 3) **Priority will next be given to children living within the catchment area set out in the map, who are siblings of pupils on roll at this school.**
- 4) **Priority will next be given to other children living within the catchment area.**
- 5) **Priority will next be given to children living outside the catchment area, who are siblings of pupils on roll at this school.**
- 6) **Priority will next be given to children of members of staff who have been employed at this school for more than two years or recruited within the past two years to fill a vacancy for which there was a skills shortage.**
- 7) **Other children.**

Notes and definitions to these criteria are included with the policy document for each school and with the LA Glossary.

³³ Sidmouth College but not St Luke's Science and Sports College which has its own criteria.

**The Year Groups for ranges of Dates of Birth
for the 2019-20 academic year**

	DOB from	DOB to
Sixth forms		
Year 14	01 Sep 2000	31 Aug 2001
Year 13	01 Sep 2001	31 Aug 2002
Year 12	01 Sep 2002	31 Aug 2003
Secondary schools		
Year 11	01 Sep 2003	31 Aug 2004
Year 10	01 Sep 2004	31 Aug 2005
Year 9	01 Sep 2005	31 Aug 2006
Year 8	01 Sep 2006	31 Aug 2007
Year 7	01 Sep 2007	31 Aug 2008
Primary schools		
Year 6	01 Sep 2008	31 Aug 2009
Year 5	01 Sep 2009	31 Aug 2010
Year 4	01 Sep 2010	31 Aug 2011
Year 3	01 Sep 2011	31 Aug 2012
Year 2	01 Sep 2012	31 Aug 2013
Year 1	01 Sep 2013	31 Aug 2014
Reception	01 Sep 2014	31 Aug 2015

Devon Common Application Forms

To avoid confusion with the Common Assessment Framework, the Common Application Forms in Devon will be known as:

D-CAF	In-year admission into any school after the normal intake – the first opportunity for admission for that school (from Reception to Year 11).
D-CAF1	Normal round admission ³⁴ into the first year of education at a primary school ³⁵ (Key Stage 1, Reception).
D-CAF2	Normal round admission into the first year of education at a junior school only (Key Stage 2, Year 3).
D-CAF3	Normal round admission into the first year of education at a secondary school ³⁶ (Key Stage 3, Year 7).
D-CAF4	Normal round admission into the first year of education at a studio school or university technical college (Key Stage 4, Year 9 or 10).
D-CAF5	Normal round admission into the first year of education at a school sixth form where they are new to the school ³⁷ (Key Stage 5).
D-CAF6	In-year admission to all schools in certain circumstances where the parent only has a single preference, after the normal intake – the first opportunity for admission for that school (from Reception to Year 11).

Where a school has a normal round of admission into any other Year Group as it changes its age range or a new school opens in a managed process, the relevant common application form for the school's phase will also be used.

³⁴ Where a school has a one-off normal round intake into any other Year Group up to Year 6, parents should use the D-CAF1. This may be, for example, when a primary school opens and admits children into several Year Groups for the first time.

³⁵ This includes first and middle schools (where a child would be admitted into a primary school in Devon) in another LA area, either following a house move for the child out of Devon or where the parent is satisfied that the school is within daily travelling distance from a Devon address.

³⁶ This includes middle and high schools (where a child would be admitted into a secondary school in Devon) in another LA area, either following a house move for the child out of Devon or where the parent is satisfied that the school is within daily travelling distance from a Devon address

³⁷ While each sixth form may provide its own application form for external candidates, the LA is required to make available a common application form. Students who wish to move on from Year 11 to Year 12 in a school are not required to make a formal application though will indicate their preferred options to the sixth form.

Normal Round Co-ordinated Admissions Scheme for Primary and Secondary Schools 2020-21 **RECOMMENDED TO CABINET** State-funded schools

- All Local Authorities (LAs) must co-ordinate applications at the normal round of admissions to state-funded schools in their areas, [see What is the purpose of this Scheme?](#)
- Admissions policies must make it clear that all parents **must** apply for admission, and
- How to apply for admission, see [How to apply for a place at the normal round](#) and [How to apply for a place at other times](#) and [Devon Exceptional Need Supplementary Form at Appendix 10](#)
- When to apply, see [When to apply for a place](#)
- What happens after application, see [What happens after an application is made](#)
- What happens when an application is successful, see [Outcomes of the application process](#)
- What happens when an application is **not** successful, see [Outcomes of the application process](#) and [Admission Appeals](#).
- Our Scheme says how we consult and set it each year, see [Policy version](#)
- [Appendix A](#) contains detailed information and definitions of the terms we use.

Text that is [underlined in blue](#) indicates a link to further information within the document or online. If you don't have access to the internet or have any questions about this Scheme or admissions in general, please ask for advice from the school or the LA School Admissions Team.



Normal Round Co-ordinated Admissions Scheme

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General Information and Contacts

Date	8 February 2019
Review date	Annual
Approval	by Cabinet Members of Devon County Council
Author	Schools Access Services admissions@devon.gov.uk
Sponsors	Dr Phil Norrey, Chief Executive Jo Olsson, Chief Officer for Children's Services
Key partners	Babcock Learning and Development Partnership Devon Association of Primary Headteachers Devon Association of Secondary Headteachers Devon Association of Governors Church of England Diocese of Exeter Roman Catholic Diocese of Plymouth
Other contacts	Karen Howes, Admissions Manager 01392 383000 karen.howes@devon.gov.uk School Admissions Service 0345 155 1019 admissions@devon.gov.uk Simon Niles, Children's Services Strategic Manager 01392 383000 simon.niles@devon.gov.uk Dawn Stabb, Head of Education and Learning 01392 383000 dawn.stabb@devon.gov.uk Education Transport Team 0345 155 1019 schooltransportservicequeries-mailbox@devon.gov.uk Clerk to the Independent Devon Schools Appeals Panel 01392 382486 www.devon.gov.uk/admissionappeals
Other links	Department for Education 0870 000 2288 www.education.gov.uk Office of the Schools Adjudicator www.education.gov.uk/schoolsadjudicator Children's Education Advisory Service – Ministry of Defence 01980 618244 enquiries@ceas.detsa.co.uk The Education & Skills Funding Agency (ESFA) 0370 000 2288 www.gov.uk/government/organisations/education-and-skills-funding-agency School Admissions Code www.gov.uk/government/publications/school-admissions-code--2 School Admissions Appeals Code www.gov.uk/government/publications/school-admissions-appeals-code

1 Equality and Safeguarding Statements

- 1.1 Devon County Council will only commit to policies and practices which will eradicate discrimination and promote equality for all, regardless of age, gender, disability, religion and belief, race and ethnicity and sexual orientation. This Scheme will be subject to an Impact Assessment which will be integral to all reviews.
- 1.2 Devon County Council and its partners recognise that safeguarding is everybody's responsibility. Whether their interest is in all young people 'staying safe' in all aspects of our services, or whether they are working in specific areas of vulnerability, all staff will have appropriate training and induction so that they understand their roles and responsibilities and are confident in carrying them out. Settings, schools, children, young people and their parents or carers, or any member of the community should feel secure that they could raise any issues or concerns about the safety or welfare of children and know that they will be listened to and taken seriously. This will be achieved by maintaining an ethos of commitment to safeguarding and promoting the welfare of children and young people. This is supported by a clear child protection policy, appropriate induction and training, briefings on and discussion of relevant factors and refreshed learning in line with current legislation and guidelines.
- 1.3 Devon County Council acts as a Corporate Parent for Children in Care. This means that the LA has a legal and moral duty to provide the kind of support that any good parents would provide their own children. This Scheme has been written to comply with this principle.

2 What is the Purpose of this Scheme?

- 2.1 This Scheme will make provision for parents to make applications for children to join schools at the normal round of admissions, generally the first opportunity to join a school. It also provides for children to be offered a single school place on the **national offer date**.¹
- 2.2 This Scheme is made by Devon County Council, acting in accordance with The School Admission (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012, and the School Admissions Code 2014 (Department for Education). It is mindful of good practice presented in the 2010 and 2012 School Admissions Codes where it remains compliant with the 2014 Code.

Where any part of this Scheme is identified at any time as not being compliant with the School Admissions Code 2014, it will be amended without delay to meet the requirements of the Code. Amendments will be recorded in the Policy History below.

- 2.3 This Scheme applies to all [types of state-funded school](#) at [primary and at secondary phase](#), including all [admissions authorities](#) for those schools. It does not apply to admission to special schools² or for boarding places in schools.³ Throughout this Scheme, references to school will be limited to state-funded schools: those maintained by the LA and academies.
- 2.4 This Scheme will be put to public consultation before being considered and determined by the Cabinet of Devon County Council, according to the statutory timetable for doing so under the School Admissions Code. This includes individual school admissions policy documents

¹ A place will be offered for every child seeking a place at the normal round for a primary, infant or secondary school. Children seeking to move from an infant school to a junior school who are refused admission will be required to apply for a primary school as an in-year admission. Children seeking a move from a secondary school to a studio school or UTC who are refused admission will not be offered an alternative school.

² Information about admissions to special schools is available from the Devon 0-25 Special Education Team.

³ This Scheme will not apply where boarding accommodation is provided for pupils at state-funded schools. In Devon, this applies to Queen Elizabeth's.

for community and VC schools.⁴ The admissions policy documents for own [admissions authority](#) schools will also be the subjects of consultation where changes are proposed or where they have not been consulted on for 7 years.

2.5 The Devon Schools Admissions Service will operate to meet the statutory responsibilities of Devon County Council, the LA for the County of Devon⁵, with regard to admissions to school and to support schools in delivering their responsibilities. The School Admissions Service will:

- Act as admissions champion for children and families;
- Offer advice to parents⁶ and schools;
- Monitor and challenge the admission arrangements and practices of schools within the Devon County Council area and those others affecting the residents of Devon;
- Operate this Normal Round Scheme to co-ordinate applications by parents and allocate places on behalf of schools for the first admission to a primary, infant, junior, secondary, studio school and university technical college (UTC);
- Operate an [In-Year Scheme](#) to co-ordinate admissions to school at other times during Year Groups Reception to 11⁷;
- Operate a [Fair Access Protocol](#) to ensure children at risk of missing education In-Year are allocated a school place quickly, even where local schools have reached an admissions limit⁸;
- Act as the admissions authority for community and voluntary controlled schools;
- Assist other schools in delivering their admissions responsibilities including ranking applications, operating their [oversubscription criteria](#) and managing waiting lists as required;
- Support schools in the preparation and presentation of school admissions appeals;
- Liaise with other teams within the LA and beyond where this assists in the planning of school places across the county;
- Report no less than annually on school admissions within Devon as required to the Office of the Schools' Adjudicator and partner organisations across the county.

2.6 This Scheme also applies to [parents](#) who wish their children to be admitted to school at the normal round of admissions. Parents are required by law to make a formal, written application for admission to school.

⁴ Admissions policies for individual schools determined by the Cabinet of Devon County Council will remain the arrangements should a school convert to foundation or academy status. Necessary amendments will be made only with regard to changes of name and to confirm that admissions authority responsibilities will be taken on by the governing body or trust of the school.

⁵ This excludes the areas covered by Plymouth City Council and Torbay Council.

⁶ Any reference to parents will also include carers and guardians unless otherwise specified.

⁷ See the Devon In-Year Co-ordinated Admissions Scheme at www.devon.gov.uk/admissionarrangements

⁸ See the Devon Fair Access Protocol at www.devon.gov.uk/admissionarrangements

3 How do Parents make a Normal Round Admissions Application?

3.1 Key points:

All parents must apply for a school place – no places are guaranteed for siblings or for children living close to school or where members of the family have attended the school for many years.

Applications must be made to the LA where the child lives unless the school has opted out of LA co-ordination.⁹

Applications are made using a LA [common application form](#), online or on a paper version of the form (see Appendix 7).

The LA provides a Supplementary Information Form, to be completed by parents who would like additional priority on the grounds that they have an Exceptional Social or Medical Need to attend a particular school (see Appendix 10).

Some schools require a [Supplementary Information Form](#) to be completed by parents who would like additional priority on certain grounds.

The Department for Education may require that new free schools do not participate in LA normal round co-ordination in the first year of admission. Applications in these circumstances will be made direct to the school. Parents wishing to make an application will be signposted to this process as necessary.¹⁰

There is an application period when applications must be made to be certain they will be considered as being on time (see Appendix 8-9 for the timetables).

All applications will receive an offer or a refusal at set dates (see Appendix 8-9 for the timetables).

There is a [right of appeal](#) to an independent panel if an application is refused.

There is a right to a place on [a waiting list](#) if an application is refused **which will be open until the end of the first term in the entry year for the school as a minimum.**

3.2 Parents seeking a normal round admission to school for the 2020-21 academic year apply during the previous academic year. In all cases, offers that are made will be for full-time admission at the beginning of the September 2020 term.¹¹

3.3 Applications under this Scheme are managed using an equal preference system, as required under the School Admissions Code 2014:

- Parents can apply or express a preference for¹² one, two or three schools anywhere in England.
- Parents must rank those schools in the order they would most like to be offered a place.
- Schools will not be advised of the order of preference expressed by the parent.

⁹ This may be the case for free schools in the first year after opening or for studio schools and UTCs who may use a school application form. Applications for the normal round of a sixth form are outside of co-ordination and must be made direct to the sixth form.

¹⁰ For further information on new schools in Devon, see <https://new.devon.gov.uk/educationandfamilies/school-information/apply-for-a-school-place/new-schools-in-devon>

¹¹ Parents may then decide to defer or delay admission to a Reception class where the child is below statutory school age.

¹² To “apply for a place” or to “express a preference” or to “name a school on an application” have the same meaning.

- Each preference will be considered alongside all others for that school, and a ranked or prioritised list produced using the school's [oversubscription criteria](#) only if there are more applications than places available at the school. If there are no more applications than places available, no application will be refused.
- From these ranked preference lists, the LA will identify which children could be offered a place at more than one school. The LA will then offer a place at the school **ranked highest** for which a successful application has been made. Other lower ranked offers will be discarded, allowing further offers to be made to children who are next on the schools' lists.
- Parents will have the right of appeal for any school at which an application has been refused. Children's names will be added to waiting lists automatically for schools within the Devon LA area. Schools must operate a waiting list at least until the end of the autumn term of the first year of admission.
- Where no preference can be met, the LA will offer a place either at the school that is designated¹³ for the child's home address¹⁴ if one remains available or at the closest school to the home address with a vacancy after all preferences that have been made have been considered with the exception of:
 - Applications for transfer from infant to junior school. Where no place is available at a junior school, the parent will be required to apply for a primary school place as an in-year admission; and
 - Applications for transfer for KS4 from a secondary school to a studio school or UTC. Where the application is refused, the LA will not make an alternative offer; and
 - Applications for admission to Year 12 at a sixth form. Where the application is refused, the LA will not make an alternative offer.

3.4 Parents are encouraged to choose which school they would like their children to attend. As this will mean that there is more demand than there are places at some schools, it is necessary to manage the choices of parents and the availability of places. This is done by enabling parents to apply for school places and reaching decisions in a clear, fair and consistent manner when a school is oversubscribed.

Parents can **choose the schools they apply for** but **cannot choose the school their children will attend**. In the large majority of cases in Devon, applications are not refused. At the normal round into a school, this only happens where a school has more applications than there are places available and all available places are offered to children with a higher priority for admission to that school OR where the child is not of an age to be admitted to that school.

4 The Common Application Form

4.1 There will be a standard form for all schools known as the Common Application Form. This is available to parents in hard copy and electronic format where possible.¹⁵ It enables parents **to apply for**, or **to name** or **to express a preference for** schools.

Devon forms may only be used for children who are ordinarily resident in Devon.

Applications should use a common application form to be valid [and avoid misinformation and misunderstandings](#).

¹³ Most addresses in the Devon LA area lie within a school catchment or designated area for at least one primary and one secondary school. This gives a priority for admissions purposes and often an entitlement to free education transport (subject to other criteria). A map showing the designated areas for Devon and school locations is available at www.devon.gov.uk/schoolareamaps

¹⁴ If there is more than one designated school, the closer school will be considered first.

¹⁵ See Appendix 7 for the different application forms in Devon

Common application forms must be returned to the LA (either online or in paper copy) by **the national closing date** (see the Timetables in Appendix 8 and 9.)

- 4.2 The common application form will:
- invite the parent to express up to three preferences in ranked order of preference;
 - invite parents to give their reasons for each preference;
 - explain that the parent will receive no more than one offer of a school place and that a place will be offered at the highest ranking school for which they are eligible for a place and if a place cannot be offered at a nominated school, a place will be offered at an alternative school;
 - specify the closing date and where it must be returned.

4.3 The common application form will be available from the LA online and on request through the My Devon Call Centre.

- the common application form will be accompanied by a written explanation of the co-ordinated admissions scheme including details of neighbouring authorities.
- an electronic version of the common application form will be available for parents to complete at www.devon.gov.uk/admissionsonline instead of completing a hard copy.¹⁶

4.4 The LA will take reasonable steps to ensure that parents of children known to live in Devon and who are eligible for normal round admission in **2020-21** are notified how to access a copy of the common application form together with written guidance or an e-version of the guidance.

The LA will advertise the normal round admissions process at Early Years settings and schools. The onus will remain on parents to make applications notwithstanding the efforts undertaken by the LA, schools or others to alert them to the process.

4.5 Parents can apply by completing:

- the online form at www.devon.gov.uk/admissionsonline; or
- a paper application form, returned to the LA; or
- a paper application form, returned to the child's current school; or
- a paper application form, returned to the school ranked highest.

All forms returned to schools will be forwarded to the LA. Schools may take a copy of each application form before forwarding it to the LA. They should keep a record of forms forwarded to the LA for processing.

[Applications for sixth forms and atypical admission schools that have opted out of co-ordination can only be made on forms that are returned to the sixth form or school.](#)

4.6 **Key Stage 1 normal round transfer**

Early Years settings are encouraged to remind parents of the need to apply for a school reception place if they want their child to be admitted. No places are allocated without a formal application.

Key Stage 2 normal round transfer to junior school

Infant schools should remind parents of children in Year 2 that they must either apply for normal round transfer to a junior school, apply for in-year admission to a primary school or make other arrangements for education from the beginning of the following September.

Key Stage 3 normal round transfer to secondary school

¹⁶ The LA recognises that the large majority of applications at the normal round are submitted online.

Junior and primary schools should remind parents of children in Year 6 that they must either apply for normal round transfer to a secondary school or make other arrangements for education from the beginning of the following September.¹⁷

Key Stage 4 normal round transfer to a studio school or UTC

Secondary schools are required to give careers advice to children by the end of Key Stage 3. This should include information on the Options available within that school, at other secondary schools and at studio schools and UTCs. The responsibility for making an application to any other school will lie with the parent.¹⁸

Key Stage 5 normal round transfer to sixth forms and FE Colleges

Secondary schools (including studio schools and UTCs) are required to give careers advice to children by the end of Key Stage 4. This should include information on the Options available within that school if it has a sixth form and at other school sixth forms and at FE Colleges. The responsibility for making an application to any other school will lie with the parent or the young person.¹⁹

Other normal round transfers

The responsibility for making an application to a Middle or High School outside this LA will lie with the parent. There are no Middle or High Schools in the Devon LA area.²⁰

All-through schools

The responsibility for making an application for normal round admission to another school will lie with the parent of a child in an all-through school at the end of Year 2 and Year 6.

- 4.7 The role of the LA is to inform parents where they **must** apply for transfer because the child has reached the end of the school's age range and will not be held back for any reason.

The LA may write to inform parents of known Devon-resident children who may wish to apply for normal round admission to a Key Stage 4 school – studio schools or UTCs. It will be the responsibility of parents to make an application. They may be prompted by general advice given by secondary schools or third party careers agencies about Options for Key Stage 4.

Similarly, it will be the responsibility of parents who wish their Devon-resident child to apply for normal round admission to a Middle or High School outside of Devon to request a D-CAF3. The normal intake for high schools varies and may be at Year 8 or Year 9. Devon does not hold copies of SIFs for high schools or copies of their admission arrangements.

It will be the responsibility of parents or young people themselves to apply for a transfer to a new education establishment at the normal round for a school sixth form. Young people who wish to remain at the same establishment from Year 11 into Year 12 do not have to make a formal admissions application as they are considered to remain on roll. They will be asked by a sixth form to indicate their preference for subjects and courses but this does not amount to an admissions application that could be refused. **All students must attain the required academic standard for their chosen courses at sixth form unless the admissions authority**

¹⁷ Where the child attends an all-through school, there is no requirement to apply for a place in Year 7 in the same school. Parents are encouraged to complete an application in any case or write to the LA to confirm the child will remain at the school. The parent may equally apply for a Year 7 place at another school.

¹⁸ The Atrium Studio School and South Devon UTC opted out of co-ordination for **2019-20** and applications should be made direct to the establishments. Devon will provide an application form should parents of Devon resident children wish to apply for a studio school or UTC outside Devon.

¹⁹ Young people may submit their own applications for admission and pursue admissions appeals with regard to admission after the age of 16.

²⁰ Tiverton High School is a secondary school.

for the college decides to accept a student who has not reached the required standard due to exceptional circumstances.²¹

5 Supplementary Information Forms (SIFs)

- 5.1 Some schools ask parents to complete a SIF where additional information is required by the school to apply its oversubscription criteria. This may be the case at faith schools for example. Parents should check whether a school they are interested in issues a SIF.

SIFs must be returned to the school by the **national closing date** unless otherwise advised. Where they are received by the LA in error they will be passed onto the school.

- 5.2 SIFs for Devon schools will be available from the LA online and on request through the My Devon Call Centre. The LA does not hold copies of SIFs for schools in other LA areas. Devon will forward applications that are received to the relevant LA.

- 5.3 SIFs are not application forms; parents must also complete a common application form and name the school on it for an application to be valid. Where SIFs are received directly by schools, the school should inform the LA without delay so it can verify whether an application form has been received from the parent, and, if not, contact the parent and request that they complete one.

- 5.4 [Devon provides a common SIF for parents to use where they are seeking priority on the grounds that there is an Exceptional Medical or Social Need to attend a particular school and no other. This must be completed, and the parent must provide independent professional evidence of the need.](#)

It will be the responsibility of the parent to complete this form and to provide supporting evidence as part of the admissions application.

6 Duplicate and Disputed Application Forms

- 6.1 Where conflicting preferences are received from more than one parent, the LA will contact both parents and request that they reach agreement on the preferences for school for the child. In doing so, the LA is concerned that more than one set of preferences from parents and more than one offer of a school place can be unsettling and upsetting for the child.

Applications by parents are subject to Data Protection legislation. Information contained on an application form will not be shared with another party including another person with parental responsibility for the child without the agreement of the person who completed the form unless there is a legal requirement to do so. The LA **will** inform another parent that an application has been made and the schools named as preferences if requested to do so because both parents are entitled to an involvement in decisions about their children.²²

In the event that no agreement is reached and an offer is made to each parent, an offer will not be held open once the child has been physically admitted to another school.

- 6.2 Where the outcome of preferences for more than one parent would result in duplicate offers being made for the same school, only one place will be offered with regard to the child.

²¹ This may be waived by the admissions authority where it is satisfied with the applicant's explanation why the required academic standard was not reached.

²² No information will be shared if a parent provides evidence of legal grounds such as a court order that prevents access by the other parent.

7 **Changes of Parental Preference**

- 7.1 Changes of parental preference will not be accepted verbally. A change in preference submitted by a different person will be considered as a disputed application.
- 7.2 A change in preference can be made up to the **national closing date**, replacing the former preference.
- 7.3 A change in preference after the **national closing date** and before the **Devon processing date** will be accepted and considered for offers at **the national offer date**. This will not be at the expense of any timely applications. No places will be held in reserve at any school to accommodate a late change of preference. The priority in determining offers will be:
1. Timely applications
 2. Late applications and changes of preference
- 7.4 Once places have been offered on **the national offer date**, the children who are on waiting lists will be reconsidered along with new applications and changed preferences. Once an offer has been made, a parent can submit new preferences by making a fresh application. The offer that has been made will not be withdrawn unless or until another offer can be made.
- 7.5 Where a parent makes a change in writing to the order of preferences, they will be considered as follows:

Original preferences for School A followed by School B
Amended preferences for School B followed by School A.

8 **When do parents make an Admissions Application?**

- 8.1 The Devon opening date is **15 November 2019** for normal round applications to primary phase schools and **1 September 2019** for secondary phase schools. Applications may open at other times in different LA areas.

- 8.2 The closing date for online applications will be 23.59 on **the national closing date**.

The closing date for paper applications and SIFs will be submission on or before the national closing date. Parents should submit their completed forms by the national closing date. Parents who post an application form or SIF as the closing date approaches are advised to secure proof of posting in the event that the form is received after the closing date. If the proof of posting confirms that the form was submitted by the closing date, it will be considered as being on time even if received after the closing date, where this remains possible. The burden of proof will fall to the parent.

- 8.3 Studio schools and UTCs and, in their first year after opening, free schools, may opt out of normal round co-ordination. They must be clear in their admission arrangements how applications are to be made and what timetable is to be followed.

Normal round applications for sixth forms are made direct to the sixth form in Devon

- 8.4 Applications can be made after **the national closing date**. However, they may be considered late and at a disadvantage to those made on time – see paragraph 9.

9 **Late Applications**

- 9.1 All applications will be considered on an individual basis. Where large numbers of applications are delayed due to industrial action, widespread illness or other exceptional

cause this will be taken into consideration in determining whether an application is accepted by the LA as timely or late. In such circumstances, any requirement to provide evidence why an application could not be submitted by the closing date may be waived.

9.2 Applications for Children in Care

Applications received for a Child in Care or a Child who was in Care but ceased to be so because he or she was adopted, made the subject of a child arrangements order or a special guardianship order will be considered as timely where it remains possible to do so.

Where a late application is received with regard to a Child in Care or a Child who was in Care but ceased to be so because he or she was adopted or made the subject of a child arrangements order or special guardianship order a place will be allocated even where the school has reached or exceeded its PAN.²³

9.3 Applications received after the national closing date but before the Devon processing date

All applications received by the **Devon processing date** will be offered a school place at **the national offer date**²⁴.

They will be considered as timely, alongside all other timely applications where the parent can satisfy the LA that he or she was prevented from making the application on time – for example, the hospitalisation of the parent, a close family bereavement or other exceptional circumstance - or where the child's home circumstances changed after **the national closing date** – for example, a house move to a new area - or where a new school is to be opened or extended and information about that school affects the parent's preferences.²⁵ In considering whether it is appropriate to accept an application received after the closing date as being on time, supporting evidence may be requested from a relevant doctor, health visitor or social worker. The decision whether to accept the application as timely will be taken by the LA. In reaching a decision, the LA will seek the views of the school.

9.4 Otherwise, late applications will be considered after all timely applications have been considered.

Late applications submitted after **the national closing date** will not be considered at the expense of timely applications. No places will be held in reserve at any school to accommodate late applications.

9.5 The provision to accept and process applications up to the **Devon processing date** is subject to the admissions authority for the school being able to re-rank them. If that is not possible, it will still be processed but an offer will not be made at the expense of a timely application. Where there is more than one application in this position and the school is oversubscribed, those applications will be set aside until the admissions authority is able to rank them for the second round of offers.

²³ The School Admissions Code paragraph 3.12 requires that a Child in Care or previously in Care must be admitted outside the normal admissions round. The normal admissions round ends on **the national offer date**. This means that such a child will be treated differently from then until the beginning of the September term and may be admitted to a school even where it has reached its PAN. Other children will be allocated a place at the designated school for the address or, if that is full, the closest school with a remaining vacancy.

²⁴ Please see the exceptions where no offer will be made at paragraph 3.3.

²⁵ Details such as the school location, headteacher and size may not be available during the application process. Where new information is released after the closing date, this may influence a parent in favour or against the new school. A change in preference under these circumstances will be accepted up to the **LA processing date**. Where a parent had made no application by the closing date, the new school will not be accepted as a reason for the application being late as parents would have been expected to have made an application for another school.

9.6 **Applications received between the Devon processing date and the start of the autumn term**

Applications that are received between **the Devon processing date** and the start of the autumn term²⁶ are considered to be Late Applications.²⁷ They are applications that do not result in an offer on **the national offer date**. They will continue to be allocated as if they had been submitted during the scheme in that places will be allocated to a preferred school where possible. If not, a place will be offered at the (closest) designated school if a vacancy remains or at the nearest alternative school with a remaining vacancy. Further allocations will be made as new applications are made and as vacancies arise. Final allocations will be made on August 31.

A second offer date will be made in Devon, according to the scheme timetable (see Appendix 8-9).

9.7 Late applicants' details will be added to waiting lists after **the national offer date**, together with the names of children who have already been refused places at the school. Waiting lists will be kept in order of the school's oversubscription criteria and not according to length of time a child's name has been on the list. If a place becomes available it will be allocated to the child at the top of the waiting list at that time.

9.8 **Applications received after the start of the autumn term**

While the first day of school attendance for children may vary from year to year and between schools, the first day of term will be considered to be 1 September annually. Applications received from this date will be considered under the Devon [In-Year Co-ordinated Admissions Scheme](#).

10 **Where no Application is Received**

- 10.1 **New Reception**
New Year 3 at a Junior school
New Year 7 at a Secondary school
New Year 9 or 10 at a Studio School or UTC

No place will be allocated without an application.

The LA will assume that the parent has made other arrangements for education in a school or at home. For atypical age-range schools, the LA will assume that the child will remain on roll at the current secondary school. If the child is allocated to a school further from home and not the catchment school as a consequence of a late application, this may mean there is no eligibility to free Education Transport from the LA.

10.2 **New Year 12 at a Sixth Form**

The LA is not involved in the application process for sixth forms. Applications for Devon sixth forms should be made direct to the establishments and not through this co-ordination scheme. It is assumed a similar arrangement is in place in other LA areas. The LA will forward application forms for sixth forms it receives to the appropriate establishment.

10.3 It is the responsibility of a parent to submit an application form and SIF where appropriate. No places will be held back to accommodate potential late applications or children for whom no application was made. Parents are strongly advised to apply on time and to consider expressing a preference for the catchment school.

²⁶ For this purpose, the start of the autumn term is 1 September each year.

²⁷ As defined in the School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012 Part 1 section 2 (5).

Children who are residents of other LAs will only be allocated a place in a Devon LA school if a preference for one has been expressed.

11 What Happens after an Application is Made?

11.1 The admissions authority for schools will decide on the priority each application will have and this will have an impact on the offers that the LA will make on behalf of schools. The LA will act as a clearing house for the allocation of normal round places in schools on behalf of admission authorities. The LA will make a decision where:

- it is acting in its separate capacity as an admission authority, or
- an applicant is eligible for a place at more than one school, or
- an applicant is not eligible for a place at any school that the parent has named.

11.2 Step 1

The LA will collate all applications it receives and compile a list of applications for each school.

Step 2

The LA will send own admissions authority schools within Devon a list of all of the applications naming their school by **the Devon notification date**, irrespective of ranking, sending them all details from the application form that would be required by the admissions authority to reach a decision on ranking apply their oversubscription criteria²⁸.

The LA will send other LAs a list of all of the applications naming schools in their areas by the **Devon notification date**, sending them all details from the application form that would be required by the admissions authority to reach a decision on ranking apply their oversubscription criteria. Those LAs will forward the applications to schools within their area. Schools in other LA areas will not be informed by that LA of the order of ranking by the parent.

Step 3

The admission authority for each school will rank its list of applications using the school's published oversubscription criteria and information from SIFs as appropriate. This ranked list will be returned to the LA by **the school ranking date**²⁹.

Step 4

By the **Devon processing date** the LA will process the ranked lists of all schools and where the child is:

- eligible for a place at only one of the nominated schools, that school will be allocated to the child;
- eligible for a place at two or more of the nominated schools, the child will be allocated a place at whichever of these is the highest ranked preference.
- not eligible for a place at any of the nominated schools, the child will be allocated a place at the designated school³⁰ if it still has a place available or, if the designated school or schools are full, the nearest school that does have a place available.

Step 5

²⁸ As all schools must use equal preference, they will not be notified of the ranking made by parents on application form.

²⁹ Where a place can be offered by an admission authority on faith grounds, the LA may use this information to determine eligibility for Education Transport assistance. It should be provided whether or not the school is over-subscribed.

³⁰ Where the home address has more than one designated school for admissions purposes, the closest designated school will be considered first.

The LA will share information with other LAs of places in Devon schools to be offered to their residents. This may initiate a short process during which information is shared by LAs that frees places, impacting on the offers available to other children.

Step 6

The LA will inform schools within the LA area by **the school allocation date** of the children to be offered places on their behalf. This information will not be made available to parents before **the national offer date**.

Step 7

The LA where the child lives will notify parents on **the national offer date** which school is being offered. For children who are resident in Devon, this will be sent by email if the parent applied online³¹ or by second class post. It will give the following information:

- the name of the school at which a place is offered;
- if appropriate, the reasons why the child is not being offered a place at any other school named on the application form;
- if appropriate, information about the statutory right of appeal against the decisions to refuse places at the other named schools;
- contact details for the school and the LA (and, if appropriate, those own admission authority schools where parents were refused admission, so that they can lodge an appeal with the admission authority for the school, see paragraph 13 below);
- the date by which parents should notify the LA in writing if they do not wish to take up the place that has been offered;

11.3 The LA will not inform parents of places still available at other schools.

11.4 Schools should not contact parents before the **national offer date** as this may be seen as putting pressure on a parent to amend preference ranking. The school should request that the LA contact the applicant for any missing information that is required so that applications can be prioritised using the school's oversubscription criteria.

12 When will Parents be told the Outcome of the Admissions Application?

12.1 The outcomes of an application will be:

- **Offer.** An offer will be made at a school named by the parent; or
- **Refusal with an alternative offer.** Application will be refused. Parent has the right of [appeal](#) and to a place on a waiting list; or
- **Application not accepted.** This may be where a parent is seeking admission for a child not of an appropriate age to attend the school. As an example, a parent may seek admission for a 3 year old child to a primary phase school. It would be for the school admissions authority to decide whether that would be appropriate. If not, the parent would not have the right of appeal for admission. The school complaints procedure could be followed.

12.2 Parents are not required to inform this LA that they will accept their offer.

Schools will contact parents following the formal offer of a place by the LA to welcome the child to the school and make arrangements for admission itself. Where a parent fails to respond to the school within 10 school days of that contact, the school or LA will contact the parent and advise that the place may be withdrawn if no response is received within a further 5 school days.

³¹ Devon will not send letters by post unless it considers it expedient to do so or if requested by a parent.

If a parent believes he or she will not be able to respond to an offer within this timescale, for example due to a prolonged period of absence from home, the parent is advised to inform the LA in advance with alternative contact details so that the offer is not at risk of being withdrawn.

13

The Right of Appeal

- 13.1 Parents who have been refused a preference and are dissatisfied with the school that has been allocated have the right of appeal to a Panel, independent of the admissions authority for the school. This includes parents who have been offered a second or third preference who wish to appeal for a place at a school that has been refused.

School admissions appeals are **for admission** to a school that has been refused and not **against admission** to a school that has been allocated.

- 13.2 For most Devon schools, parents should contact the Devon Admissions Service to request appeal forms. They will then be sent the relevant appeal forms by the Admissions Service, either electronically or in hard copy. Requests for forms should be received by **the appeal form request date**. Parents who request an appeal form after this date will still be entitled to an appeal but it may not be possible to be heard with other appeals.

Where a school manages its own admissions and appeals arrangements, the parent will be directed to contact the school. Appeals for places at schools within another LA area must be directed to that LA. Contact details will appear on the allocation letter issued on **the national offer date**.

- 13.3 Completed Devon appeal forms should be returned to the Clerk to the Independent Appeals Panel by **the appeal form return date** to ensure an appeal can be heard with the main body of appeals. Parents who submit an appeal form after this date will still be entitled to an appeal but it may not be possible to be heard with other appeals.
- 13.4 Late applicants will be given two weeks to return an appeal form from the date of the letter informing them of the allocated school.
- 13.5 Parents may appeal for any school for which their application for admission has been refused. They may not appeal for a place to a school which was not offered because a higher preference was offered.
- 13.6 An appeals timetable will be published online each year by **28 February** on the Devon admissions appeals website. Those dates are as published in this document at Appendix 8 and 9.

14

Waiting Lists

- 14.1 For Devon schools, where an application has been refused, the child will be placed on a waiting list for vacancies. The list will be kept in oversubscription criteria order by the LA unless, after the beginning of the **autumn term 2020**, it is passed to the school by mutual agreement. Waiting lists will be kept for the entire academic year so long as at least one name is on them unless a school that is its own admission authority has determined admission arrangements not to do so. The LA believes that it is good practice for waiting lists to be maintained so long as there is at least one name on them. This ensures that parents are not required to be in very frequent contact with a school to check whether a vacancy has arisen. However, parents must confirm they wish their child to remain on a waiting list at the end of each academic year.

Only children refused admission following a formal application will be added to waiting lists.

- 14.2 At the point when the In-Year Co-ordinated Scheme begins on **1 September** each year, waiting lists for secondary and junior schools will be recalculated by admission authorities using the published oversubscription criteria as at that point children will no longer be attending linked or feeder schools.

- 14.3 Parents of children on a waiting list may be contacted from time to time to check they still want the child to remain on the list and will be contacted at the end of each academic year [to reapply](#).

15 Admission out of a Child's Chronological Cohort

- 15.1 Places will usually be offered in the Year Group according to the child's date of birth³² but a parent may submit an application for a Year Group other than the child's usual or chronological Year Group. A request solely on parental preference grounds is a valid request though it can be helpful when supporting evidence, including the views of independent professional(s) working with the child is also submitted. The admissions authority for the school will decide on the most appropriate Year Group setting for the child on a case by case basis. It will give reasons in writing for any refusal to accommodate a parent's preference for admission out of the child's chronological Year Group. Where a place is refused in a different Year Group but a place is offered in the school, there will be no right of appeal. Parents may then follow the school's complaints procedure.

Where the admissions authority decides that a child is not of an appropriate age to be admitted to the school - for instance a parent seeking admission to school for a 3 year old child – it may refuse to accept the application.

Approval for admission out of a child's chronological Year Group does not establish a priority within oversubscription criteria for the child. A decision at one school does not bind another school.

- 15.2 Parents should not assume that, for example, delayed admission into Reception will be followed by a similar decision at junior or secondary transfer. The head teacher of a secondary school may consider that the needs of a child whose admission to Reception was delayed can best be met at secondary transfer with his or her chronological Year Group. Similarly, a child whose primary education has been accelerated may be refused admission a year early to a secondary school.
- 15.3 Where twins or other multiple birth siblings have birthdays recorded on their birth certificates on either side of midnight on **31 August**, the siblings will have been born in different academic years. In anticipation that parents will want the children to be admitted to school together, a parent may specify that both of the twins (or all triplets etc) be admitted to the same academic year. This will mean that one or more of the children is admitted out of his or her chronological cohort. Subject to paragraph 14.2, the expectation will then be that the children will continue to be taught with that cohort as their school career progresses.

16 Parents' options for Normal Round Admission into a Primary or Infant School

- 16.1 The normal round offer for most schools is for admission at the beginning of the following September term. Parents have other options for the Reception normal round as the offer is for admission before the child has reached the compulsory school age.

16.2 Single Offer Point into Reception

There is a legal requirement that all children begin full-time education by the beginning of the term following their **fifth** birthday. This is when [compulsory school age begins](#). All places offered in Reception at the normal round are for full-time admission in the September following the **fourth** birthday. This is a legal requirement on schools but not on parents who can choose to defer admission.

³² For admissions in **2018-19**, the Year Groups appropriate to dates of birth are detailed at Appendix **6**.

Deferred Admission into Reception in the same academic year

September is the earliest point for admission to the Reception class of a Primary or Infant school but is not a compulsory start date. All parents can defer admission within the Reception year until the beginning of the term following their child's fifth birthday.³³ This is a decision for the parent to make, taking all factors into account including the advice of educational professionals. Parents are encouraged to discuss deferment with the school, the Early Years setting and any other agencies working with the child in order to reach an informed decision regarding the child's best interests.

Those parents who decide that their child will defer must inform the headteacher of the school where the place has formally been allocated. The place will be held open until the beginning of the term following the fifth birthday within that Reception year and will not be offered to another child. Where a parent does not inform the headteacher that admission is to be deferred and does not admit the child in September, the place will be withdrawn and may be offered to another child.

- Children born between 1 September and 31 December may defer until the start of the spring term.
- Children born between 1 January and 31 March may defer until the start of the spring term or the start of the summer term.
- Children born between 1 April and 31 August may defer until the start of the spring term or the start of the summer term. They cannot automatically defer admission to Reception into the following September but can reapply for a place in Year 1. This would be an in-year application for the **2021-22** academic year, no earlier than the half term in **June 2021**. Summer-born children may also request a delayed admission to the following academic year.

Applications for admission to Reception will not be affected by a parent considering a deferral until later in the Reception year.

Delayed admission into Reception in the following academic year

This provision is available for summer-born children only.³⁴

Summer-born children can delay admission into a Reception class until the start of the September term after the **fifth** birthday rather than the September after the **fourth** birthday. This means admission would be out of the usual or chronological age group. Where a parent wants their child to be admitted out of their usual age group, there are two separate decisions for an admissions authority to make:

1. which the age group the child should be admitted to, then
2. whether a place can be offered in that age group.

It will not always be easy for an admissions authority to make a decision about a child more than a year before the point at which they may be admitted, particularly as it is difficult to know what progress they may make in the intervening period. However, parents should know the outcome of their request for admission out of the normal age group in time to make an informed decision about whether their child will start school in the September following the fourth birthday.³⁵

³³ For this purpose, there are three academic terms, starting on or after 1 September, 1 January and 1 April.

³⁴ A summer-born child is one whose birthday is between 1 April and 31 August.

³⁵ The LA, when it acts as an admissions authority, will agree to requests for delayed admission for summer-born children.

To enable this in Devon, parents should make an application for their child's normal age group at the usual time and submit a request for admission out of the normal age group at the same time. When this is done, the parent will receive the response to their request before **the national offer day**. If the request is agreed, the application for the normal age group can be withdrawn before a place is offered. If the request is refused, the parent must decide whether to accept the offer of a place for the normal age group, or to refuse it and make an in-year application for admission to Year 1 for the September following the child's fifth birthday. Where a parent's request is agreed, they must make a new application as part of the normal admissions round the following year.

There is no additional priority or reduced priority where a child delays admission. A child who delays admission cannot opt for a part-time attendance in Reception after he or she has reached the compulsory school age.

The provision to seek delayed admission is for a child's first admission to school. There will be circumstances where a parent decides shortly after the child has started in a Reception class that he or she is not ready for and wishes to withdraw the child and seek delayed admission for the following September. This will be permitted where the parent withdraws the child by the autumn half term so that a fresh application can be submitted in the following normal round (for the academic year **2021-22**). Parents would need to discuss delayed admission with any schools they would consider for the following year. The child would be taken off roll and would not have a place guaranteed for **2021-22**.

16.5 **Deferred Admission into Year 1 in the following academic year**

This provision is available for summer-born children only.

Summer-born children can defer admission until the start of the September term after the **fifth** birthday rather than the September after the **fourth** birthday. Whereas a place must be held open during what would be the Reception year, it cannot be held open into the following academic year. A parent who wishes to defer admission to the following September term must make a fresh application for admission to the school in-year. The earliest point this can be made in most cases is 8 school weeks before the end of the summer term.³⁶

16.6 **Part-time attendance in Reception**

A parent will have these options in response to the offer of a place for admission at the beginning of the September term following the child's fourth birthday:

1. full-time in the Reception class at the school
2. part-time in the Reception class
3. defer admission to Reception and take up a funded part-time place at an Early Years setting.
4. Decline the offer and make other arrangements, including remaining at home.

The child may not take up a part-time place in Reception and a funded part-time place at an Early Years setting. This does not prevent the parent paying for hours at an Early Years setting in addition to the part-time Reception place. Visits to the school as part of an induction process immediately before admission may take place.

16.7 There is no requirement on a school to offer **flexible** part-time hours in Reception prior to the child attending full-time. It will be for the school to detail the part-time offer to parents. It is recommended that part-time provision will be no less than 15 funded hours per week

³⁶ The longer period for children from UK service personnel Crown Servant families will not apply as the child would already have been offered a school place for it to be deferred.

available at Early Years settings. Schools may feel it is appropriate for children to attend for whole morning or afternoon sessions.

- 16.8 Free transport will not be available during the school day under Devon's Education Travel Policy. Transport is provided at the beginning and end of the official school day.
- 16.9 Free school meals, where there is otherwise an entitlement, are not provided unless the child attends before and after the lunchtime.

17 Selection and Aptitude Testing – Secondary schools only

- 17.1 Some secondary schools are designated as selective or grammar schools. Children are admitted provided they have been successful at an entrance test. Other schools have up to 10% of places available to children who meet the school's criteria and can demonstrate and aptitude in named subjects.

Where a selection or aptitude test is part of the school's admission arrangements, the admission authority for the school will make it clear to a parent that they must express a preference on the application form provided by the child's home LA. The school should inform the LA of all requests to sit a selection or aptitude test in order to ensure that a common application form is completed with respect to each child.

- 17.2 It is the responsibility of the parent to make arrangements with the school to arrange to attend the selective testing. Parents must complete a registration form and return it to the school in order to arrange for the child to sit the selection test. While parents may express a preference for selective schools in another LA, they must make arrangements directly with the school.

The following schools operate selection testing or aptitude assessments as part of their admission arrangements. All require an additional registration form to be completed in order to arrange for a child to sit a selection or aptitude test. For further information about closing and test dates, please see the secondary timetable at Appendix 9.

Parents are advised to confirm dates for registration and testing directly:

Colyton Grammar School
St Luke's Science and Sports College
The Woodroffe School
selective schools in Torbay and in Plymouth and elsewhere in the country

- 17.3 Parents who request that their child sits the selection or aptitude test will be informed of the outcome of the test or assessment before they are required to express preferences for school places. This may not be a test score but an indication whether the child is considered to be of the ability to benefit from a selective education.

Parents who submit a late request or where children are unable to take the test or assessment on these dates will have an opportunity at a later date. This may not be before the closing date for preferences or in time for the **national offer date**.

- 17.4 Parents will be notified direct by selective schools according to each school's timetable. The LA will not enter into any correspondence with parents regarding the outcome of testing except where a parent has concerns that a school's admission arrangements have not been followed.
- 17.5 The LA and individual schools will take reasonable steps to inform parents likely to seek a test for their child of the timescale. This may involve publicising those arrangements which

have been communicated to the LA during Year 5 in advance of preferences being made in Year 6.

18

Home Address

- 18.1 The LA in its role as an admission authority will not accept more than one address as the child's home address. Own admission authority schools are likely to take adopt the same policy. The terms of a child arrangements or other court order may clarify the home address.

Where necessary to determine which address to recognise and in the absence of a court order, the LA will consider the home address to be with the parent with primary day to day care and control of the child on school days. In reaching this decision, evidence may be requested to show the address to which any Child Benefit³⁷ is paid and from which the child is registered with a medical GP. Any other evidence provided by parents will also be considered by the LA or school in reaching a decision on the home address for admissions purposes. This may be necessary for instance where parents do not agree on the child's home address. Parents are urged to reach agreement or seek a Specific Issues Order from a court to decide which parent should or should not pursue an application. Where they do not, the LA will determine the home address.

Where the LA asks for evidence of the address from which a child would attend school, this would often be written confirmation of a house purchase or a formal tenancy agreement. Some families may be unable to provide this - for example, where a house move is at very short notice or where a family is escaping domestic violence. Applicants who cannot provide this evidence should contact the LA or school. There is no intention to penalise families where there is a genuine reason why the usual evidence cannot be provided.

- 18.2 Parents are requested to provide accurate and up-to-date information on their application form.

In order to enable all parents to have confidence that applications are prioritised according to published oversubscription criteria and to minimise the risk of children gaining admission through the provision of fraudulent or misleading information, the admissions authority for each school may investigate addresses. Where a child's home address changes after the allocation of places that change must be notified to the LA immediately. A decision will then be made by the admission authority in accordance with the oversubscription criteria as to whether he or she is still eligible for a school place. If not, the place may be withdrawn. The following will be taken into consideration:

- whether it was reasonable for the parent to believe on the date the offer was made that the child would attend school from the first address;
- whether a move was required at short notice due to unavoidable personal circumstances;
- whether the new address provides appropriate accommodation;
- whether a move into the catchment area or closer to the school is followed by a further move back to the original address or other address outside the catchment area or further away from the school;
- the address record of any other children in the family.

Any investigation into fraudulent addresses will be limited to the address at which the parent declared that the child would be attending school from when the decision to offer or refuse admission was made. A subsequent, newly declared address will not be taken into consideration.

³⁷ Child Benefit will not be an automatic determining factor. This benefit is not universal and does not necessarily reflect a child's main residence. Payment of the Benefit can take some time to follow the child after a change in living arrangements.

- 18.3 Where concerns are expressed that an address has been given which is fraudulent or misleading, further information may be requested from the parent and an Education Welfare Officer may visit the address to establish whether residence is genuine.
- 18.4 While the purpose of investigations into a child's home address is to reduce the use of fraudulent addresses which gain an advantage over other children, parents should be assured that there will be no automatic withdrawal of the offer of a school place. No place will be withdrawn where the family circumstances are vulnerable and no parent should feel that unorthodox circumstances will be penalised.
- 18.5 A place may be withdrawn after admission where a fraudulent or misleading address has been used to gain advantage over other applicants. In considering whether this is appropriate, the admission authority will take into account the length of time the child has been attending. The School Admissions Code indicates that a place should not be withdrawn after a child has been on roll for more than a term.

19 Where Age is Disputed

- 19.1 A parent may be required to provide evidence of the child's date of birth if he or she has not been previously admitted to a school in the United Kingdom. Where it is required, a short birth certificate is acceptable, as is a passport.
- 19.2 Where the child is in the Care of a LA and his or her age is unclear or in dispute, the child's age will be determined before the offer of a school place or as soon as is reasonably possible following the emergence of a dispute over age. Where necessary, the child will be referred to a social care officer for assessment.

20 Applications from outside the United Kingdom

- 20.1 Where applications are received from outside the United Kingdom, they will not be considered unless they meet the terms of paragraph 20.2 or the applicant can provide evidence of right of entry to the United Kingdom. No offer of a school place will be made which may influence the decision of the United Kingdom Border and Immigration Agency.
- 20.2 Where a child is not currently in the United Kingdom, an application will be accepted:
- with a photocopy or scan of his or her passport confirming [a right of abode in this country](#); or
 - with a photocopy or scan of his or her passport including a valid visa or other document allowing for entry into the United Kingdom.
- 20.3 Where a child is resident in Devon or its environs and is living with a host family, the LA will contact the home family – the family abroad with whom the child is normally resident. All applications will be from the home family unless a reason why this is not possible is accepted by the admissions authority for the school. This will be to ensure that the birth family is aware of the address at which the child is residing, gives authority to a member of the host family to seek a school place and is aware that no fees are payable for the application, allocation or provision of a school place where a child is of statutory school age.
- 20.4 Where a child who is not a UK citizen has been resident in the UK before or after an application is submitted and then leaves the country, evidence of right of return will be required. It will not be assumed that a child will be in position to return to the country or to a previous address.
- 20.5 Children who are taken out of the area on prolonged visits or holidays are liable to be removed from the roll of a Devon school on the grounds that they are not "ordinarily resident" in the area and are therefore unable to attend the school. After 20 school days unauthorised absence or 10 school days unauthorised absence following authorised absence for a family

holiday of up to 10 school days, where the child is not residing at the address from which he or she was attending school, an Education Welfare Officer may confirm to the school that the child is no longer ordinarily resident at that address and may be removed from the school roll. In these cases, the parent must reapply for admission and will be subject to paragraphs 20.1-20.4.

21 UK service personnel and other Crown servants

- 21.1 Families of UK Service personnel and other Crown servants are subject to frequent movement at short notice. This can mean that children of such families are disadvantaged educationally. Admission authorities must allocate places in advance where the family is relocated by the Ministry of Defence, Foreign and Commonwealth Office or Government Communications HQ. The offer of places at the normal round is in advance of the place being required and cannot be brought forward.
- 21.2 Decisions on whether a place can be made available will be based on a Unit address in advance of a home address being confirmed. Where it is necessary to measure the distance to school for the purposes of deciding priority in relation to other applicants, the main entrance of the Unit will be used.
- 21.3 The child shall have a parent who is a serving member of the UK Services with a confirmed posting to the area or other Crown servant returning from overseas to live in the area. This does not include a member of the reserve forces moving from one part of the county to another without there being a posting. No additional places are created to meet demand created by postings to an area.
- 21.4 The School Admissions Code does not permit higher priority to be given to children of UK service personnel when admissions authorities set over-subscription criteria. Neither does it provide for the consideration of family background when deciding whether a place should be made available.

22 Gypsy, Roma or Traveller families

- 22.1 Families from Gypsy, Roma and Traveller communities are subject to frequent movement at short notice. This can mean that children of such families are disadvantaged educationally and have additional challenges when accessing education. Children from Gypsy, Roma and Traveller communities have a higher risk of underachievement or exclusion from school.
- 22.2 The School Admissions Code does not permit higher priority to be given to children of Gypsy, Roma and Traveller communities when admissions authorities set over-subscription criteria. Neither does it provide for the consideration of family background when deciding whether a place should be made available.
- 22.3 The term Gypsy, Roma and Traveller means:
- Gypsies, including Romanies, Romanichals, Welsh Gypsies/Kaale, Scottish Gypsies/Travellers; or
 - Irish Travellers, Minceir; or
 - Roma from Eastern and Central Europe; or
 - Showmen (Fairground people); or
 - Circus people; or
 - Boat Travellers / Bargees; or
 - New Travellers or New Age Travellers; or
 - (in addition to any above criterion) the parent is engaged in a trade or business of such nature that requires them to travel from place to place.

Some Gypsy, Roma and Traveller families live in houses or on permanent sites for at least part of the year. The nature of the parents' work may mean that they travel at other times of

the year. The term 'travelling' means travelling as part of the parents' trade or business. It does not mean travelling as part of a holiday or extended holiday.

- 22.4 Schools should make provision to support children from Gypsy, Roma and Traveller families in enrolling, with particular reference to issues such as school uniform in order that their actions and requirements are not discriminatory. Parents will be asked to give as much notice as possible of dates when they will be travelling away in order to better plan on-going education and accurately record absence and attendance data.

25 **School Uniforms**

Individual schools will ensure that other policies do not undermine the principles of fair access. This includes a requirement for expensive school uniform, sportswear or school visits or other activities, unless arrangements are put in place to ensure that parents on low incomes can afford them. Here, low income should mean those parents entitled to the maximum level of working tax credit or where the child is eligible for free school meals. Schools where there is a uniform should:

- ensure it is widely available, not from an expensive sole supplier;
- not operate as sole suppliers in order to raise additional school funds;
- have arrangements so that no family feels unable to apply for admission on account of high uniform or specialist equipment costs;
- operate discreet schemes to reduce cost, widely publicised and clearly explained in admissions or other literature provided by the school.

26 **Home-School Agreements**

The LA recognises the benefits of clear understanding and agreement of expectations between schools, parents and children. Schools will not ask parents to sign, or express a willingness to sign, Home-School Agreements before they have been offered a place at the school. The offer of a school place will not be conditional on signing an Agreement.

27 **School Charges**

There is no charge to parents for applying for a place at any school, for admission or for the provision of education. No activities such as school visits are compulsory. A policy on charging for activities must be available on request from the school and can be viewed on school websites.

28 **Education Travel**

Parents should consider how their child would travel to and from school for the whole time he or she attends. Transport may be provided at no cost to the parent where the child is attending the catchment school or the closest school available. Where a parent does not make an application for a school, this will be considered to be a deliberate decision with regard to school places. If a place would have been made available at a school closer to home had the parent applied when they could have applied, there will be no automatic entitlement to Education Transport support to a school further away from home.

Parents should review the [Education Travel Policy](#) for further information regarding transport to and from school, particularly in relation to low-income families, children attending the nearest school to home on the grounds of belief and exceptions to eligibility on the designated school grounds.

Parents should not rely on other arrangements continuing for the time their child is at a particular school. This includes the provision of particular public service routes and lift-share arrangements.

Parents are encouraged to use sustainable transport methods to get their child to and from school.

29 Published Admission Numbers (PANs)

- 29.1 Each school will operate with a Published Admission Number for its intake year(s). This will be determined by the admission authority for the school as part of the admission arrangements. Once determined, this will be the minimum number of children to be admitted throughout that intake Year should there be sufficient demand.
- 29.2 At any time after determination, the admission authority may increase the PAN where it identifies that it has additional demand for places and those additional admissions would not prejudice efficient education or the efficient use of resources. Where the LA is not the admissions authority for the school, it must be informed in good time to adjust the offers of places in line with the increased PAN.
- 29.3 A PAN cannot be reduced after determination without a variation being approved by the Office of the School's Adjudicator or from the Education and Skills Funding Agency. This would follow a request by the admission authority, successfully demonstrating that there had been a significant and unforeseen change in circumstances at the school.
- 29.4 An admission authority may also admit above the PAN without raising the PAN where it feels that the needs of an individual child (or children) outweigh any prejudice to efficient education or the efficient use of resources.
- 29.5 While in most cases, the PAN for the cohort will become the Admission Number (AN) at the end of the intake year, it may be amended to reflect a change in circumstances at the school.
- 29.6 A list of the determined PANs and any amendments to those PANs for all state-funded schools in Devon can be found on the Schools List at devon.cc/schoollist

30 Admissions to Sixth Forms

- 30.1 Admission arrangements for sixth forms have been delegated to individual establishments.³⁸ Parents or young people seeking a place at a sixth form should contact the College directly for admission.³⁹

Applications for admission may still be made using the common application form provided by the home LA. In Devon, this is the D-CAF5. All completed forms will be forwarded by the LA to the school. The LA will not process applications or make offers as part of a co-ordinated scheme for sixth form admission.

- 30.2 Young people seeking to progress from Year 11 to Year 12 at the same secondary school need not make a formal application for a place. Their intention to do so subject to achieving any necessary examination qualifications for specific courses will be made by the completion of an Options Form provided by the school.
- 30.3 Children seeking to transfer to Year 12 at a school must complete an application form. This will be the D-CAF5 or a form provided by the school. They must also complete an Options Form.

³⁸ Sidmouth College is the remaining community sixth form in Devon.

³⁹ Young people over the age of 16 when admission is sought can apply for admission in their own right. They can also appeal against a decision to refuse admission. Parents may still act on their behalf.

- 30.4 Each sixth form will produce a prospectus which will detail **minimum entry requirements**, a timetable for application and option forms to be submitted contact information and details of the courses available for students.

31 Exceptional Need for Admission to a School

- 31.1 Devon's admission arrangements for community and VC schools allow for higher priority for children where there is an exceptional need for a child to attend a specific school and not another. The need must be specific to that school: a child may have very challenging circumstances that require additional support but if that support could also be provided at another school, there would be no exceptional need to attend a specific school.

It is not expected that a parent will seek priority on exceptional needs grounds to more than one school. This will be limited to the first preference.

Devon provides a common SIF for parents to use where they seek admissions priority on the grounds of Exceptional Medical or Social Need to attend a particular school (Appendix 10).

- 31.2 Most own admission authority schools in Devon operate with this oversubscription criterion.

32 Children and Young People who are Transgender

Children and young people who are transgender should feel able to apply to a school without any restrictions. Where a school or college is co-educational, the gender a person associates with has no bearing on an admissions application. Devon's application forms ask for the child's gender in order to assist with identification. All schools and colleges will be supportive of their pupils and students individual circumstances.

There are no single sex schools in the Devon County Council area. Devon manages normal round applications for children and young people who are resident in the county for admission to schools outside of the county and would refer any applications to the appropriate admissions authority or co-ordinated scheme should an application for a school in another LA area be received, be they single sex or co-educational.

33 Objections

For information on how to object to the terms of this or any other admissions policy or procedure, advice is available at www.schoolsadjudicator.gov.uk. A formal objection must be made by **15 May 2019**.

Policy version:

This policy was considered for determination by the Cabinet of Devon County Council on xx February 2018 following a consultation hosted at www.devon.gov.uk/admissionarrangements between November 2017 and January 2018. It will be reviewed and determined annually. The next consultation period will be for normal round admissions in September 2020 and will be between November 2018 and January 2019.

Policy History				
Date	Summary of change	Contact	Implementation date	Review date
10/2016	2017-18 Primary Scheme rolled forward and combined with the Secondary Scheme to formulate the 2018-19 Normal Round Scheme	Policy and Strategy Officer (Education)		
11/2016	2018-19 Normal Round Co-ordinated Admissions Scheme consultation	As above		
10 Feb 2017	Scheme determined by the Cabinet of Devon County Council	As above	9/2017	10/2017
10/2017	2018-19 Scheme rolled forward to formulate the 2019-20 Normal Round Scheme	As above	9/2018	10/2018
11/2017	2019-20 Normal Round Co-ordinated Admissions Scheme consultation	As above		
8 Feb 2018	Scheme determined by the Cabinet of Devon County Council	As above	9/2018	10/2018
10/2018	2019-20 Scheme rolled forward to formulate the 2020-21 Normal Round Scheme	As above	9/2019	10/2019

Admissions Glossary and Definitions

Admissions authority	<p>This is the body responsible for proposing, consulting on and determining the admissions policy and also for reaching decisions about offering or refusing applications.</p> <p>Where the LA is the admissions authority (for community and voluntary controlled (VC) schools), it will seek the views of the head teacher or governing body.</p>
Admission Number or AN	<p>For In-Year admissions only, this is the equivalent of the Published Admission Number for the normal round of admissions. It is the number of places available in each Year Group after the intake year. It will often be the same as the PAN that was originally determined for that Year Group. It may be increased or decreased where the amount of accommodation has changed or where class sizes change because of reorganisation in the school.</p>
Appeals	<p>If a school's admissions authority refuses admission at the normal round, the refusal will be because it believes it would "prejudice the provision of efficient education or the efficient use of resources". For the normal round this will not be below the PAN. This is the principal justification under the School Standards and Framework Act 1998 for refusing admission. If we refuse admission, it will be in writing, there will be the right of appeal to an Independent Appeals Panel and to a place on a waiting list. If an application for admission is unsuccessful, parents have a statutory right of appeal to a panel which is independent of the LA and the school. Appeal papers will either be sent with the refusal letter or can be requested from the LA. Parents have at least 20 school days to return the papers, together with any supporting evidence. (Papers can be submitted earlier than 20 days if a parent chooses to do so).</p> <p>An appeal for a place in Reception, Year 1 or Year 2 may be subject to Key Stage 1 or Infant Class Size Legislation. This is a more limited process which reviews the original decision to refuse admission. The Panel will decide whether an additional child would breach the legal maximum of 30 children in a Key Stage 1 class with one teacher, whether the school's policy and those of the LA are lawful and have been applied correctly and whether it was a reasonable decision to refuse the application in the circumstances known to the admissions authority at the time the original decision to refuse was made. There are very limited exceptions which would allow a school to exceed 30 children in a Key Stage 1 class.</p> <p>The Clerk to the Independent Appeals Panel will give at least 10 days' notice of the appeal date. Parents will also be told when to submit any further information to be considered. Parents will receive evidence on from us before the appeal hearing. After appeals are heard, decision letters should be sent within five school days; notice of the decision is available by telephone before then.</p> <p>Appeals at the normal round of admissions will be heard within 40 school days of the deadline for lodging appeals. Where the application was not</p>

	made in time for a decision to be made on the national offer date, they will be heard within that 40-day period or, if that is not possible, within 30 days of the appeal being lodged.
Application	<p>For normal round admissions, the LA considers applications to have been made on the national closing date or the date when the application was submitted or amended with new information if later.</p> <p>There is no closing date for in-year admissions. Applications can be made at any time though will not be processed further in advance than 8 school weeks (or 16 school weeks for children of UK service personnel and Crown Servants).</p> <p>It is a parent's responsibility to make sure that the LA is informed about changes to circumstances and eligibility for priority if, for instance, a sibling is taken onto a school's roll after the closing date or the home address changes.</p>
Catchment or Designated Area	<p>The catchment is the geographical area that a school is primarily intended to serve. There is a higher admissions priority for children who live in it. Children living in a residential property on the boundary line will be considered to be living within the catchment area.</p> <p>The large majority of schools in Devon operate a catchment area. Maps can be viewed at www.devon.gov.uk/schoolareamaps.</p>
Children formerly Looked After	These children were looked after until they were adopted (see the Adoption and Children Act 2002 section 46) or made the subject of a child arrangements order or a special guardianship order (Children Act section 14A). Child arrangements orders are defined in s.8 of the Children Act 1989, as amended by s.12 of the Children and Families Act 2014.
Chronological Year Group	This is the group of children usually taught together according to their date of birth. Children born between 1 September and 31 August have the same chronological Year Group. Parents can request admission to a different Year group where they believe the child is particularly advanced or has missed a significant part of the curriculum through illness or other reason. Parents of summer-born children can request delayed admission to Reception, to be admitted out of the chronological Year Group.
Common Application Form	<p>This is the name for the application form provided by a local authority. They must be used for any application for admission to a school at the normal point of admission. The form provided by the local authority where the child lives must be used, regardless of where the school is. Most parents apply online through Devon. The Devon common application forms for normal round admission are: D-CAF1 for Key Stage 1, D-CAF2 for Key Stage 2, D-CAF3 for Key Stage 3, D-CAF4 for Key stage 4 and D-CAF5 for Key Stage 5.</p> <p>The Devon common application form for in year admissions are the D-CAF and the D-CAF6. They may only be used for state-funded schools located in Devon (not Torbay or Plymouth).</p>

Compulsory School Age	<p>Children reach compulsory school age on the prescribed day following their 5th birthday (or on their fifth birthday if it falls on a prescribed day). The prescribed days are 31 August, 31 December and 31 March.</p> <p>They are no longer of compulsory school age on the last Friday in June of the academic year during which they reach the 16th birthday. This is the School Leaving Age.</p> <p>The Raising of the Participation Age (RPA) means that up to their 18th birthday, young people must be in full time education, in an Apprenticeship or in part-time education or training if they are employed, self-employed or volunteering for 20 hours or more a week.</p>
D-CAF and D-CAF6	<p>Devon's Common Application Forms for In-Year admissions, enabling a parent to name up to 3 schools. This is available from the LA and at devon.cc/applicationforms.</p> <p>The D-CAF6 is an application form available in school and provided to a parent where the school is able to confirm a place direct with a parent in certain circumstances. Where a parent visits the school, we may invite the parent to complete a D-CAF6 instead of a D-CAF in cases where:</p> <ul style="list-style-type: none"> • a child moves into the area <i>and</i> • the parent only intends to apply for a place here and at no other school, <i>and</i> • the child does not have an EHCP, <i>and</i> • the child has not been Permanently Excluded from a school, <i>and</i> • the parent is not in dispute with another person with parental responsibility over residence or school admissions, <i>and</i> • we have a confirmed vacancy in the relevant Year Group, <p>This serves as a school application form rather than a Common Application Form and allows for children to start here as soon as possible when they are new to the area. If the child already has a school place locally, the application must be made on the D-CAF and admission would normally be at the beginning of the next term. A formal decision letter will follow from the Devon Admissions Team in all cases.</p>
Deferred Admission	<p>This is where the parent of a child below compulsory school age puts off admission into a Reception class within the same academic year or to Year 1 in the following academic year, no later than the beginning of the term after the child's fifth birthday.</p> <p>Please see the table below for the points to which children can defer admission.</p>
Delayed Admission	<p>This is where the parent of a summer-born child puts off admission into a Reception class until the start of the September after the fifth birthday and not the September after the fourth birthday.</p>
Distance measurement	<p>The LA uses its own Geographical Information System, an electronic mapping system, to measure distances for school admissions and Education Transport purposes. The majority of own admissions authority schools also use this system through arrangements with the Devon School Admissions Service.</p>

Documentary evidence	Once a place has been offered to a child, schools may ask for evidence of identity - usually a short birth certificate. This may not be necessary where the child has been on roll at another school in England which can confirm that evidence has been seen at that school. Admissions authorities may also request evidence that a child's address is genuine or that the person who made an application for admission was legally permitted to do so.
Education, Health and Care Plans	Any child whose Education, Health and Care Plan names a school will be admitted to that school. This will reduce the number of places available to other children accordingly. An Education, Health and Care Plan is a formal document issued by the LA describing a child's additional needs and how they will be provided for in school.
Education transport	<p>Parents should consider how their child will get to school for the whole of their time on roll. Parents are advised not to rely on lifts, car shares or public service vehicles always being available. Supported transport will be provided by the LA for Devon-resident children attending a school if it is the catchment school for the child's home address (recognised by the LA for transport purposes) or the closest school available when the parent could apply or, for Children in Care, the closest available Good or Outstanding school, as rated by Ofsted. The home address must be further than a walking distance of two miles. Applications for transport should be made direct to the LA where a child lives. Our admissions direct line measurement policy does not apply to Devon's school transport decisions.</p> <p>It is possible that this is the closest available school for admissions purposes, using straight-line measurement, but not the closest school for the purposes of entitlement to free school transport from the LA. Parents who rely on free transport are strongly advised to check whether there is an entitlement with the Education Transport Team before accepting a school place.</p>
Equally ranked preference scheme	<p>Parents can express a preference for one, two or three schools. They should be named in the order the parent most would like a place to be provided. This is called the ranking. It might be possible for each school to offer a place. If that happens, a place will only be offered at whichever of the schools that could offer a place the parent ranked highest. So, if places are available at School 1 and School 3, a place will be offered at School 1 only.</p> <p>Equally ranked preference schemes are a legal requirement which enable parents to apply for the school they prefer without risking admission to the closest school or a catchment school.</p> <p>Parents do not have to name more than one school on an application but are encouraged to do so, particularly where they have a preference that is not the closest or catchment school.</p>
Exceptional social or medical need	Children for whom an exceptional social or medical need to attend a school and only that school is demonstrated will have a higher priority for admission. This does not guarantee a place or create a vacancy. In all cases, satisfactory supporting evidence from a relevant professional, independent of the family will be required <u>and parents must complete a Devon Supplementary Information Form (Appendix 10).</u>

	Priority according to exceptional need cannot be agreed except for the school that is a parent's first or only preference.
Extended schooling	Information on services beyond the normal school day should be available from the school office and the school website.
Fair Access Protocol	All LAs are legally required to operate a Fair Access Protocol across their area and schools must take part in the Protocol. This ensures that children who are vulnerable, unable to access an appropriate school place under the standard In-Year admission arrangements for the area have an admissions safety net. This may mean that a child is admitted In-Year even though the school is full and other children have been refused admission.
Faith oversubscription criteria	A number of <u>own admissions authority</u> schools give additional priority for admission where faith criteria are met by an applicant. Examples of faith criteria are: <ul style="list-style-type: none"> • To regularly attend, either the parent or child attends church services on at least a monthly basis, and for a minimum period of one year immediately prior to the application being made. • A Christian church is one which subscribes to the doctrine of the Holy Trinity or a church recognised by Churches Together in England.
Fees and charges	There is no charge for applying for a place in a state-funded school, for admission or for the provision of education. Schools must not request donations before or during the admissions process and any donations made to the school following admission are entirely voluntary. No activities such as school visits are compulsory. A policy on charging for activities should be available on request from a school office.
Home Address	Places are offered on the basis of where the child will attend school, not necessarily where they live when the application is made. If a school has vacancies then it doesn't matter whether the home address is in the school's catchment or not – though the LA would only offer places to a child who will be living close enough to the school to attend on a daily basis.
Home-School Agreement	Admission to school is not conditional on signing a home-school agreement. However, many schools will ask parents to agree with their Home-School Agreement after children have been offered a place, believing this is a positive way of promoting greater involvement in a child's education.
In-Year admissions	This is where a child joins the school at any time after the first opportunity for admission at the normal round for that school.
Key Stage 1 class size legislation	This limits the number of children in a Reception, Year 1 or Year 2 class (or a class where the majority of children are aged 5, 6 or 7 years) to 30 children for each teacher. There are a number of permitted exceptions to this limit. Being an exception to Key Stage 1 class size legislation is not a guarantee of admission as there may still be insufficient space in the classroom to admit another child.
Linked School	A school which works with another to develop curriculum links and to ease transition for pupils from primary school to secondary school. Sometimes

	called a feeder school. Admissions priority because a child attends a linked school is not a guarantee of admission and only applies at the normal round of admissions. It does not apply for In Year admissions.
Looked After Children	These children are Looked After by or provided with accommodation in the exercise of its functions (see the Children Act 1989 section 22(1)) by a local authority.
Member of staff	For community and voluntary controlled schools, this will be any salaried person employed at the school. Where the duties of a member of staff are undertaken at different schools in a federation or chain of schools, there will be admissions priority only at one school. This will be at the member of staff's base school where that can be identified. Where it can't be identified, we will expect that priority will be at the school where the member of staff is expecting to work for the majority of the time in the current academic year. Similar terms will apply to own admission authority schools where there is priority for children of staff.
Multiple birth siblings	Where applications are received from families with multiple birth siblings (twins, triplets, etc.), every effort will be made to allocate places here, including offering admission above PAN wherever possible. This recognises the exceptional nature of the emotional bonds between multiple birth siblings. Where that is not possible, parents will be invited to decide which of the children should be allocated the available place(s) or seek admission to an alternative school with sufficient vacancies to accommodate both or all of the multiple birth siblings. Where a school doesn't have sufficient space to admit all of the multiple birth siblings and one or more is refused admission, the LA does not consider that the school would be obliging the children to attend different schools. It is the parent's responsibility to decide not to place the children in another school without sufficient room. Random allocation will not be applied to multiple birth siblings (twins and triplets etc.) from the same family tied for the final place. Schools will admit them all, as permitted by the infant class size rules for primary and infant schools) and exceed the PAN.
National Offer Date	Normal round places are offered by the LA on the national offer date. For secondary schools, this is 1 March or the next working day if that falls on a weekend or Bank Holiday. The national offer date for primary schools is 16 April or the next working day if that falls on a weekend or Bank Holiday. There is no national offer date for in-year admissions.
Normal Round Admissions	This is where a child joins a school at the first opportunity for admission or at another point within an all-through school where the school routinely admits a large number of children. In Devon, the normal round is at the beginning of the following academic years: Reception – Primary and Infant schools Year 3 – Junior school

	<p>Year 7 – Secondary school, including in all-through schools</p> <p>Year 9 – the Atrium Studio School</p> <p>Year 10 – the South Devon UTC</p> <p>Year 12 – all schools with a sixth form</p>
Nurseries and pre-schools	<p>Very few schools in Devon give priority for admission to children at a school nursery or pre-school. Parents of all children must apply for admission to all schools. The LA invites applications for children regardless of where their Early Years provision has been.</p>
Objections to admissions policy	<p>Advice is available from the Office of the Schools Adjudicator on how to object to the terms of this or any other admissions policy. Objections must be made by 15 May 2019.</p>
Oversubscription criteria	<p>Where the number of applications exceeds the number of places available in the Year Group admissions authorities use published criteria to decide which children have priority for admission. They are not used when a school has sufficient places for the children who have applied for admission.</p>
Parent	<p>When we say parent, we also mean carer or guardian.</p> <p>A parent is any person who has parental responsibility or care of the child. Where admission arrangements refer to parents this can mean one parent or both. We may ask for evidence of parental responsibility where a person is acting as a parent but does not hold formal parental responsibility.</p> <p>A LA may act as the corporate parent for a Child in Care.</p>
Part-time attendance in Reception	<p>Parents can choose to accept the offer of admission into Reception for part-time rather than full-time attendance until the child is of compulsory school age. It is for the school to decide what the part-time offer is here and it is for the parent to decide whether to accept that part-time offer or for attendance to be full-time.</p>
Phase	<p>Schools are primary or secondary phase. The primary phase is Key Stages 1 and 2 and includes infant, junior and primary schools. It also includes First and some Middle schools which may be found in other LA areas.</p> <p>The secondary phase is Key Stages 3, 4 and 5 and includes secondary and studio schools and UTCs. It also includes High and some Middle schools which may be found in other LA areas.</p> <p>Key Stage 5 comprises further education, at sixth form or Further Education College.</p>
Published Admission Number or PAN See also Admission Number	<p>This is the minimum number of places available at the school at the normal round and during the intake year. In limited circumstances, more will be admitted. It is calculated taking into account the physical capacity of the school, the level of demand expected from local, in-area children and sensible school organisation. Once a PAN has been determined, the school may not refuse admission below the PAN. If there is unexpectedly high demand and the school believes it could admit more children, it will inform the LA and either increase the PAN or admit children above-PAN.</p>

School day, school week	<p>A school day is simply a day on which children are expected to attend, one of the 190 school days that are required for maintained schools. These will not be the same days for each school as schools are at liberty to set their own academic terms through the year and to set non-pupil days as they see fit.</p> <p>A school week comprises 5 school days for that establishment. This need not be 5 days from Monday to Friday.</p>
Service families	<p>For children of UK service personnel and other Crown Servants schools must consider a family posted to the area as meeting residence criteria even if a home address has not been identified and a unit address is used. This requires written confirmation from the relevant government department: the Ministry of Defence, the Foreign and Commonwealth Office or Government Communications Headquarters.</p> <p>There is no additional admissions priority for children of service families. However, service family children are permitted exceptions to Key Stage 1 class size legislation and are also recognised by Devon as being a vulnerable group of children within the Fair Access Protocol.</p>
Sibling	<p>‘Sibling’ means a natural brother or sister, a half brother or sister, a legally adopted brother or sister or half-brother or sister, a step brother or sister or other child living in the same household as part of the same family who, in any of these cases, will be living at the same address at the date of their application for a place.</p> <p>A younger sibling who has been offered a place within the normal admissions round will be considered as if he or she were on roll for the purposes of oversubscription priority where a child seeks admission in-year.</p> <p>Where a school doesn’t have sufficient space to admit a sibling of a child already attending here, and one or more child is refused admission, the LA doesn’t consider that it would be obliging the children to attend different schools. It is the parent’s responsibility to decide not to place the children in another school that does have sufficient room.</p>
Supplementary Information Form or SIF	<p>This is a form in addition to the LA common application form. Some schools use SIFs to collect information necessary to apply one or more of their oversubscription criteria. It should be submitted by the closing date for normal round admissions or as soon as possible.</p> <p><u>The LA provides a common SIF for those parents seeking admissions priority on the grounds of an Exceptional Social or Medical Need to attend a particular school (Appendix 10).</u></p> <p><u>All SIFs including the common SIF are available at http://devon.cc/schoolsifs</u></p>
Tie breaker	<p>To distinguish between children in a particular oversubscription criterion, priority will be determined on the basis of distance between home and school. This is measured in a straight line from an entrance door of the residential dwelling to the centre of the main entrance gate on Devon LA’s Geographical Information System (GIS). Children who live closer to the school have a higher priority for admission. Where two or more children</p>

	<p>reside within a block of flats, they will be deemed to live at an equal distance from the school.</p> <p>If the tie-breaker above is not sufficient to distinguish between applicants in a particular oversubscription criterion, there will be a random ballot. This will be undertaken by a person independent of the school by the operation of an electronic list randomiser.</p> <p>Random allocation will not be applied to multiple birth siblings (twins and triplets etc.) from the same family tied for the final place.</p>
Types of state-funded school	<ul style="list-style-type: none"> • Community • Voluntary Controlled (VC) <ul style="list-style-type: none"> - both maintained by the LA and with the LA as the admissions authority • Foundation school • Voluntary Aided (VA) <ul style="list-style-type: none"> - both maintained by the LA but with the school governing body as the admissions authority • Academy • Free school • Studio school • University Technical College (UTC) <ul style="list-style-type: none"> - all independent of the LA, with the academy trust being the admissions authority.
Uniform	<p>Children attending many schools are expected to wear a uniform. Some of the items required can be purchased from schools themselves and the rest from most retail outlets. Parents unable to purchase items of uniform or equipment should not be penalised. Many schools operate a scheme to assist families in need.</p>
Waiting Lists	<p>All schools will operate a waiting list for each year group until the end of the academic year. This will be maintained by the school or the LA. Waiting lists will only contain the names of children who have formally applied and been refused admission.</p> <p>Waiting lists for secondary and junior schools will be recalculated at the end of August 2019 at which point normal round priority on the grounds that the child attended a linked school no longer applies.</p> <p>Children's positions on the waiting list will be determined solely in accordance with the oversubscription criteria for the school. Positions will be reordered whenever anyone is added to or leaves the waiting list. Therefore, a child's name can go up or down on the list. The length of time on a waiting list does not affect a child's position. Parents must confirm they wish the child to remain on the waiting list at the end of the academic year in July otherwise the child's name will be removed from the list.</p>

Deferring Admission into Reception

Child's fifth birthday	Parent can defer admission or child can attend part-time until the start of term in
1 September – 31 December 2020	January 2021
1 January – 31 March 2021	January 2021 OR April 2021
1 April – 31 August 2021	January 2021 OR April 2021 OR September 2021 by making a fresh application for a Year 1 place (June 2021) or making a fresh normal round application for Reception in 2021-22

**Oversubscription Criteria – Community and Voluntary Controlled
Infant and Primary Schools 2020-21**

if there are more applications than places for normal round admissions

Any child whose Education, Health and Care Plan names a school will be admitted to that school. Where the number of applications exceeds the number of places available in Reception at community and voluntary controlled infant and primary schools (the PAN) the following oversubscription criteria will be used to prioritise applicants:

- 1 Looked after children and children who were previously looked after but immediately after being looked after became subject to adoption, a child arrangements order, or special guardianship order.**
- 2 Priority will next be given to children based on their exceptional medical or social needs or those of their parents.⁴⁰**
- 3 Priority will next be given to children living within the catchment area set out in the map,⁴¹ who are siblings of pupils on roll at this school.**
- 4 Priority will next be given to other children living within the catchment area.**
- 5 Priority will next be given to children living outside the catchment area, who are siblings of pupils on roll at this school.**
- 6 Priority will next be given to children of members of staff who have been employed at this school for more than two years or recruited within the past two years to fill a vacancy for which there was a skills shortage.**
- 7 Other children.**

Notes and definitions to these criteria are included with the policy document for each school and with the LA Glossary.

⁴⁰ Each application must be accompanied by a completed [Devon Supplementary Information Form for Exceptional Need](#) which will include evidence, from a medical specialist or social worker of the child's/parent's need and why they must attend this school rather than any other, based on those needs. If evidence is not submitted to the [school or the Local Authority] with the application, a child's or parent's medical or social needs cannot be considered.

⁴¹ Children whose home lies on the boundary line will be considered to be in the catchment.

Oversubscription Criteria – Community and Voluntary Controlled Junior Schools 2020-21

if there are more applications than places for normal round admissions

Any child whose Education, Health and Care Plan names a school will be admitted to that school. Where the number of applications exceeds the number of places available for transfer from an infant school to Year 3 at community and voluntary controlled junior schools (the PAN) Devon will use the following oversubscription criteria to prioritise applicants:

1. **Looked after children and children who were previously looked after but immediately after being looked after became subject to adoption, a child arrangements order, or special guardianship order.**
2. **Priority will next be given to children based on their exceptional medical or social needs or those of their parents.⁴²**
3. **Priority will next be given to children living within the catchment area set out in the map,⁴³ who are siblings of pupils on roll at this school or at [named infants school].**
4. **Priority will next be given to children living within the catchment area attending [named infants school].***
5. **Priority will next be given to other children living within the catchment area.**
6. **Priority will next be given to children living outside the catchment area who are siblings of pupils on roll at this school or at [named infants school].**
7. **Priority will next be given to children living outside the catchment area attending [named infants school].**
8. **Priority will next be given to children of members of staff who have been employed at this school for more than two years or recruited within the past two years to fill a vacancy for which there was a skills shortage.**
9. **Other children.**

*Priority for children at a linked school only applies at the normal round, not for In-Year admissions.

Notes and definitions to these criteria are included with the policy document for each school and with the LA Glossary.

⁴² Each application must be accompanied by a completed [Devon Supplementary Information Form for Exceptional Need](#) which will include evidence, from a medical specialist or social worker of the child's/parent's need and why they must attend this school rather than any other, based on those needs. If evidence is not submitted to the [school or the Local Authority] with the application, a child's or parent's medical or social needs cannot be considered.

⁴³ Children whose home lies on the boundary line will be considered to be in the catchment.

**Oversubscription Criteria –
Community and Voluntary Controlled Secondary Schools 2020-21⁴⁴**
if there are more applications than places for normal round admissions

Any child whose Education, Health and Care Plan names the school will be admitted to that school. Where the number of applications exceeds the number of places available in Year 7 or Year 12 at the school (the PAN) the following oversubscription criteria will be used to prioritise applicants:

- 1) **Looked after children and children who were previously looked after but immediately after being looked after became subject to adoption, a child arrangements order, or special guardianship order.**
- 2) **Priority will next be given to children based on their exceptional medical or social needs or those of their parents.⁴⁵**
- 3) **Priority will next be given to children living within the catchment area set out in the map,⁴⁶ who are siblings of pupils on roll at this school.**
- 4) **Priority will next be given to children living within the catchment area, on roll at a linked school, named above.***
- 5) **Priority will next be given to other children living within the catchment area.**
- 6) **Priority will next be given to children living outside the catchment area, who are siblings of pupils on roll at this school.**
- 7) **Priority will next be given to children living outside the catchment area, on roll at a linked school.**
- 8) **Priority will next be given to children of members of staff who have been employed at this school for more than two years or recruited within the past two years to fill a vacancy for which there was a skills shortage.**
- 9) **Other children.**

* Priority for children attending a linked school applies solely at the normal round of admissions

Notes and definitions to these criteria are included with the policy document for each school and with the LA Glossary.

⁴⁴ Sidmouth College but not St Luke's Science and Sports College which has its own criteria.

⁴⁵ Each application must be accompanied by a completed [Devon Supplementary Information Form for Exceptional Need](#) which will include evidence, from a medical specialist or social worker of the child's/parent's need and why they must attend this school rather than any other, based on those needs. If evidence is not submitted to the [school or the Local Authority] with the application, a child's or parent's medical or social needs cannot be considered.

⁴⁶ Students whose home lies on the boundary line will be considered to be in the catchment.

**The Year Groups for ranges of Dates of Birth
for the 2020-21 academic year**

	DOB from	DOB to
Sixth forms		
Year 14	01 Sep 2001	31 Aug 2002
Year 13	01 Sep 2002	31 Aug 2003
Year 12	01 Sep 2003	31 Aug 2004
Secondary schools		
Year 11	01 Sep 2004	31 Aug 2005
Year 10	01 Sep 2005	31 Aug 2006
Year 9	01 Sep 2006	31 Aug 2007
Year 8	01 Sep 2007	31 Aug 2008
Year 7	01 Sep 2008	31 Aug 2009
Primary schools		
Year 6	01 Sep 2009	31 Aug 2010
Year 5	01 Sep 2010	31 Aug 2011
Year 4	01 Sep 2011	31 Aug 2012
Year 3	01 Sep 2012	31 Aug 2013
Year 2	01 Sep 2013	31 Aug 2014
Year 1	01 Sep 2014	31 Aug 2015
Reception	01 Sep 2015	31 Aug 2016

Devon Common Application Forms

To avoid confusion with the Common Assessment Framework, the Common Application Forms in Devon will be known as:

D-CAF	In-year admission into any school after the normal intake – the first opportunity for admission for that school (from Reception to Year 11).
D-CAF1	Normal round admission ⁴⁷ into the first year of education at a primary school ⁴⁸ (Key Stage 1, Reception).
D-CAF2	Normal round admission into the first year of education at a junior school only (Key Stage 2, Year 3).
D-CAF3	Normal round admission into the first year of education at a secondary school ⁴⁹ (Key Stage 3, Year 7).
D-CAF4	Normal round admission into the first year of education at a studio school or university technical college (Key Stage 4, Year 9 or 10).
D-CAF5	Normal round admission into the first year of education at a school sixth form where they are new to the school ⁵⁰ (Key Stage 5).
D-CAF6	In-year admission to all schools in certain circumstances where the parent only has a single preference, after the normal intake – the first opportunity for admission for that school (from Reception to Year 11).

Where a school has a normal round of admission into any other Year Group as it changes its age range or a new school opens in a managed process, the relevant common application form for the school's phase will also be used.

The application forms ask the same questions of parents as those for 2019-20.

⁴⁷ Where a school has a one-off normal round intake into any other Year Group up to Year 6, parents should use the D-CAF1. This may be, for example, when a primary school opens and admits children into several Year Groups for the first time.

⁴⁸ This includes first and middle schools (where a child would be admitted into a primary school in Devon) in another LA area, either following a house move for the child out of Devon or where the parent is satisfied that the school is within daily travelling distance from a Devon address.

⁴⁹ This includes middle and high schools (where a child would be admitted into a secondary school in Devon) in another LA area, either following a house move for the child out of Devon or where the parent is satisfied that the school is within daily travelling distance from a Devon address

⁵⁰ While each sixth form may provide its own application form for external candidates, the LA is required to make available a common application form. Students who wish to move on from Year 11 to Year 12 in a school are not required to make a formal application though will indicate their preferred options to the sixth form.

Timetable for the Devon Co-ordinated Primary Admissions 2020-21

15 November 2019	Devon opening date Opening date for all applications for normal round admission to a primary school – online and paper applications.
15 January 2020	National closing date The closing date for on-time application forms to be submitted to highest ranked schools or to the LA or the current junior school. Any SIFs to be returned to the relevant school. Online applications will close at 23.59.
by 3 February	Devon notification date Details of applications for schools in other LA areas to be sent to those LAs. Details of applications to be sent to Devon own admission authority schools.
24 February	Schools ranking date Devon own admission authority schools to provide the LA with ranked lists of applicants.
24 February	Devon processing date Devon's processing date when the LA begins the offer process. No further late preferences will be accepted for inclusion in the first round of allocations. The LA will match the ranked lists of all the schools and provisionally allocate places in response to information received from schools and other LAs, sharing information with schools and other LAs as necessary.
by 13 March	No further changes of address or other information will be accepted for existing preferences.
by 20 March	Devon's processing date when the LA completes the offer process. The LA will inform neighbouring LAs of the provisional offers to be made to applicants resident in their areas.
By 27 March	School allocation date The LA will confirm offers to Devon schools and other LAs which children have been offered places at their schools.
16 April	National offer date Offers sent to parents by email or second class post.
24 April	Appeal form request date Date by which parents should request appeal forms. Devon second processing date – ahead of the second round of applications. No further late preferences will be accepted for inclusion in the first round of allocations.
8 May	Devon second offer date Date when a second round of allocations will be made by the LA. Further allocations made as new applications are submitted and as new vacancies arise.
29 May	Appeal form return date Date by which appeal forms should be returned by parents for inclusion in the main body of appeals.
June and July	Appeals are heard by the Independent Devon Appeals Panel and otherwise for schools in other LA areas and those making their own arrangements.
1 September	Date on or after which requests for school places will be considered under the In-Year Admissions Policy.
September	Autumn term begins and children admitted to school unless parents defer admission to primary, infant and first schools.

Timetable for the Co-ordinated Secondary Admissions Scheme 2020-21

30 August 2019	Closing date for on-time registration forms for candidates for selective schools in Plymouth.
1 September	Devon opening date Opening date for all applications for normal round admission to a secondary school – online applications open where available.
Autumn term	Aptitude assessment for candidates for The Woodroffe School.
6 September	Closing date for on-time registration forms for candidates for Colyton Grammar School and selective schools in Torbay.
14 September	Selection testing for Colyton Grammar School and selective schools in Torbay and in Plymouth.
21 September	Selection testing for selective schools in Plymouth.
26 September	Closing date for on-time registration forms for candidates for St Luke's Science and Sports College.
2 October	Aptitude assessment for candidates for St Luke's Science and Sports College.
4 October	Parents will be notified of outcomes of testing for St Luke's Science and Sports College.
9 October	Parents of boys will be notified of outcomes of testing for selective schools in Plymouth (by post).
10 October	Parents of girls will be notified of outcomes of testing for selective schools in Plymouth (by email/post).
mid-October	Parents will be notified of outcomes of testing for Colyton Grammar School and The Woodroffe School.
15 October	Parents will be notified of outcomes of testing for selective schools in Torbay.
31 October	National closing date The closing date for on-time application forms to be submitted to highest ranked schools or to the LA or the current school. Any SIFs to be returned to the relevant school. Online applications will close at 23.59.
by 15 November	Devon notification date Details of applications for schools in other LA areas to be sent to those LAs. Details of applications to be sent to Devon own admission authority schools.
6 January 2020	Schools ranking date Devon own admission authority schools to provide the LA with ranked lists of applicants.
7 February	Devon processing date Devon's processing date when the LA begins the offer process. No further late preferences will be accepted for inclusion in the first round of allocations. The LA will match the ranked lists of all the schools and provisionally allocate places in response to information received from schools and other LAs, sharing information with schools and other LAs as necessary.
by 14 February	Devon processing date Devon's processing date when the LA completes the offer process. The LA will inform neighbouring LAs of the provisional offers to be made to applicants resident in their areas.

By 21 February	School allocation date The LA will confirm offers to Devon schools and other LAs which children have been offered places at their schools.
2 March	National offer date Offers sent to parents by email or second class post.
16 March	Appeal form request date Date by which parents should request appeal forms. Devon second processing date – ahead of the second round of applications. No further late preferences will be accepted for inclusion in the first round of allocations.
31 March	Appeal form return date Date by which appeal forms should be returned by parents for inclusion in the main body of appeals.
6 April	Devon second offer date Date when a second round of allocations will be made by the LA. Further allocations made as new applications are submitted and as new vacancies arise.
13 April (TBC)	Date by which appeal forms should be returned by parents for inclusion in the main body of appeals for Colyton Grammar School.
May and June	Appeals are heard by the Independent Devon Appeals Panel and otherwise for schools in other LA areas and those making their own arrangements.
20 May (TBC)	Appeals are heard for Colyton Grammar School this week.
1 September	Date on or after which requests for school places will be considered under the In-Year Admissions Policy.
September	Autumn term begins and children admitted to school.

Appendix 10 – Exceptional Need Supplementary Information Form

Exceptional Social or Medical Need for Admission Supplementary Information Form 2020-21



To be completed only where a parent is seeking admissions priority on the grounds of exceptional need.

Parents who wish to have an Exceptional Social or Medical Need considered with their application (criterion 2) must submit independent professional evidence which explains clearly why it is essential to attend the school and no other school.

- For a normal round entry into Year 7 in September 2020, the evidence should be submitted by the closing date for applications of 31 October 2019.
- For a normal round entry into Reception in September 2020, the evidence should be submitted by the closing date for applications of 15 January 2020.
- For a normal round entry into Year 3 of a Junior School in September 2020, the evidence should be submitted by the closing date for applications of 15 January 2020.

Evidence submitted after the closing date may mean the application is considered as late.

Parents must also complete a Local Authority Common Application Form

(eg at www.devon.gov.uk/admissionsonline)

- For an In-Year admission into any Year Group, the evidence should be submitted with the application.
Parents must also complete a Devon Common Application Form (eg at www.devon.gov.uk/admissionsonline)

Please read the school admissions policy, including definitions, before completing this form. School policies can be found at <http://devon.cc/schoolpolicy>. Not all Devon schools prioritise applications with exceptional social or medical need.

PART A – to be completed by the parent	
Full name of child	
Date of Birth	
School you are applying for	
Does this school give priority for exceptional social or medical need?	Yes / No
Please tick the box below if you believe there is an exceptional social or medical need for your child to attend this school.	
<input type="checkbox"/>	Criterion 2 Priority will next be given to children based on their exceptional medical or social needs or those of their parents.

Extract from the school's admissions arrangements:

Exceptional social or medical need:

[This school gives] higher priority for children where there is an exceptional need to attend this school and not another school. The need must be specific to this school: a child may have very challenging circumstances that require additional support but if that support could also be provided at another school, there would be no exceptional need to attend **this** school. The exceptional need could be due to the parent's circumstances. Exceptional need could include:

Appendix 10 – Exceptional Need Supplementary Information Form

- A serious medical condition, which can be supported by medical evidence;
- Significant caring responsibilities, which can be supported by a social worker;
- Where one or both parents or the child has a disability that may make travel to another school more difficult, which can be supported by medical evidence.

These examples aren't meant to be exhaustive or exclusive. Neither should it be assumed that similar circumstances would impact on different children and families in the same way.

- if there are medical reasons that make it essential for a child to attend this school, the parent must provide supporting information from a doctor, together with any other relevant information. This must make a compelling case as to why the child's needs or the parent's can only be met here; a medical condition in itself will not automatically result in a place here. It isn't essential for the doctor to name our school and we wouldn't expect a doctor to have sufficient, specific knowledge of the school but the evidence should explain exactly what the child's needs are and what specialist support and facilities are required.
- for social reasons, parents must provide independent evidence from a relevant professional supporting the family. The supporting evidence must set out the particular reasons why this school is the most suitable and the difficulties that would be caused if the child had to attend another school. It isn't essential for the professional supporting the family to have in-depth knowledge of our school but the evidence must explain exactly what the needs are and what specialist support and facilities are required.

Exceptional need for admission here will **not** be accepted on the grounds that:

- a child may be separated from a friendship group;
- parents wish to avoid a child from the current or previous setting;
- child-care arrangements before or after school would have to be changed;
- transport arrangements would have to be changed;
- there is a medical condition such as asthma that doesn't require specialised treatment;
- the child has a particular interest or ability in a subject or activity.

Evidence from a relevant professional, independent of the family will be required in every case and should be made available in time for us to rank the application using the school's oversubscription criteria. This should provide a reasoned and unequivocal opinion establishing why the child would suffer a significant detriment by not being admitted to this school. Evidence should be from a GP, consultant or other health care worker or social care officer working with the child. Without satisfactory supporting evidence, we will not prioritise an application as demonstrating exceptional need. We may seek our own advice to establish whether we are the only school that could meet a child's needs.

Parents can indicate on a common application form that they believe there is an exceptional need for admission here. It isn't expected that a parent will seek this priority at a school that was not named as the first preference. The onus is on parents to submit their supporting evidence and to provide further evidence if requested to do so. Parents who apply using a common application form from another LA without a tick box for exceptional need should put a note in the reasons for their preference that they are requesting exceptional need priority and provide the required supporting evidence.

If we accept that exceptional need has been demonstrated, the application will be prioritised under oversubscription criterion 2. This does not guarantee that a place will be available. Where we don't agree that the need is exceptional, the application will be prioritised according to other oversubscription criteria.

Appendix 10 – Exceptional Need Supplementary Information Form

Nature of the supporting evidence you are submitting, provided by a relevant professional

Evidence is attached

Yes / No

Name(s) and organisation(s) of the professional(s) providing supporting evidence

I confirm that I have submitted a Local Authority Common Application Form.

Privacy and Data Protection:

Your personal data is being used by The School and Devon County Council's Admissions Service for the purposes of an application for admission to school. We undertake to ensure your personal data will only be used in accordance with our privacy notice which can be accessed at <https://new.devon.gov.uk/privacy/privacy-notices/> Please confirm that you give your consent to the School and Council using your personal data as outlined in our privacy notice, by signing below. You have the right to withdraw your consent at any time. Should you wish to withdraw consent, please contact the Admissions Team at admissions@devon.gov.uk or 0345 155 1019. If you wish to exercise any of your rights under the General Data Protection Regulations, please contact the Council's Data Protection Officer at 01392 383000 or at accesstoinformationsecure@devon.gcsx.gov.uk. For more information about Data protection, please contact the School or visit <https://new.devon.gov.uk/accesstoinformation/data-protection>.

Parent's name		Date	
Please sign here			

Please return this form to:

The school you have named or

The School Admissions Team, Room L60, County Hall, Exeter EX2 4QG

You can scan and email this form and accompanying evidence to admissions@devon.gov.uk

RECOMMENDED TO CABINET

Education Travel Policy

for the academic year 2020-21

This applies to:

- All state-funded schools in Devon.
- The Transport Co-ordination Service of Devon County Council.
- All parents and carers of Devon-resident children of statutory school age or Rising 5s seeking transport assistance to and from an education setting.

Policy updated:	October 2018
Review date:	October 2019 for 2021-22 and then annually unless a need to review earlier is identified

Description of Policy

This policy describes how eligibility for transport to and from education settings will be determined and how transport will be provided.

Linked Policies

[In-Year, Normal Round Co-ordinated Admissions Schemes](#)

Education Travel Policy

for the academic year 2020-21

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2020 Education Travel Policy – updated 31 January 2019

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General Information and Contacts

Date Determined	8 February 2019
Review date	Annual
Approval	by Cabinet Members of Devon County Council
Key partners	Babcock Learning and Development Partnership Devon Association of Primary Headteachers Devon Association of Secondary Headteachers Devon Association of Governors Church of England Diocese of Exeter Roman Catholic Diocese of Plymouth School Admissions Service
Author	Policy and Strategy Officer (Education) schoolsadmissionpolicy-mailbox@devon.gov.uk educationtransport@devon.gov.uk
Sponsors	Dr Phil Norrey, Chief Executive
Other contacts	Steve Roberts, 0-25 SEN Transport Manager 01392 383000 steve.roberts@devon.gov.uk Transport Eligibility Team of the Transport Co-ordination Service 0345 155 1019 – contact through My Devon Customer Service Centre schooltransportservicequeries-mailbox@devon.gov.uk educationtransport@devon.gov.uk School Admissions Service 0345 155 1019 – contact through My Devon Customer Service Centre admissions@devon.gov.uk Transport Co-ordination Service 01392 383000
Useful links	Department for Education

Summary

Devon County Council has a statutory duty to make arrangements to provide free home to school transport for some children of compulsory school age and discretion whether to provide transport for others. These children are “eligible children”.

Eligible Children:

1. Children who attend schools beyond the statutory walking distance and the local authority has made no "suitable arrangements" for boarding accommodation or attendance at a nearer school.
2. Children who because of their special educational needs, disability or mobility problems cannot reasonably be expected to walk to their school and no suitable arrangements have been made by the local authority to enable them to attend a nearer school.
3. Children whose route to the nearest suitable school is unsafe.
4. Children from low income families (see paragraphs 8.17, 8.18 and 8.18a).

This document sets out Devon’s Education Travel Policy and describes how the Council fulfils its duties and exercises its discretionary powers as required under the Education Act 1996 and subsequent legislation. Devon will also make decisions with reference to its commitment to the Armed Forces Covenant which seeks to redress disadvantage of opportunity with the armed forces community.

There is no universal entitlement to free travel for every child or student to and from any school. Parents and students aged 16ⁱ or over are strongly advised to consider whether there is an entitlement to transport assistance before admission to an education establishment, what would happen if circumstances within the family changed or if the arrangements were no longer available.

Support from the LA for travel to and from education will not necessarily be in the form of a vehicle to transport a child. It may be by enabling the child to walk to and from education through Independent Travel Training where the child may otherwise not have been capable of doing so. This does not affect any statutory right to free transport.

Where there is no entitlement to support from the LA, parents and students can seek assistance from academies and Further Education Colleges which are able to use some of their own funds to support transport where they feel this is appropriate. Where support from Devon is not free, it may not be the cheapest option for an individual.

Parents have a legal duty and a responsibility to make necessary arrangements to ensure that their statutory aged children attend school regularly. The County Council is required to provide transport to children resident within the administrative area of Devon County Council who are eligible under the law and this policy.

Transport policy will often influence a parent’s decision on admission to school but the two policies are not linked. While most school catchment areas are recognised by Devon for entitlement to free transport, the two policy areas are not automatically linked.

The LA is responsible for making suitable arrangements for all eligible children to travel to school in reasonable safety and comfort so that they arrive without undue stress or difficulty and can

ⁱ Young people aged 16 may submit applications and appeal for travel support in their own name if they wish. This may be the case for young people whose education has been delayed and will be in Year 11 in the academic year after they reach 16. References to parents making applications in this document also include applications by young people aged 16. . There is a separate policy for post-16 students in sixth form and at Further Education Colleges.

benefit from their education. This is done by making sure that children and young people do not have unnecessarily long journey times and that they are not expected to walk an unreasonably long distance to catch their vehicle. Drivers and escorts are trained and have an enhanced Disclosure and Barring Service check. The vehicles used meet the necessary safety standards and seatbelts are provided wherever possible.

Key points:

- No transport is provided automatically. Parents must apply for transport or confirm their wish for it to be provided.
- The LA will endeavour to contact most primary starters and year 7 secondary transfer pupils. Nevertheless it remains the parent or young person's responsibility to seek advice and complete a transport application form by 1 June for a September start.
- The LA operates clear criteria to decide whether transport will be provided.
- The LA seeks to provide transport support in as cost-effective and efficient manner as possible so that children who are entitled to transport arrive at school and are able to benefit from education there at the same time as the financial cost to the LA is minimised.
- There is an appeals process for individual circumstances to be considered for provision beyond the general entitlement detailed in the policy.

The layout of this policy document is aimed to help parents and carers find their way through it if they think they are entitled to free transport to school. It is also intended to support officers in making fair, transparent and consistent decisions regarding entitlement and provision of travel support. This means that there is some repetition of some clauses but it does mean that, for example, all the policy statements for children with Special Education Needs (SEN) can be found in one section rather than by cross referencing across the document.

POLICY

1 Equality Statement

- 1.1 Devon County Council will only commit to policies and practices which will eradicate discrimination and promote equality for all, regardless of age, gender, disability, religion and belief, race and ethnicity and sexual orientation.
- 1.2 This policy will be subject to an [Equality Impact and Needs Assessment](#). This assessment will be integral to all future policy and guidance reviews.

2 Safeguarding Statement

- 2.1 Devon County Council and its partners recognise that safeguarding is everybody's responsibility. Whether their interest is in all young people 'staying safe' in all aspects of our services, or whether they are working in specific areas of vulnerability, all staff will have appropriate training and induction so that they understand their roles and responsibilities and are confident in carrying them out. Schools, settings, children, young people and their parents or carers, or any member of the community should feel secure that they could raise any issues or concerns about the safety or welfare of children and know that they will be listened to and taken seriously. This will be achieved by maintaining an ethos of commitment to safeguarding and promoting the welfare of children and young people. This is supported by a clear child protection policy, appropriate induction and training, briefings on and discussion of relevant factors and refreshed learning in line with current legislation and guidelines.
- 2.2 Devon County Council acts as a Corporate Parent for Children in Care. This means that the LA has a legal and moral duty to provide the kind of support that any good parents would provide their own children. This policy has been written to comply with this principle.

3 Introduction

- 3.1 This policy is made by Devon County Council (DCC), the Local Authority (LA) for the County of Devon, acting under the provisions of the Sections 508 and 509 of the Education Act 1996. It supersedes any previous agreement or policy. The policy applies to the academic year **2020-21** and will be reviewed annually. There should be no assumption that any discretionary elements of the policy will continue in future policies although Devon's approach has so far been not to remove provision from children who were receiving support at the point when a change to policy was made.

It was determined by the Cabinet of Devon County Council on 9 February 2018 following a public consultation hosted at www.devon.gov.uk/admissionarrangements

- 3.2 This policy contains sections that apply to:
- A. Children below statutory school age.
 - B. Children of statutory school age at a primary school.
 - C. Children of statutory school age at a secondary school.
 - D. Children and young people with special educational needs (SEN).
- In addition it contains a further sections:
- E. Further information.
 - F. Transport provision.

Section A

4 Children below Statutory School Age

- 4.1 Children are of statutory school age from the beginning of the term following their fifth birthday (or from the fifth birthday if it falls on 1 January, 1 April or 1 September) until the last Friday in the June of the academic year when he or she reaches 16 years of age. This does not mean they must attend a state-funded school or, indeed, any school. During this period, however, a child must receive full-time education.
- 4.2 There is no legal entitlement to transport support to and from a school for children below statutory school age. Transport is not available under this policy to nurseries or other Early Years settings for children who are below statutory school age. There is no right of appeal where a parent believes this policy should be set aside. Transport support may be available from other areas of the LA.
- 4.3 Devon will exercise its discretion by considering children who are attending a Reception class in a state-funded primary or infant school as “rising 5s”. That means there will be transport support for children from the beginning of the September after the child’s fourth birthday (or from the fourth birthday if it falls on 1 September) as if he or she were of statutory school age. For further information, please see Section B: Children of Statutory School Age at a Mainstream Primary School
- 4.4 Parents of 3 year old children who attend a particular Early Years setting because it is necessary to meet their special educational needs should discuss transport provision with a member of the 0-25 SEN Team.

Section B

5 Children of Statutory School Age at a Primary School

5.1 Children are of statutory school age from the beginning of the term following their fifth birthday (or from the fifth birthday if it falls on 1 January, 1 April or 1 September) until the last Friday in the June of the academic year when he or she reaches 16 years of age. This does not mean they must attend a state-funded school or, indeed, any school. During this period, however, a child must receive full-time education.

5.2 There is an entitlement to free school transport where a Devon-resident child:

- attends the nearest appropriate schoolⁱⁱ from his or her home and where the school is further than a walking distance of 2 miles;ⁱⁱⁱ or
- attends the nearest appropriate Devon school^{iv} from his or her home and where the school is further than a walking distance 2 miles; or
- attends a school designated^v for his or her home and where the school is further than a walking distance of 2 miles; or
- is a Child in Care and attends the nearest available school with a Good or Outstanding rating by Ofsted and where the school is further than a walking distance of 2 miles; or
- has been placed in an alternative education setting by the LA which is thereby considered to be the nearest appropriate school setting (see paragraph 8.34); either:
 - having been Permanently Excluded; or
 - being at risk of Permanent Exclusion, with an Annex G having been issued; or
 - is unable to attend the designated school due to exceptional circumstances, with appropriate supporting evidence having been provided; or
 - is dual-registered and meets distance eligibility criteria.
- has been placed at a boarding school by the LA which is thereby considered to be the nearest appropriate school setting (see paragraph 8.30).

No additional transport is provided to primary schools chosen on the grounds of religion or belief. There are no selective primary schools.

5.3 There is no entitlement to free school transport from the LA where a Devon-resident child:

- attends a school as part of a foreign exchange programme,
- attends an induction or taster day at another establishment,
- attends school trips

ⁱⁱ A school is considered to be appropriate where it provides education suitable for a child's age and gender. A school's perceived strengths or specialism or its Ofsted rating will not be considered with regard to entitlement to transport support with the exception of Children in Care

ⁱⁱⁱ The statutory walking distance for children aged 8 and over is 3 miles. Devon has exercised its discretion to reduce this to 2 miles for children aged 8-11 so that the maximum walking distance for all children in a primary school is the same. The statutory walking distance for children aged below 8 is 2 miles.

^{iv} In some cases, the nearest available school will be across the county boundary. In the interests of supporting Devon primary schools and enabling children to attend a school linked to a Devon secondary school, the LA will also provide transport to the nearest primary school within the Devon county administrative boundary.

^v Designated schools are also known as catchment schools. Children living in the designated area for a school enjoy admissions priority there. Some addresses in Devon have more than one designated or catchment school. This happens where schools that are their own admissions authority set a designated area that overlaps with a neighbouring school. Devon will only recognise a single designated primary school for transport purposes for each address.

- accompanies a friend home,
- attends a boarding school or college being beyond daily travelling distance, where this is as a result of parental preference and not at the request of Devon.

There is no entitlement to free school transport from the LA where a child:

- lives outside the county administrative boundary or moves from Devon.

There is no entitlement to a variation to the way transport is provided for a child to:

- attend school on a part-time basis
- attend late school sessions
- attend appointments and activities for medical or sports reasons,
- attend breakfast or after-school clubs

5.4 If parents do not request transport, transport officers may not know the child has a medical condition, disability or medical condition that may prevent them walking to school. Parents can request transport support where:

- they believe the walking route to school is unavailable (see paragraph 8.23);
- they are unable to get the child to and from school because of their own or the child's medical condition (see paragraphs 8.35 and 8.36);
- the child will attend a new school following a Permanent Exclusion or a Managed Move (see paragraph 8.34 and 8.39);
- the child is temporarily absent from the home (see paragraph 8.42);
- the child is temporarily rehoused (see paragraph 8.43).

This list is not meant to be exhaustive.

5.5 Parents are encouraged to familiarise themselves with the policy concerning their own responsibilities, including No Pass, No Travel, pick up and drop off points and what to do when transport does not run for any reason (see paragraphs 8.1, 9.37, 9.21 and 9.26).

5.6 Parents of children who are not entitled to free transport can request access to a concessionary seat where one is available on a vehicle in return for a contribution to the costs of that transport (see paragraph 9.29).

5.7 Children and parents are expected to agree to abide by the Code of Conduct for passengers (see paragraph 9.36).

5.8 Children are expected to carry a pass where one is issued and show this to the driver or officer of the LA when requested to do so (see paragraph 9.37).

5.9 Parents can request that an escort is provided on a vehicle where they believe this is necessary for the child's safety or welfare (see paragraph 9.9).

5.10 The LA has not exercised discretion to provide transport support:

- on the grounds of educational continuity at a primary school, including for children in Year 6 (see paragraph 8.37).
- where a child transfers to a new school as an expression of parental preference (see paragraph 8.25)
- where new school provision is made available closer to home (see paragraph 8.44)
- where a parent chooses to admit the child to an independent school (see paragraph 8.45).

Section C

6 Children of Statutory School Age at a Secondary School

6.1 Children are of statutory school age from the beginning of the term following their fifth birthday (or from the fifth birthday if it falls on 1 January, 1 April or 1 September) until the last Friday in the June of the academic year when he or she reaches 16 years of age.

Young people over statutory school age who are taught in Year 11 at a secondary school will be considered as if they were still of statutory school age.

This does not mean they must attend a state-funded school or, indeed, any school. During this period, however, a child must receive full-time education.

6.2 There is an entitlement to free school transport where a Devon-resident child:

- attends the nearest appropriate school^{vi} from his or her home and where the school is further than a walking distance of 3 miles;^{vii}
- attends a school designated^{viii} for his or her home and where the school is further than a walking distance of 3 miles;
- who is a Child in Care and attends the nearest available school with a Good or Outstanding rating by Ofsted, where it is further than a walking distance of 3 miles;
- from a low-income household attends one of the three nearest schools to the home address, where the school attended is between 2 and 6 miles from the home address (see paragraph 8.17);
- from a low-income household attends the nearest school available according to the parent's religion or belief, where the school attended is between 2 and 15 miles from the home address (see paragraph 8.18);
- who because of their special educational needs, disability or mobility problems cannot reasonably be expected to walk to their school and no suitable arrangements have been made by the local authority to enable them to attend a nearer school;
- has been placed in an alternative education setting by the LA which is thereby considered to be the nearest appropriate school setting (see paragraph 8.27); either:
 - having been Permanently Excluded; or
 - being at risk of Permanent Exclusion, with an Annex G having been issued; or
 - is unable to attend the designated school due to exceptional circumstances, with appropriate supporting evidence having been provided; or
 - is dual-registered and meets distance eligibility criteria.

^{vi} A school is considered to be appropriate where it provides education suitable for a child's age and gender. A school's perceived strengths or specialism or its Ofsted rating will not be considered with regard to entitlement to transport support with the exception of Children in Care. A child must have met the entry criteria for a selective school for it to be deemed an appropriate school. A non-selective secondary school is considered to be appropriate whether or not the child has met the entry criteria for a selective school.

^{vii} The statutory walking distance for children aged 8 and over is 3 miles.

^{viii} Designated schools are also known as catchment schools. Children living in the designated area for a school enjoy admissions priority there. Some addresses in Devon have more than one designated or catchment school. This happens where schools that are their own admissions authority set a designated area that overlaps with a neighbouring school. Devon will only recognise a single designated secondary school for transport purposes for each address.

- has been placed at a boarding school by the LA which is thereby considered to be the nearest appropriate school setting (see paragraph 8.30).

6.3 There is no entitlement to free school transport from the LA where a Devon-resident child:

- attends a location for work experience,
- attends a school as part of a foreign exchange programme,
- attends an induction or taster day at another establishment,
- attends school trips,
- accompanies a friend home,
- attends a school or college beyond daily travelling distance, where he or she seeks weekly or termly travel.

There is no entitlement to free school transport from the LA where a child:

- lives outside the county administrative boundary or moves from Devon.

There is no entitlement to a variation to the way transport is provided for a child to:

- attend school on a part-time basis
- attend late school sessions
- attend appointments and activities for medical or sports reasons,
- attend breakfast or after-school clubs

6.4 If parents do not request transport, transport officers may not know the child has a medical condition, disability or medical condition that may prevent them walking to school. Parents can request transport support where:

- they believe the walking route to school is unavailable (see paragraph 8.23);
- they are unable to get the child to and from school because of their own or the child's medical condition (see paragraphs 8.35 and 8.36);
- the child will attend a new school following a Permanent Exclusion or a Managed Move (see paragraphs 8.34 and 8.39);
- the child is temporarily absent from the home (see paragraph 8.42);
- the child is temporarily rehoused (see paragraph 8.43).
- the child is seeking educational continuity during a course of study towards external examinations in Key Stage 4 (see paragraph 8.37).

This list is not meant to be exhaustive.

6.5 Parents are encouraged to familiarise themselves with the policy concerning their own responsibilities, including No Pass, No Travel, pick up and drop off points and what to do when transport does not run for any reason (see paragraphs 8.1, 9.37, 9.21 and 9.26).

6.6 Parents of children who are not entitled to free transport can request access to a concessionary seat on a vehicle where one is available in return for a contribution to the costs of that transport (see paragraph 9.29).

6.7 Children and parents are expected to agree to abide by the Code of Conduct for passengers (see paragraph 9.36).

6.8 Children are expected to carry a pass where one is issued and show this to the driver or officer of the LA when requested to do so (see paragraph 9.37).

- 6.9 Parents can request that an escort is provided on a vehicle where they believe this is necessary for the child's safety or welfare (see paragraph 9.9).
- 6.10 The LA has not exercised discretion to provide transport support:
- where a child transfers to a new school as an expression of parental preference (see paragraph 8.25)
 - where new school provision is made available closer to home (see paragraph 8.44)
 - where a parent chooses to admit the child to an independent school (see paragraph 8.45).
- 6.11 Parents can request transport support where their child is also a parent and wishes to take their own child with them to school (see paragraph 8.48).

Section D

7 Children with an Education, Health and Care Plan

7.1 Parents of children and young people with an Education, Health and Care Plan (EHCP)^{ix} who would like support with transport must complete an application form. Transport needs will be reviewed no less frequently than annually.

7.2 When an EHCP is issued or amended, consideration will be made of the child's transport needs.

Children with SEN may have specific needs that require the use of specialist transport provision that is not widely available. Even where a specialist vehicle is not required, it may be necessary to use more expensive transport provision, such as taxi transport, in order to meet the specific needs of children. The Devon Transport Co-ordination Service (TCS) arrange transport at the lowest possible cost commensurate with the needs of the children being met.

TCS Special Needs transport officers will assess the needs of each child attending an educational setting, consulting the 0-25 SEN Team as necessary.

Once eligibility has been determined, the TCS will determine how the needs of an individual child can be best met, including consideration for Independent Travel Training where appropriate. Entitlement and provision should be reviewed at least annually.

7.3 Where a Special School or a special unit within a mainstream setting is named by the LA on an EHCP, that school will be deemed to be the child's nearest appropriate school for transport purposes. This will not apply where the school is named as a result of parental preference, with a closer appropriate school available.

7.4 There is no automatic entitlement to free transport following the issue of an EHCP. The usual distance criteria will also be applied. Parents of children with SEN are strongly advised not to rely upon presenting a case that a school is named in their child's EHCP in cases where the school has been named as a result of parental preference.

A child whose EHCP indicates that his or her needs may be met at a mainstream school must meet the same eligibility criteria for free transport that apply to all children attending mainstream schools, unless they are unable (by reason of disability or medical condition) to walk the specified walking distance for their age, accompanied as necessary.

A child's EHCP considers his or her additional needs, mobility and medical concerns.

7.5 Payment of any required contribution to transport costs applies equally to young people above statutory school age who have an EHCP.

^{ix} EHCPs are replacing Statements of Special Educational Need. Any reference to EHCP should be taken as also meaning Statement where an individual child's Statement has not been replaced by an EHCP.

Section E

8

Further information

8.1 Roles and Responsibilities of the Parent

Parents have a number of responsibilities with regard to getting children to and from school. It is the responsibility of the parent to

- ensure that a child of statutory school age receives appropriate full-time education;
- make necessary arrangements for attendance at an appropriate school or other setting, including submitting applications as necessary for admission and for education transport to the LA;
- make a timely application^x to be admitted to school;^{xi}
- accompany a child as necessary when walking to and from school or to and from a pick up point and to wait with the child until the vehicle arrives;
- ensure that a child has their travel pass (where issued) with them before they leave home;
- ensure the child knows what to do in the event they have lost their travel pass and are refused travel, or if for any reason the vehicle does not arrive: for example, this could be returning home, going to a neighbour or telephoning the parent for assistance (paragraph 9.26);
- apply for transport support for any child except where Devon contacts them to advise that there is eligibility to free school transport. In these cases, the parent must confirm that transport is required.
- provide evidence of personal circumstances in support of any application or appeal for transport;
- submit an appeal to the Transport Eligibility Officer Panel or Members' Panel (paragraph 8.49) against a refusal to provide transport;
- inform the LA of any change of address or school and to return any pass that was issued for the previous address;^{xii}
- inform the LA of any change in financial circumstances that may affect entitlement under low income legislation.

8.2 Applications for Transport Assistance

Children below Statutory School Age

Where parents seek places in a school Reception class for a child who is 4 years old, Devon will consider the child to be of statutory school age for transport purposes.

^x Parents may apply at any time for a school place after the Year Group for the child has begun. Where a place is required at the normal point of entry, parents are required to submit an application by published dates as a part of Devon's Normal Round Co-ordinated Admissions Scheme. Applications submitted after these dates may be considered late and at a disadvantage compared with timely applications.

^{xi} Where an application is considered to be late and a place is allocated at a school further away as a result, there will be no automatic entitlement to transport to the allocated school on nearest or designated school grounds (paragraph 8.15). There may be an entitlement under low-income or faith school grounds (paragraphs 8.18 and 8.19).

^{xii} Where a pass is not returned, the parent or student will be liable to pay all costs of the pass from the date it became invalid. Where a contribution was required towards the cost of a pass, no refund will be paid by Devon for the period when it was no longer required until the pass is returned.

Children of Statutory School Age

Except where the LA contacts the parent of a child who will be admitted at the normal round intake to a school to advise the child is entitled to transport assistance, it is the responsibility of the parent to obtain and submit an application form.

Parents requesting transport for students with an EHCP must complete a transport application form as more detailed information is required to ensure the most appropriate form of transport is provided.

Parents wishing to apply for transport assistance for their child on Low Income Grounds (whether or not for faith schools) must request a Secondary Transport Application Form by telephoning 0345 155 1019 and submit it by 1 April for the normal round transfer to Year 7 or as soon as possible at other times.

Children over Statutory School Age

Some children will remain in a school in the academic year after they reach 16 years of age to complete Year 11. Where this is the case, Devon will consider them to be of statutory school age for transport purposes.

8.3 Roles and Responsibilities of the LA

Devon County Council is required by law to provide free transport to and from a child's education setting where the child:

- is of statutory school age; and
 - lives within the Devon LA area; and
 - lives further from the school than the statutory walking distance for the child's age (paragraph 8.21); and
 - attends the nearest state-funded school^{xiii} appropriate for the child's age and gender
- OR
- qualifies on low income grounds (paragraph 9.13) or
 - who because of their special educational needs, disability or mobility problems cannot reasonably be expected to walk to their school and no suitable arrangements have been made by the local authority to enable them to attend a nearer school.

There is no requirement to provide any transport or travel support beyond this although the LA has discretion to provide support in other circumstances as it sees fit. Much of this policy concerns the provision Devon has made according to that discretion.

8.4 The LA has legal duties, under the Education and Inspections Act 2006, to promote sustainable travel for children and young people of sixth form age at school. These duties include:

- Assessment of travel and transport needs
- Audit of sustainable travel and transport infrastructure that may be used when travelling to or from school
- Strategy to develop sustainable travel and transport infrastructure
- Promotion of sustainable travel

For further information, see www.devon.gov.uk/stpsstssummary2008.pdf

^{xiii} State-funded schools include all community, voluntary controlled, voluntary aided, foundation, academy, free and studio schools and university technical colleges.

- 8.5 The LA will operate a procedure for the consideration of requests for assistance with education transport that do not meet eligibility criteria (paragraph 8.49).
- 8.6 The LA's Transport Co-ordination Service will:
- administer this and any other policies which are determined by Devon and which govern eligibility for transport assistance;
 - determine eligibility to travel support;
 - be responsible for management of the budget for education transport.
 - manage all operating arrangements including planning, provision and management of transport in the most appropriate and cost-effective manner;
 - determine the most appropriate form of transport provision;
 - plan and manage education transport on a day-to-day basis;
 - make arrangements for transport within 15 working days;^{xiv}
 - establish effective and appropriate operating standards;
 - manage contract compliance with transport providers;
 - integrate transport needs of clients and public passenger transport networks.
- 8.7 Devon will exercise its discretion to provide free transport to and from a child's education setting for children living within the Devon LA area in a number of circumstances. This summarises discretionary entitlement:
- by reducing the walking distance expected of primary-phase children aged 8 to 11 from 3 miles to 2 miles (paragraph 8.21)
 - by providing transport to the nearest available primary school in Devon where otherwise the nearest available school lies in the area of another LA (paragraph 8.13)
 - by providing transport to a single school designated for the home address where this is not the nearest school to the home address (paragraph 8.14)
 - by extending eligibility for those children placed by a Reintegration Panel at a school following a Permanent Exclusion (paragraph 8.34)
 - by extending eligibility for those children placed by a Reintegration Panel as part of a managed move (paragraph 8.39)
 - by considering *rising five*^{xv} children attending a Reception class in school as if they were of statutory school age (section A)
 - by considering young people above statutory school age attending Year 11 of a secondary school as if they were of statutory school age (paragraph 6.1)
 - for children considered to have an exceptional medical reason for transport (paragraph 8.35)
 - for children of parents considered to have an exceptional medical reason for transport (paragraph 8.36)
 - for children considered to require transport on the grounds of educational continuity (paragraph 8.37)
 - for children considered to require transport during the period of a temporary absence from home (paragraph 8.42)
 - for children considered to require transport when temporarily rehoused (paragraph 8.43)
 - for children remaining on roll at a school when a closer school has been opened or reorganised (paragraph 8.44)
 - for children of passengers who are eligible for free transport (paragraph 9.48)

^{xiv} In many cases, arrangements will be in place more quickly. In other cases, the process may be delayed, particularly where additional transport is required, in more rural and remote areas and where transport operators and providers are scarce. The LA is required to follow tendering procedures for new routes.

^{xv} A child is a Rising 5 where he or she is below statutory school age, has reached the age of 4 and attends a Reception class in a school.

- 8.8 Additionally, the LA has exercised its discretion to provide transport at a cost to and from a child's education setting for:
- non-entitled statutory aged children who may purchase concessionary seats on existing transport (paragraph 9.29)
 - children of concessionary passengers (paragraph 8.48). Where the child of a concessionary passenger requires an additional seat, this will also be chargeable.

- 8.9 Additionally, the LA has exercised its discretion to provide escorts for children carried on education transport in limited circumstances (paragraph 9.9).

8.10 **Residence Eligibility**

Devon is not required to provide transport support to children or young people who live outside of the county's administrative boundary. To be entitled to free transport or assisted transport, the normal place of residence must be within Devon administrative boundary. This comprises those addresses within Devon but not within the Plymouth City Council or Torbay Council areas.

Children who move outside the Devon LA area must apply to their new home LA for assistance. Assistance from Devon will cease where the child no longer lives within the Devon LA area.

- 8.11 Education transport will be provided only to and from one residential address. Where children have more than one ordinary residence, for example, where parents are separated and care jointly for them, the circumstances may be considered by the Transport Eligibility Officer Panel.^{xvi}
- 8.12 Where a Child in Care with an EHCP is accommodated within Devon by another LA, Devon will make arrangements for the child's education transport according to this policy. The costs of that transport will be recovered from the home LA.

8.13 **Distance Eligibility**

In all instances, children must live beyond the walking distance for his or her age from that school (paragraph 8.21)

- unless the route is deemed by the LA to be unavailable (paragraph 8.23) or
- unless the child cannot reasonably be expected to walk that distance to school, accompanied as necessary (see paragraph 8.1).

Where the home address is close to the county boundary, the next nearest primary school with a vacancy may be in another LA area. If so, free transport will be supported to that school OR to the nearest available Devon primary school.

^{xvi} The terms of a child arrangements or specific issues order may establish a single home address for the child. In the absence of an order, the home address for the child will be with the parent with a majority day to day care and control of the child, normally evidenced by receipt of Child Benefit allowance for the child at that address. In determining the home address for admission or transport purposes, evidence such as receipt of Child Benefit or the child's registration with a GP may be taken into consideration.

Catchment School Eligibility

This policy is based on the assumption that each address has one catchment or designated primary school and one catchment secondary school.

Eligibility to transport on catchment school grounds will be available to:

- one catchment primary school; and to
- one catchment secondary school.

This seeks to ensure consistency and parity for all Devon residents. It does not confer a discretionary entitlement to other schools without an admissions catchment area unless explicit provision is made.

Where an address has more than one catchment school for admissions purposes, discretionary transport on catchment school grounds will not be extended to cover more than one school.

This may arise where a new school is opened or where a school amends its designated area to overlap or coincide with that of another school of the same phase.^{xvii} In these circumstances, the LA will recognise one designated school for the address for transport purposes. To do this it will generally either accept the admissions catchment area in place at the end of the academic year before the catchment area was amended or recognise the closer of the catchment establishments. The LA will reach a decision in each case and detail the arrangements in this policy, at Appendix 5.

Where an address has more than one catchment school for admissions purposes as a consequence of an inaccuracy in the online maps of catchment areas at www.devon.gov.uk/schoolareamaps, that inaccuracy will be corrected at the earliest opportunity. This includes instances where the boundary runs through property.

8.15 Where the designated school is unable to admit a child, free transport will be available to the nearest school able to offer a place. Evidence must be provided by the parent that the school was unable to admit the child. This may require confirmation by the School Admissions Service.^{xviii}

8.16 Details of areas with more than one catchment school can be found at Appendix 5.

8.17 Low-income Eligibility

The statutory right to free transport for secondary education is extended to cover all children aged 11-16 from low-income families to any of the three nearest appropriate schools to the home address.

A family is considered to be of a low income for school admissions and education transport purposes if it is in receipt of the maximum level of Working Tax Credit or is eligible for Free School Meals or has eligibility through the Universal Credit.

^{xvii} Examples include university technical colleges and studio schools.

^{xviii} There will be instances where a place was available when the parent could first have applied, for example, at secondary transfer or when the family moved to an area. If the school were to be filled subsequently, there would be no entitlement to transport to an establishment further away. The parent would be deemed to have expressed his or her parental preference to seek education elsewhere and to have accepted the responsibility for providing transport for the remainder of the child's education away from the designated or nearest establishment.

The school attended must be:

- one of the three nearest schools to the home address offering an appropriate education for the child's age and gender; and
- between 2 and 6 miles from the home address.

In considering appropriate schools, comprehensive and faith schools will be included as will selective schools where the child is qualified to attend and could do so if a place were offered.

Low income eligibility will be re-assessed annually.

8.18 **Low-income Eligibility - Religion or Faith Schools**

The statutory right to free transport for secondary education is extended to cover all children aged 11-16 from low-income families to the nearest school preferred by reason of a parent's religion or belief. The school attended must be:

- the nearest school available according to the parent's religion or belief offering an appropriate education for the child's age and gender; and
- between two and 15 miles from the home address.

Attendance at a faith school will not create an automatic eligibility under the terms of this paragraph; the place must have been requested by the parent on faith or belief grounds. Confirmation will be sought from the admission authority for the school.

Low income eligibility will be re-assessed annually.

8.19 **Faith-based Schools**

The LA has a duty^{xix} to have regard to the preference of a parent to have a child attend a school or institution on the grounds of the parent's religion or belief. This is in addition to the duty to provide free transport for secondary phase children from families on low income as at paragraph 8.17 above.

The duty to have regard is not a requirement on the LA to provide transport assistance. The LA will not provide transport to a faith-based school where there is no eligibility otherwise, such as on nearest or designated school grounds or where there is a low income entitlement.^{xx}

Low income eligibility will be re-assessed annually.

8.20 **Schools with Multiple Sites**

Where a school operates with more than one site, transport entitlement will be based on the distance to the site where the child is actually educated for all or most of the time.

Details of schools with more than one site can be found at Appendix 6.

^{xix} Education and Inspection Act 2006.

^{xx} A family is considered to be of a low income for School Admissions and Education transport purposes if in receipt of the maximum level of Working Tax Credit or is eligible for Free School Meals.

Statutory Walking Distance

- The maximum statutory distance a child under eight years of age is expected to walk to and from a school, accompanied by a parent or other adult^{xxi} as necessary, is two miles.
- The maximum statutory distance a child of or above eight years of age is expected to walk to and from a school, accompanied by a parent or other adult as necessary, is three miles.
 - Devon has exercised its discretion to lower the walking distance expected of primary children aged up to 11 years to two miles. The maximum walking distance for all Devon children attending a primary school^{xxii} is therefore two miles.
- The maximum distance a child of secondary school age is expected to walk to and from a school, accompanied by a parent or other adult as necessary, is three miles.

See also paragraphs 8.17 and 8.18 for exceptions where a child is from a family on a low income.

Measuring Distances

In all cases, distances up to the maximum walking distance are measured by the shortest available walking route. This may include metalled roads, recognised footpaths and bridleways.

Distances above the maximum walking distance are measured by the shortest available road route for the entirety of the distance. An exception is made where the child qualifies under low income criteria. Here, distances above two miles will be measured by the shortest available road route for the entirety of the distance.

Measurements of distance for transport purposes are made between the nearest entrance to the child's property (for example, a front door) and the nearest official entrance to the school grounds. Private driveways to homes are not included in measurements; transport is not provided on private property. Eligibility is determined by measurements using Devon's electronic Geographic Information System which is available at www.devon.gov.uk/schoolareamaps. Parents can confirm eligibility by contacting the My Devon Customer Service Centre and asking to speak with a transport entitlement officer.

Distances for School Admissions purposes are measured in a straight line while distances for Education Transport purposes are measured along available walking routes or road route. This means that the nearest school for admissions purposes may not be the nearest school for transport purposes. It cannot be assumed that there will be free school transport to the nearest available school as measured for admissions purposes. Parents should always consider whether there would be an entitlement to transport support to a new school.

^{xxi} It is not the responsibility of the LA to provide an adult to accompany a child when walking to school. The LA will expect the parent to show that no other adult is in a position to do so. This will include family members, friends and parents of other children at the school living close by. Schools will generally assist parents in making it known to other parents that assistance is sought and the parent will be expected to have asked for assistance.

^{xxii} A primary school includes infant and junior schools and, where there is an entitlement beyond the Devon county boundary, to a first or middle school.

8.23

Unavailable Routes

The LA recognises that not all roads are safe for a child to walk to and from school or college. A route is considered by the LA to be unavailable when a child could not be expected to walk to school, accompanied as necessary by an appropriate adult, in reasonable safety. Queries regarding available routes should be directed to the LA.

Where a child attends the designated or nearest available school, and the walking route is unavailable and cannot be sufficiently improved, transport will be provided unless there is an alternative walking route under the walking distance.

The LA will work with schools and transport planners to reduce the number of unavailable routes. Where a route is no longer unsafe as a result of remedial safety works, any transport previously provided but no longer required will be withdrawn.

8.24

Selective schools

There is no additional entitlement to transport on the grounds that the school attended is selective. The LA is not obliged to have regard to a parent's preference for the child to attend a selective school when arranging transport.

The LA will not provide transport to a selective school where there is no other eligibility, such as nearest school grounds.

8.25

Parental Preference

A child will not be entitled to transport where he or she attends a school which is not designated for the home address or the nearest available to the home address where:

- this is a result of parental preference; or
- a timely application was not received for a place at the normal round of admissions and a school place could have been allocated at a closer school had the application been timely; and
- there is no eligibility on low-income grounds (paragraphs 8.17, 8.18).

Confirmation will be sought by a transport eligibility officer from the Devon School Admissions Service whether a vacancy was available at a nearer school at the time of admission and whether a timely application was made for a school place.

8.26

When expressing a preference for a school other than the designated or nearest school, parents are strongly advised to consider their commitment to providing transport for the whole duration of a child's attendance at that school and to consider whether their ability to provide or pay for that transport is likely to continue over that period of time.

Particular care should be taken when using a concessionary seat on education transport (paragraph 9.29). These seats are subject to removal with a minimum of one week's notice if required for new passengers who have eligibility for a seat. The withdrawal of a concessionary seat alone will not be considered as grounds for an appeal for assistance from the LA. Parents should consider whether they are likely to be able to make their own arrangements should this occur before taking up a school place or moving house.

Where a child is withdrawn by a parent from one school and placed in another school, free transport will not be provided unless the child is eligible from the home address to the new school. Such a transfer of school will be regarded as an expression of

parental preference. Parents are strongly advised to seek to resolve difficulties locally wherever possible without withdrawing the child from school. Where a parent arranges a school transfer because of “bullying”, the LA will expect to see evidence of the bullying in the form of confirmation from the school.

8.27 **Education Other Than at School**

Some children will be educated in alternative provision. Where this is arranged by the LA, transport will be provided as if the child were being educated in school, subject to consideration of reasonableness. The TCS will take into account the cost of the transport, the distance to be travelled and the availability of other alternatives.

Where a parent has decided to educate the child other than at school, no assistance for transport will be available from the LA.

8.28 Where a child remains on roll at a mainstream school or college and that school out-sources all or part of the education provision, the school will be responsible for all transport arrangements for the child’s off-site education provision.

Where a child is required to attend more than one site, transport will be provided to all settings only where the cost is equal to or less than the cost of transport to the main establishment site. Where additional costs are incurred, no transport will be provided to alternative sites unless the establishment funds the additional cost.

8.29 **Exceptional Need**

In very limited circumstances, the LA may consider that a child or young person requires transport support to a school or setting to which there would not otherwise be an entitlement to support from the LA or other source.

The LA reserves the right to provide support where it considers this to be essential to meet the needs of the individual. In doing so, social, medical and educational needs of the child or young person will have been considered. A decision should not be seen as a precedent for other children whose circumstances may appear to be similar.

This provision will apply solely on the authority of the Head of Education and Learning.

8.30 **Boarding Schools or Colleges**

Where the LA arranges for a child or young person to board at a school or college, transport will be provided in accordance with the boarding arrangements where the usual distance criteria are also met:

- weekly boarders will be provided with journeys from school on Friday afternoons and to school on Monday mornings
- termly boarders will be provided with journeys from school at the end of each term and half-term and to school at the beginning of each term and half-term
- termly boarders will be provided with transport for exeat weekends only when the school’s residential facility is closed^{xxiii}
- unused journeys will not be carried forward

^{xxiii} Where there is doubt, the 0-25 Special Education Team will confirm whether the child is required to return home for the weekend. An exeat weekend means that boarding students are expected to leave the school after lessons have finished on the Friday afternoon to spend the weekend away from school with their family or guardian.

Where a parent has decided to educate the child at a boarding school, no assistance for transport will be available from the LA except where there is eligibility otherwise.

8.31 **Work Experience and other Reasons**

The LA does not extend entitlement or vary provision to transport for a child or young person to:

- attend work experience,
- attend a school as part of a foreign exchange programme,
- attend an induction or taster day at another establishment,
- attend appointments and activities for medical or sports reasons,
- attend breakfast or after-school clubs,
- attend school trips,
- attend late school,
- attend school on a part-time basis,
- accompany a friend home.

8.32 **Extended and Late Schools**

The LA will provide transport to and from the school for the official start and finish times of the school day.

8.33 **Equal Cost Grounds**

There may be instances where transport is requested to an alternative school or setting on the grounds that there would be no additional cost than would be incurred should, for example, transport be provided to the designated school for the home address. This may be the case where two schools are located close by.

- No assistance to transport will be provided in these circumstances to an alternative school.
- No additional costs will be incurred by the LA,
- No liability to additional costs will be accepted by the LA^{xxiv}.

To provide assistance may lead to additional cost to the LA either immediately or subsequently where a vehicle is no longer required for an entitled passenger.

8.34 **Exclusion from School**

Where a child is subject to a **fixed term exclusion** of more than 5 days, alternative education provision must be in place from the 6th day. Transport to and from the alternative provision will be the responsibility of the excluding school. Where there is no additional cost to the LA, the excluding school may request that the child travels on existing LA transport. A contribution towards the LA's costs may be required.

Where a child is subject to a **permanent exclusion**, alternative education provision must be in place from the 6th day. Transport to and from the alternative provision will be the responsibility of the LA. Where transport is required, normal eligibility criteria will apply. Where there is no entitlement to transport on designated or nearest school grounds or on low income grounds, applications to the LA for transport will be refused

^{xxiv} This may be where an alternative route is currently of equal cost but is subject to change which would require, for instance, a larger vehicle.

unless the Transport Manager (Appeals and Policy) or Transport Eligibility Officer Panel consider that transport to another establishment is reasonable, taking into account cost and the child's individual circumstances.

The LA may provide free transport to support a child placed at a school following a Permanent Exclusion where the placement has been arranged through a Reintegration Panel. Transport arrangements must be agreed by the Transport Manager (Appeals and Policy) before the placement is finalised, taking into account the cost of the transport, the distance to be travelled and the availability of closer alternatives. This will ensure that transport and the availability of an alternative school place are managed appropriately.

8.35 **Exceptional Medical Reasons – Children and Young People**

The LA will provide transport assistance where a parent has shown that a child is unable to walk to the nearest appropriate school or the school designated to serve the home address.

The LA will exercise its discretion to provide transport assistance where a child is unable to walk to school that is neither the nearest appropriate school nor the school designated to serve the home address because of a temporary medical condition or disability and the parent can demonstrate that they would otherwise be unable to get the child to and from school. This would normally be for no more than 12 calendar weeks, for example, where the child is unable to walk the route due to a broken leg.

This provision is based on an assumption that it would be unreasonable for a child to transfer schools for 12 weeks.

It is the responsibility of the parent to produce evidence of the medical condition in all cases. This is normally endorsed by the family doctor or consultant. The LA may ask the parent to provide explicit further medical evidence. If provided, the requirement for transport will be reviewed no less than termly, or in the case of long term medical conditions and where the child is attending the designated or nearest school to home, annually. Any charges incurred by the parent in providing this evidence will not be paid by the LA.

In all cases, the LA will consider the availability of help from immediate and extended family members and from neighbours. The availability of help through a School Travel Plan will be considered as will the use of any disability benefits to help secure attendance. It is expected that the parent will have made every reasonable effort to secure other help. The LA may seek confirmation of this from the parent, school or other agencies.

An upper cost limit will apply.

8.36 **Exceptional Medical Reasons for Transport - Parents**

The LA will exercise its discretion to provide free transport where a child lives within walking distance to a school relevant to age and circumstances and is attending the designated or nearest school available but where parents are unable to accompany him or her on the walk to school because of a medical condition or disability and the parent can demonstrate that they would otherwise be unable to get the child to and from school.

Similarly, where a child attending an alternative school as an expression of parental preference is unable to travel to school because of a temporary medical condition, alternative transport may be provided by the LA. An upper cost limit may be imposed. See Appendix 3. The Transport Eligibility Officer Panel may consider requests of this nature. An upper cost limit may be imposed. See paragraph 8.48.

Assistance with transport on the grounds of a parent's medical reasons will not be provided where the child does not require his or her parent to accompany him or her to school.

It is the responsibility of the parent to produce evidence of the medical condition. This is normally endorsed by the family doctor or consultant. The LA may ask the parent to provide explicit further medical evidence. If provided, the requirement for transport will be reviewed no less than termly or, in the case of long term medical conditions, annually. Any charges incurred by the parent in providing this evidence will not be paid by the LA.

In all cases, the LA will consider the availability of help from immediate and extended family members and from neighbours. The availability of help through a School Travel Plan will be considered as will the use of any disability benefits to help secure attendance. It is expected that the parent will have made every reasonable effort to secure other help. The LA may seek confirmation of this from the parent, school or other agencies.

This provision is based on an assumption that it would be unreasonable for a child to transfer schools for 12 weeks.

8.37

Educational Continuity

The LA may exercise its discretion to provide transport support where the child has already undertaken half a term of study leading to public examinations to continue to attend a school to which there is no transport eligibility. This will be where a child has moved address after the October half-term in Year 10^{xxv} or during Year 11.

The LA will not exercise its discretion to provide free transport on educational continuity grounds for children in primary school.

An upper cost limit for LA funding may be applied (see Appendix 3). The following will be taken into account:

- whether the child was attending the designated or nearest school prior to the move;
- the existing transport network and the reasonableness of transport costs;
- the ease of transferring to a new school;
- whether the house move has been voluntary or involuntary;
- parental ability to provide or fund transport.

8.38

Not used.

^{xxv} Where the alternative school provides its GCSE courses from the beginning of Year 9, educational continuity may be considered where the child has moved address after the October half-term in Year 9.

8.39 **Transfers Between Schools – Managed Moves**

A Managed Move is a transfer from one school to another for a child identified as being at risk from a Permanent Exclusion from school, arranged through a Reintegration Panel. A Managed Move is for a fixed period of time after which a decision will be taken by the schools concerned and the parent whether the child should remain at the new school or return to the original school.^{xxvi}

8.40 The costs of transport to a school to which there is no eligibility to transport support from the LA will fall to the child's original school during the Managed Move.

If the Managed Move is deemed to be successful and the child is removed from the roll of the original school, the LA may exercise its discretion to provide transport support for the remainder of the child's time at the new school while residing at the same address, taking into account the cost of the transport, the distance to be travelled and the availability of closer alternatives. A view should be sought by both schools and the LA Inclusions Officer when the Managed Move is proposed.

8.41 **Transfers between schools - No Change of Address**

Transport will not be provided to facilitate a transfer from one school to another school which has been arranged by a parent as an expression of parental preference unless there is eligibility for transport from the new address to the school. Parents are advised to seek to resolve any difficulties at a school wherever possible and to contact the School Admissions Service before seeking to transfer schools.

8.42 **Temporary Absence from the Home Address (intention to return)**

The LA will exercise its discretion to provide free transport to attend school where a child is absent from the home address due to circumstances beyond the control of the parent and the parent can demonstrate that they would otherwise be unable to get the child to and from school. The temporary move must have been involuntary, for example following fire, flooding or where essential repairs are required to the home. The parent must be able to establish that the child will be able to return to the same address. The parent must provide supporting evidence to the LA. This may include a letter from a landlord confirming that the family can return to the property.

8.43 **Temporarily Rehoused (not returning to the former home address)**

The LA will exercise its discretion to provide transport support for up to 12 calendar weeks where a child is temporarily rehoused due to circumstances beyond the control of the parent and where the parent can demonstrate that they would otherwise be unable to get the child to and from school.

Rehousing must have been involuntary, for example, a move to bed and breakfast or hostel accommodation following eviction, awaiting a new permanent address. The parent must provide supporting evidence to the LA which may include letters from other relevant teams in the LA, a Housing Association or landlord to confirm the child can't return to the former home address and the new address is not considered to be a permanent address.

^{xxvi} For further information on Managed Moves, parents should contact the School Admissions Service, the school or see the Fair Access Protocol.

This provision is based on an assumption that it would be unreasonable for a child to transfer schools for 12 calendar weeks.

An upper cost limit for LA funding may be applied (Appendix 3).

The LA will not assume that the family will be rehoused in the same area as the former home unless there is a clear view from a Housing Association or landlord that this will be the case.

Where Children in Care are rehoused and will not return to the former home address, they will not be considered to be normally resident there and the responsibility for home to school transport will lie with social care unless there is an eligibility otherwise to education transport under this policy.

Where a Child in Care is placed outside the Devon LA area, it will be the responsibility of the receiving LA to make appropriate education transport arrangements. Devon will be liable to meet reasonable costs only where the child is the subject of an EHCP.

8.44 **Where a School is Closed, Opened or Reorganised**

Transport is one of a number of factors considered carefully in any discussions that might result in the closure or reorganisation of a school or schools.

The LA will provide transport only for affected children living beyond walking distance from the alternative school. Transport will be provided for the duration of their education at that alternative school. There will be no ongoing eligibility for children not directly affected at the time of the closure or reorganisation of the school. Eligibility for transport is limited to children who attend the new designated school or the nearest school to their home address.

Where a new school is established or another school is reorganised and may now admit a child, children living in the new or reorganised school's designated area may remain at their current school to complete their education. The normal transport eligibility criteria will apply to those children. There will be no eligibility for children not directly affected at the time of the opening or reorganisation of the school.

8.45 **Independent, Fee-Paying Schools^{xxvii}**

Where the LA arranges for a child to receive education at an independent school as part of an EHCP, that school will be deemed to be the child's designated school for the purposes of a request for transport provision except where the school named is the result of parental preference, where a closer school could meet the child's needs.

Where a parent has decided to educate the child at an independent school, no assistance for transport will be available from the LA.

8.46 **Transport provided in Error or following a Change in Assessment**

If transport has been provided as a consequence of an error of the LA or if an improvement in the accuracy of methods for assessing eligibility identifies that

^{xxvii} This does not include academies, free schools, studio schools or university technical colleges. Although independent of the LA, they are state-funded establishments. Here independent schools are those which charge fees to parents.

transport has been provided for a non-eligible child,^{xxviii} provision will not be withdrawn with less than 12 calendar weeks' notice.

Where an improvement to a walking route is made and results in the route becoming available for a child to walk, accompanied as necessary by an adult, provision will be withdrawn with notice of no less than 12 calendar weeks.

8.47 **Transport provided in Error as a Result of False Information**

If transport has been provided as a consequence of information provided by the parent which was false or misleading and where correct and accurate information would have resulted in a refusal for transport, provision may be withdrawn immediately and will normally be withdrawn with no more than four calendar weeks' notice. The costs of providing the transport may be sought from the parent.

8.48 **Children of Passengers**

Where a child is carried on education transport and is, him or herself the parent of a child, the LA will seek to support the parent-child's education and any wish to be accompanied by the child. The following will be taken into account:

- the safety of the parent and child and others on the vehicle;
- suitability of the vehicle;
- costs which carrying the child would incur.

The Transport Eligibility Officer Panel may consider requests of this nature.

Where the parent-child is a concessionary passenger and the Transport Eligibility Officer Panel agrees that the child may also be carried, both parent and child will be concessionary passengers although no charge will be payable for the child of the parent-child unless an additional seat is required.

8.49 **Appeals, Comments and Complaints**

When a request for transport assistance is refused, the LA provides for parents to pursue their request for assistance to:

- the TCS;
- a Transport Eligibility Officer Panel;
- a Panel consisting of elected Members.

Where a parent wishes to appeal on the grounds that the walking route to school is unsafe the LA provides for parents to pursue their request for assistance to:

:

- the TCS;
- a Panel consisting of elected Members.

8.50 Comments about the service provided under this policy or general queries can be made by telephoning the My Devon Customer Service Centre or by emailing or writing to the TCS.

^{xxviii} This may occur where the distance from home to school is remeasured and found to be under the relevant walking distance. In this case, the child will have benefited from free transport and would be expected to be able to walk to school and not be obliged to transfer to another school

- If the issue is a complaint about the transport service or policy, the complaint can be registered online at www.devon.gov.uk under “Have Your Say”, or by telephoning the Customer Service Centre on 0345 155 1018.
- If the issue is about the decision not to award school transport, complete the Transport request Form APP2, stating the exceptional reasons to be considered by the Transport Eligibility Officer Panel.

8.51 The Transport Eligibility Officer Panel will consider requests for children to receive free transport where he or she is not eligible. It will not consider appeals on the grounds that walking route safety (see paragraph 8.49).

The Panel will sit weekly as necessary to consider evidence provided by the parent that there are exceptional circumstances.

8.52 The Transport Eligibility Officer Panel will usually consist as a minimum of four officers from the:

- transport eligibility team
- Special Needs transport eligibility team
- 0-25 Special Educational Needs Team
- TCS provision team

and may also include:

- the Policy and Strategy Officer (Education)
- a representative from the School Admissions Service.

If identified as urgent by a Transport Officer, the issue raised on the Transport Request Form APP2 will be considered by any two of:

- Transport Manager (Policy and Appeals)
- Policy and Strategy Officer (Education)
- Education Transport Manager (General)

and one other member of the Transport Eligibility Officer Panel. If this does not resolve the issue, it will be referred to the Panel.

8.53 Where there is a house move or change of schools, this will be considered to be a fresh application.

Additional material related to the application that was refused, such as further medical information, will initially be considered by the Passenger Services Manager and may be referred to the Transport Eligibility Officer Panel if it is considered that it could lead to the original decision being changed. Otherwise, the parent will be directed to the Council’s complaints process or to the Local Government Ombudsman.

8.54 The Panel will be authorised to approve transport under exceptional circumstances where the costs do not exceed limits detailed at Appendix 3. Where the Panel is minded to approve transport on exceptional circumstances which would exceed those limits, the case will be referred to the County Councillor who is the Portfolio Holder for education transport. See paragraph 8.48.

Where a parent or post 16 student is dissatisfied by a decision of the Transport Eligibility Officer Panel or the Portfolio Holder, he or she may submit further information for consideration and refer the issue to a Panel consisting of LA Members.

Where transport assistance is refused and an appeal has been dismissed, there will be no recourse to a further appeal unless there is a significant and material change in circumstances likely to affect the appeal decision.

8.55 Where a parent feels that an appeal has not been conducted in a fair manner, he or she may pursue a complaint with the Local Government Ombudsman.

8.56 **Fees and Charges**

Fees and charges for education transport services will be set by the LA annually and are subject to change at any time. Current charges are detailed at Appendix 3.

Policy History				
Date	Summary of change	Contact	Implementation date	Review date
10/2017	2018-19 Policy updated to 2019-20	Policy and Strategy Officer	9/2018	10/2018
9 Feb 2018	Policy determined by the Cabinet of Devon County Council	As above	9/2018	10/2018
10/2018	2019-20 Policy updated to 2020-21	As above	9/2019	10/2019

9 Transport Provision

9.1 Efficiency

In all cases, transport assistance is provided for one inward and one outward journey to and from the educational establishment at the beginning and end of the official day.

Where transport is provided, there is an expectation that all children and young people will travel by public transport unless either no public transport is available or it would not be appropriate for the child or young person's individual needs. This will be a decision of a transport officer, basing the decision on any information provided by the parent, the school or college and on his or her previous transport history.

The parent, young person, school, college or other education setting may be required to provide medical or other supporting evidence where there is a request for provision other than by public transport.

9.2 The LA will use the following forms of transport provision, supported by Independent Travel Training where appropriate:

1. Public service vehicles including buses, trains and ferries
2. Contracted coaches and minibuses
3. Petrol allowances
4. Contracted taxis

The TCS arranges safe and efficient transport provision at the lowest possible cost commensurate with existing legislation and related Devon policies, where possible using existing public service provision. As far as possible, taxis will only be used in order to provide a link between a pick-up point and home. Where there is no reasonable alternative available, the TCS may exceptionally authorise the use of taxis for the whole of a journey.

Where it is not possible to use or to establish public service provision, or where the use of such provision would require a significant increase in costs, the TCS uses existing contract coach or minibus services. Where no such services exist, the TCS establishes and manages the necessary transport contracts.

Even where a specialist vehicle is not required, it may be necessary to use more expensive transport provision, such as taxi transport, in order to meet the specific needs of children. The TCS arrange transport at the lowest possible cost commensurate with the needs of the children being met. All provision is subject to review.

9.3 Transport is not necessarily provided from door to door. The assumption is that children will be required to walk to and from the nearest pick-up point for public or contract transport, accompanied by an appropriate adult as necessary (paragraph 9.21).

9.4 Children who are not entitled to transport assistance are not included in the planning of transport networks. No additional expenditure will be incurred in order to accommodate non-entitled passengers. This may mean that, for example, a smaller vehicle may be used on a route. The size of vehicle will be sufficient to carry entitled passengers but may not include space for concessionary passengers.

9.5 **Personal Transport Cost Allowance (PA)**

Where an entitlement to transport exists and there are difficulties in negotiating a suitable transport contract, parents who are able to convey their children to school may, in exceptional circumstances, receive a PA instead of transport being provided.²⁹

The PA is based upon a standard rate for mileage to and from the school twice a day for parents. The requirements of the journey will be taken into account in determining the actual rate to be paid. Parking, subsistence and other costs will not be met. See Appendix 3.

No arrangements are in place to pay an allowance in lieu of transport where a child uses a bicycle as transport to and from education.

9.6 Network Planning and Route Reviews

The TCS regularly reviews transport networks and individual transport routes. A review may result in a change of arrangements to be provided. Where possible notice will be given to parents of any changes to transport provision. It is for the LA to review routes in an efficient and timely manner, without raising parental expectations that preference for a particular form of provision will override the cost-effectiveness or efficiency. Consultation with parents will not normally take place as part of a route review unless a child's special educational needs indicate that he or she is particularly sensitive to change.

9.7 The anticipated impact of any change of provision will be taken into account particularly with regard to children with Education, Health and Care Plans (EHCPs) who may have a greater sensitivity to change. The impact of any proposed change will be considered. This may involve discussion with the school or the parent and the school.³⁰

9.8 Parents may receive notification at any time that the type of transport provision for their children's school transport is to be changed as a result of a review. Changes may involve:

- new pick-up and set-down points (paragraph 9.21);
- changes to timings;
- changes to the contractor employed;
- withdrawal of a PA where a vacancy arises on a vehicle.

Notice will be given of changes wherever possible, but some may need to be made at very short notice, for example as a result of sickness, road closures or the termination of a contract with a vehicle operator.

9.9 Passenger Escorts

There is no specific legal duty on the LA to provide escorts for children carried on education transport. However, fulfilling a duty of care to passengers and others may involve the provision of a passenger escort.

A passenger escort may be provided to accompany a child with significant needs arising from a medical condition or a disability and where there is an exceptional need for care or supervision.

²⁹ Claims for a PA will require the completion of a Petrol Allowance Form CT7. A copy is at Appendix 8.

³⁰ This may not be possible where, for instance, alternative arrangements have to be made during a school holiday.

The decision on whether to provide an escort will be made by the Passenger Services Manager.

9.10 In reaching a decision on whether a passenger escort is to be provided, the Passenger Services Manager will decide whether an escort is required for a child following an assessment of need in the light of evidence received. In making that decision he or she will take a number of factors into account. Such evidence may include information relating, but not limited to:

- medical issues
- health and safety related issues, including risk to self or others
- the child's mobility
- any challenging behaviour arising from the child's SEN
- where a passenger has severe learning or physical difficulties, the need for continual care and supervision
- capability
- length of journey
- the vehicle type and size
- the need to administer emergency medication; and
- the recommendation of SEN professionals.

The Passenger Services Manager will consider these as contributory factors in deciding whether a passenger escort is required. They will not be viewed as determining factors and are not meant to be an exhaustive list

Passenger escort provision will be reviewed annually.

9.11 The LA will seek to:-

- set out clear rules for providing transport and escort services
- ensure the safety of staff and each service user or group of service users who meet the criteria for the provision of transport
- incorporate existing best practice in its provision of transport and escorts using its resources in the most efficient and effective way
- provide transport services tailored to the needs of individual service users
- ensure that information on assessed needs is easily accessible and available to all those involved with the provision of the transport service, including any changes to needs identified
- ensure that all parties understand their roles and responsibilities
- promote, encourage and actively support service users to travel independently where appropriate.

9.12 Where a passenger escort is provided, he or she:

- will travel with the child from an agreed pick-up point to an agreed drop-off point.
- may assist with entry to and exit from the vehicle,
- will ensure as far as reasonably practicable, a safe journey for the child and other passengers,
- will provide a caring environment whilst on the vehicle
- will act as an extended communication channel between home, the school and the LA where appropriate.

- 9.13 A passenger escort may supervise more than one child on a journey, consistent with providing the appropriate level of service for each individual while they are on the vehicle.
- 9.14 First aid may only be given by an escort trained to do so. Some children may be at risk of anaphylactic shock. Risks will be minimised by not allowing anyone to eat on vehicles, except diabetics controlling their blood sugar levels. The escort will not generally administer any form of medication to service users. The escort will only administer any form of medication in an emergency, and only to a child who has a known medical condition and who has the appropriate medication or specific care plan with them; and then only when the escort has been trained to administer the medication or specific care plan.
- 9.15 Parents must provide details of all relevant up-to-date information regarding the child's needs. Once transport with an escort has been arranged, it will remain a parental responsibility to provide full, up to date details of any changes in the child's needs and circumstances, including any information specific to the journey or which should be passed on to others at the destination.
- 9.16 Parents must be ready at the arranged pick up and drop off times to ensure the child's safe handover with any medication to and from the escort.
- 9.17 Escorts are not assigned for the specific purpose of managing behaviour. An acceptable standard of behaviour is expected of all young people using DCC transport, as detailed in the Code of Conduct for behaviour.
- 9.18 Escorts are not assigned to assist or supervise young people to meet other vehicles or to escort them to their homes. It is a parental responsibility to get a child to the pick-up and from the drop-off point for education transport.
- 9.19 Escorts are not assigned to assist or supervise children between their vehicles and the school buildings at the beginning and end of journeys. It is the responsibility of the Headteacher or Principal to ensure adequate supervision for this transfer.
- 9.20 In exceptional circumstances, arrangements may be made for a parent to act as an escort for his or her own child. This will be where it is not possible to provide an escort and where there is no other child on the vehicle. Such an arrangement will be reviewed with a presumption that the agreement to act as an escort will be withdrawn at such time that an escort can be provided or the child will no longer be the sole child on the vehicle.

9.21 **Pick up and Set down Points**

A child will be expected to walk a reasonable distance to and from home to meet their transport. The distance to a pick up/set down point will not normally exceed:

- 0.75 miles for a primary phase child.
- 1.50 miles for a secondary phase child.

- 9.22 Parents are responsible for their children's safety in getting to and from the pick-up/set-down point. They are also responsible for their children while they are waiting for transport and when they leave the transport at the end of the day. Parents are advised not to leave their children unattended while waiting for a vehicle; they should remain with the child until the vehicle arrives.

Where parents choose not to accompany their children to the pick-up point it is a parental responsibility to ensure that the child has their travel pass with them before they leave home and that they know what to do in the event the vehicle does not arrive e.g. this could be returning home, going to a neighbour, or phoning the parent for assistance.

The LA is unable to provide a service to alert parents of delays on routes. Parents may seek information from the My Devon Customer Service Centre on 0345 155 1019 or from www.devonschoolclosures.info where delays have been reported to the LA.

9.23 Where a parent feels a pick-up/set down point is at an unsafe location, he or she should report those concerns to the LA. The safety of the pick-up/set down point will be reviewed by the LA.

9.24 Parents will be advised of the arrangements for the transport provided. The time given is the departure time at any given bus stop, station or pick-up point. Passengers should arrive at least five minutes before the scheduled departure time to ensure that they do not miss their transport.

Vehicle drivers will not wait for passengers and will seek to operate according to their published timetable except where a contract feeder vehicle links with another vehicle.

9.25 **Waiting Times**

Waiting time on school premises before and after school will not normally exceed 10 minutes. Where the school is on a split site, the normal 10 minutes arrival or waiting times will be varied, as time will be required to enable the transport to serve each site.

Although every effort is made to operate to timetables, where long or complicated journeys are undertaken, it is possible that there may be waiting time between connecting transport provision. Road and traffic conditions may cause these times to vary.

9.26 **When Education Transport does not run**

Travel to School There will be occasions when a vehicle does not arrive to pick up a child who is entitled to a journey as an eligible passenger or as a concessionary passenger. This may be because of bad weather including flooding or icy conditions where it is not possible for the vehicle to travel safely. In these circumstances, a parent may decide to make alternative transport arrangements to school. This will be entirely at the parent's discretion and own cost.

The parent would also be responsible for the return journey should conditions not have improved sufficiently for education transport to be provided safely.

For information on school closures due to bad weather, see <https://new.devon.gov.uk/schools/>

Travel to Home In all circumstances, arrangements will be made to return children to home or a place of safety where they have been taken to school by education transport.

9.27 **Journey Times**

The LA will not normally provide transport which requires a journey time greater than:

- 45 minutes for primary phase children.

- 75 minutes for secondary phase children.

Journey times may exceed these limits for exceptions such as:

- exceptional traffic or weather conditions;
- attendance at a special school;
- attendance at a remote boarding school;
- attendance at a remote school or institution in order to avoid exclusion;
- attendance at a remote school following a move in order to maintain educational continuity; or
- attendance at an alternative school following an exclusion or managed move.

9.28

Feeder Routes

In order to design efficient and cost-effective networks, the journey to and from school may involve a change of vehicle at a specified point along the route. Contractors are instructed not to depart from a change-over point until the connecting vehicle has arrived and the driver is certain that all the children have been transferred safely. This will not affect public service vehicles which will not wait for connecting public service vehicles – see paragraph 9.24.

9.29

Concessionary Seats

Where spare seats are available on existing education transport vehicles and where no public transport services exist, children who are not entitled to assistance may be allowed to travel on a concessionary basis. The LA will charge a fee in advance for the use of concessionary seats. The rate of charge will be reviewed annually. See Appendix 3.

Further information is available at

<https://new.devon.gov.uk/educationandfamilies/school-information/school-and-college-transport/concessionary-seats>

9.30

Concessionary seats are not guaranteed and will be withdrawn where the seats are needed for entitled children. This may happen, for instance, when:

- the transport route or network is reorganised, resulting in the provision of a vehicle with fewer seats;
- children move into the area who are entitled to transport; or
- a registered public service becomes available.

A minimum of one week's notice will be given to a parent when a concessionary seat is to be withdrawn. Where a concessionary seat is withdrawn, the LA will make an appropriate refund.

9.31

Waiting lists are maintained and seats may be offered when available. They will not be held on a first-come, first-served basis. The order of priority will be according to the following criteria:

1. previous entitlement to transport to the establishment
2. the presence of an entitled sibling on the vehicle
3. the presence of a concessionary sibling on the vehicle
4. attendance at the designated school (where the school is under the statutory walking distance and there is no entitlement to transport)

The siblings of entitled passengers will be the first to be offered. In determining priority within each category, those with the longest (by time) overall journey from home will be offered first. In the event that this tie-breaker is insufficient, a random number generator will be used to determine priority.

9.32 The TCS will offer concessionary seats as vacancies arise, subject to the following considerations:

- No concessionary seats will be available until the October half term each year. This is in recognition of the number of entitled passengers added to the transport network at the beginning of each autumn term.
- Where there is a reasonable expectation based on a particular route's operational history that a newly vacant seat will imminently be required for another entitled child, a concessionary seat may not be offered.
- If a route review is scheduled within the next term, a concessionary place may not be offered to avoid potentially offering a concessionary seat and removing it within a short period.

9.33 Where a concessionary seat is withdrawn, this will not be on a last-in, first-out basis. The order of priority will be according to the following criteria:

1. the presence of an entitled sibling on the vehicle
2. the presence of a concessionary sibling on the vehicle
3. attendance at the designated school (where the school is under the statutory walking distance and there is no entitlement to transport)

The siblings of entitled passengers will be the last to be removed. In determining priority within each category, those with the shortest overall journey from home (by time) will be withdrawn first. In the event that this tie-breaker is insufficient, a random number generator will be used to determine priority.

9.34 When a concessionary seat is abandoned by a parent, no refund for previously unused journeys will be given. If the Pass issued is returned a pro-rata refund will be given from the date received. Refunds may be subject to an administration charge.

9.35 Parents and children must sign to agree to a Code of Conduct in the same way as entitled passengers before a place is allocated. Concessionary seats are not available by right and if behaviour is not of an acceptable standard, the seat will be withdrawn (paragraph 9.35).

9.36 **Code of Conduct**

The LA has formulated Codes of Conduct to detail the standards of behaviour required of passengers on education transport. This is in the interests of the health and safety of all passengers, drivers and other road users. A child who persistently misbehaves on education transport will be deemed not to be abiding to the Code of Conduct. A potential consequence of this is a ban from travelling, either for a temporary or indefinite period.

Transport will not be provided for eligible children, young people or concessionary passengers until an application has been approved by the LA (or the LA has contacted the parent to advise that the child is eligible), a photograph and payment provided as necessary and the Code of Conduct agreed to by the child or young person and/or the parent.

The provision of a photograph and the acceptance of a travel pass will also be acceptance of the terms of the Code of Conduct.

The parent of a child of statutory school age will also be required to agree to the terms of the Code of Conduct. Parents of young people above statutory school age are encouraged to be aware of the Code of Conduct and support students in meeting its terms.

A child unable to sign his or her name due to age or SEN will not be required to sign to agree to a Code of Conduct. In signing on his or her behalf, a parent will be confirming that the Code of Conduct has been discussed with the child as fully as is possible and the parent is aware of the potential sanctions for inappropriate behaviour.

9.37 **No Pass, No Travel: Requirement to Carry a Pass**

All passengers are required to carry a pass if issued.

9.38 A child unable to present a pass when requested to do so by the vehicle driver or officer of the LA will not be carried on the vehicle.

An exception is detailed at paragraph 9.40.

Drivers will be given guidance and training on how to report these instances. A child who has been issued with a pass and persistently travels without it will be deemed not to be abiding by the Code of Conduct. A potential consequence is being banned from travel.

9.39 Devon operates a No Pass, No Travel Policy for the safety of its passengers and to restrict access to vehicles to entitled passengers. By limiting access to vehicles to entitled passengers, the LA seeks to avoid situations where entitled passengers cannot board because their seats are occupied by non-entitled passengers. A full vehicle cannot safely carry additional passengers.

Children and young people cannot board a public service vehicle without a pass or the means to pay for the journey. No Pass, No Travel takes the same approach with contracted vehicles.

9.40 It is a parent's responsibility to ensure that their children have a pass each morning to get on the vehicle to school or college. If not, the parent may have to return home with the child or make other arrangements to get to school. A driver meeting a feeder vehicle will not refuse access to a passenger coming from a feeder vehicle.

If a child loses the pass during the school day, he or she can approach the school to arrange for a temporary pass in order to get home. No entitled child will be refused access for the return journey.

9.41 It is a parental responsibility to ensure that the child is accepted onto a vehicle. The LA does not assume responsibility for the child's safety until he or she is accepted onto the vehicle.

Parents are advised not to leave children at vehicle pick up points before the vehicle has arrived and the child is on the vehicle.

Education Travel Policy 2018

Schedule of Fees and Charges

This Schedule is subject to change following the allocation of resources.

Contribution for concessionary passengers	£600 per year
Discount on contributions if paid in full in advance	£30
Upper limit for transport provided on temporary absence from home address grounds	£35 per day
Upper limit for transport provided where a child is temporarily rehoused	£35 per day
Upper limit for transport provided on temporary medical grounds	£35 per day
Upper limit for transport provided on educational continuity grounds	£25 per day
Upper limit for transport provided for children subject to a Managed Move from one establishment to another ³¹	£25 per day
Petrol Allowance	25p per mile

³¹Agreement to support transport will normally only be for a public service bus pass or a seat on existing transport.

Education Travel Policy 2018

Independent Travel Training

There are circumstances in which the LA will assist children with learning or physical disabilities to attend their education setting by providing individual travel training (ITT):

1. where there is a statutory entitlement to that assistance;
2. where there is no statutory entitlement to assistance but the LA has chosen to exercise its discretion to provide transport assistance; and
3. where specialised transport has been requested and the LA believes that the child could benefit from training to enable him or her to travel with a greater degree of independence.

ITT provides tailored, practical support for students to travel to education on foot or by public transport. Once developed, the skills to do this can be used when travelling to work, key support services or generally for leisure.

ITT is delivered through discussion and planning with the student and accompanied journeys. It is aimed at people less inclined to travel independently, including people with reduced mobility, learning difficulties, young inexperienced travellers and those who may be older but have lost confidence.

There are three broad aims:

- Increase the individual's independence;
- Improve the individual's quality of life
- Improve the efficiency of the LA's transport network by using the most cost-effective provision appropriate to the individual's needs.

With regard to ITT, the LA has the following aims:

- To enable the student to develop skills and confidence to travel as independently as possible and to be able to transfer those skills and confidence to other aspects of day to day life
- To reduce financial costs for the provision of transport assistance as much as possible, safely and appropriately
- To promote sustainable travel with the environmental benefit of a reduction in CO2 emissions
- To reduce the amount of time family, friends and professionals need to support the student
- To open new learning opportunities for students
- To enable students to be more engaged, motivated and requiring less support

The LA recognises longer-term benefits of ITT for the wider community:

- Reduced reliance on welfare benefits due to increase in independence and access to education and employment
- Reduced social care requirement
- Reduced costs to the health service due to health benefits associated with greater independence
- More people available for work
- Promotion of sustainable travel
- Increased use of public transport
- Greater access to community services and social integration

Assessing Potential to Travel Independently

Where a student's travel arrangements are amended from the most cost-effective provision because of his or her disability or where such a request is made for new travel arrangements, the TCS will assess the student to identify whether there is a potential for the student to travel independently.

The LA considers that Independent Travel Training has the following immediate benefits for the student:

- Enables the student to be more independent
 - Improves self-confidence
 - Increases the student's use of his or her own initiative
 - Reduces the student's reliance on family, friends and professionals
 - Improves social skills
 - Can have physical benefits where the student walks all or part of the way
- The TCS officers will identify candidates for ITT where a more independent journey to education is available but not used. Teaching staff and ITT trainers will jointly assess candidates and will reach a decision whether ITT should be offered. This will be where the student is believed to have the potential to benefit from ITT and to be able to travel independently.

The assessment will be undertaken by the Independent Travel Trainer. The form ITT1 will be used to record the referral, assessment and its conclusion.

A student or his or her parents cannot refuse the offer of ITT and continue on existing transport. It is for the LA to determine how the transport assistance will be provided. Nevertheless, any concerns of the family will be considered and ITT trainers will work with students and parents to overcome those concerns as fully as possible. Students and parents will have recourse to the Transport Officers Eligibility Panel and to the Transport Appeal process if they wish to overturn a decision to offer ITT.

ITT Delivery

ITT will include at least one of the following:

- One-to-one advice and information (or small group work)
- Accompanied journeys with the student
- More general training sessions concerning all aspects of undertaking a journey

ITT develops key skills:

- Personal safety awareness – including stranger danger
- Road safety awareness – such as road crossing, getting on and off vehicles
- Journey planning – telling the time, reading timetables
- Preparation – what to take, making allowances for weather or coping with changes
- Technology – using phones, smartcards and tickets
- Communication – with drivers and other passengers, including responding to unwelcome behaviour
- Using money if necessary

ITT will be delivered by trained officers who have undergone appropriate checks by the Disclosure and Barring Service (DBS).

ITT is delivered flexibly considering the needs of the individual. The aim will be to reduce support as confidence and competence increase until the point when the student can successfully travel independently.

Existing transport provision, including the use of taxis, will continue during the period of ITT or for a temporary period until an ITT trainer becomes available.

ITT is a dynamic learning process. During this process of learning the trainer will constantly assess and review the progress of the student. If, at any stage, the trainer does not feel independent travel is suitable he or she will recommend that training is halted temporarily or permanently.

Education Travel Policy 2020-21

Areas in Devon with more than one Designated School³²

1) Newton Abbot College and Coombeshead Academy

The College and Academy share a designated area for admissions purposes. Assisted transport on designated school grounds is not available to both schools from any one address as Devon provides school transport on designated school grounds to one school only.

Assisted transport on designated school grounds will be available to the establishment which was the designated school in the 2010-11 academic year (before the two areas overlapped) which is shown at www.devon.gov.uk/schoolareamaps. This approach has been adopted as recognising the closer of the two schools would have disallowed designated school transport from a large number of addresses around Ipplepen. By recognising the designated areas at the end of 2010-11, the LA has ensured that transport provision became no less favourable for any resident.

This does not affect free transport which is available to the nearest school to an address or free transport on low income grounds to one of the three nearest schools which lie between 2 and 6 miles from an address.

In all cases, the establishment must be further than the walking distance of 3 miles (or 2 miles for low-income eligibility).

2) Lady Modiford's Church of England Primary School and Meavy Church of England Primary School

The admissions designated areas for the two primary schools overlap at Dousland. This shared area lies within walking distance of two miles to both schools; therefore there is no entitlement to assisted education transport to either school on designated school grounds.

3) St Michael's Church of England Primary Academy, Exeter

The designated area for St Michael's consists of the parish of Heavitree, covering the designated areas or parts of the designated areas of a number of schools in the city. Where any address lies in the designated area of St Michael's and another primary phase school and further than a walking distance of two miles, transport on designated school grounds will only be available to the nearer of the two schools, not to both.

This does not affect free transport which is available to the nearest school to an address. In all cases, the establishment must be further than the walking distance of 2 miles.

4) St Helen's Church of England Primary School, Abbotsham

The designated area for St Helen's consists of the local parishes which extend beyond the designated area historically recognised for transport purposes. Where any address lies in the designated area of St Helen's and another primary phase school and further than a walking distance of two miles, transport on designated school grounds will not be available to St Helen's.

This does not affect free transport which is available to the nearest school to an address. In all cases, the establishment must be further than the walking distance of 2 miles.

5) Atrium Studio School

The admissions designated area for the School coincides with the areas for a number of secondary schools in south Devon. The LA does not recognise the designated area for the School for transport purposes.

³² This section may be amended following the determination of admission arrangements by own admission authority schools.

This does not affect free transport which is available to the nearest school to an address or free transport on low income grounds to one of the three nearest schools which lie between 2 and 6 miles from an address.

In all cases, the establishment must be further than the walking distance of 3 miles (or 2 miles for low-income eligibility).

6) Pilton Bluecoat Church of England Academy

The admissions designated area for the School was extended by the academy trust in 2014-15 to include the western part of the village of Ashford. This area is also designated to Southmead School in Braunton. The LA does not recognise this part of the designated area for the junior school for transport purposes.

This does not affect free transport which is available to the nearest school to an address. In all cases, the establishment must be further than the walking distance of 2 miles.

7) Cranbrook Education Campus and Clyst Vale Community College

The new town of Cranbrook is served by new or relocated schools. At secondary level, the town is served principally by Cranbrook Education Campus, the designated area for which comprises the new town development area. While Clyst Vale Community College also offers admissions priority for this area, it is no longer recognised for designated area transport eligibility purposes.

However, there will be a transition period during which Cranbrook Education Campus will gradually expand to the point where it operates five secondary Year Groups from Year 7 to Year 11. During this period, designated area transport eligibility to Clyst Vale will apply for any Year Group that is not in operation at Cranbrook. For example, where Year 9 is not operating at the Cranbrook, addresses in its area will still have transport eligibility to Clyst Vale (minimum distance eligibility will apply).

8) South Molton Community Primary School and South Molton United Church of England Primary School

From September 2016, the former Infant and Junior Schools will each become primary schools. Their shared designated area will be split with the community school taking the northern part and the Church of England school taking the southern part. There will be a transition period during which each school will gradually expand to the point where they both operate seven primary Year Groups from Reception to Year 6. During this period, the former combined area will apply for both admissions and transport purposes for any Year Group that is not in operation at both schools. For example, where Year 1 is not operating at the Church of England school, addresses in its area will still have admissions priority and transport eligibility to the community school (minimum distance eligibility will apply).

9) Sherford new town

Sherford Vale School is planned to open in September 2018. Its catchment area covers the new development which lies within the existing catchment for St Mary's Church of England Primary School. There would be no entitlement to transport to Sherford as properties would be within walking distance to the new school. The existing entitlements to St Mary's on designated school grounds is unaffected but will be reviewed in future years.

10) Feniton and Payhembury Church of England primary schools

The LA reviewed and extended the catchment area for Payhembury Church of England Primary School as it increased its capacity and Published Admissions Number for 2018-19. The increased catchment, taking in Talaton and its environs will be the recognised catchment for transport purposes from 2018-19. This area remains part of the admissions catchment for Feniton Church of England Primary School. Free transport on nearest school grounds to Feniton will remain from eligible addresses.

11) Tipton St John Church of England Primary School

This school may relocate to a new site to the west of the town of Ottery St Mary. If and only if it does, the governing body is consulting on a new catchment area that would be based on the current area and extend to the north around the area of the new site. This will overlap with existing catchments for Ottery St Mary Primary School and West Hill Primary School. Their catchments will be unchanged. The walking distances from the potential new catchment to the new site for Tipton St John would be less than 2 miles so there would be no impact on entitlement to free transport on distance grounds.

Education Travel Policy 2020-21**Schools with multiple sites:****1) Sidmouth Church of England Primary School³³**

For children attending either former infant school site, transport on designated school grounds will be available to the nearer site, with distances measured by the nearest available walking route. Designated school transport to the former junior school site will continue unaffected for those children attending in Key Stage 2. Normal walking distance criteria will apply for children living in the designated area for Sidmouth Primary School.

2) Queen Elizabeth's

Entitlement to education transport support will be based on the distance from home to the site at which the pupil will be educated: Lower School or Upper School.

³³ Sidmouth Primary School was formerly St Nicholas' Church of England Junior School, Sidmouth Infants School and All Saints' Church of England Infants Schools.

Route Safety Appeals

Appeals on the grounds that the walking route to school is unsafe and should be considered to be “unavailable” for a child to walk in reasonable safety accompanied as necessary by an adult.

1. On receipt of completed form a member of the Transport Co-ordination Service (TCS) will reconsider a request for school transport on route safety grounds.
2. A member of TCS will consider the points raised by the parent relating to route safety and, if necessary, make arrangements to physically look at the route and undertake an assessment of the walking route and consider whether it is available for a child to walk in reasonable safety accompanied as necessary by an adult.

Part of this assessment will take into account relevant accident data.

3. Where it is considered necessary, a route assessment will be undertaken either in the morning or afternoon at the time a child would normally be expected to walk to / from school or pick up / set down point.
4. In determining whether a walking route is available officers will have regard to statutory guidance issued by the Department for Education.
5. Officers will also consider guidance contained in the Road Safety GB booklet “**Assessment of Walked Routes to School**”.
6. The parent will be notified of the outcome of the route safety assessment and where necessary will receive a copy of the assessment.
7. Where a parent remains dissatisfied with the outcome decision, he or she require the appeal to go to the second and final stage of the appeal process, to be heard by elected members of the County Council.

7.8. The following would unless not in exceptional circumstances be taken into account:

- Parental finances
- Local weather conditions
- Unusual events - such as, road closures, construction work, flooding
- Lack of street lighting - the majority of roads in Devon do not have streetlights and lighting is not an issue all year round
- Lack of pavements - the lack of a paved footpath is not necessarily a reason to assess a route as unsuitable.
- The presence of uncut hedges
- Difficult terrain and arduousness of the route - steep hills are not a hazard
- Practicality or the time taken to walk the route

Glossary for School Admissions and Education Transport

Child has the meaning of either child or young person.
 Headteacher has the meaning of either Headteacher or Principal.
 Parent has the meaning of parent, carer or guardian.
 School has the meaning of academy, school or college.

0-25 Special Education Team	Formerly, the County Special Education Team of the People Directorate of Devon County Council. Responsible for assessing additional needs of children and allocating education placements for children with particular needs.
Academy	A school independent of the local authority, funded by the state. This includes free schools, studio schools and university technical colleges.
Behaviour and Attendance Partnership	A partnership between schools and Local Authority Services, and aims to ensure that children and young people benefit from the opportunities open to them through good school attendance and behaviour.
BESD	Behavioural, Emotional and Social Difficulties
Casual admission or in-year admission	Means any application to be admitted to a school in any year group that is received after 31 August. This excludes applications in the normal round of admissions to join a school at the first intake for that school.
Children in Care (CiC)	These children are looked after by or provided with accommodation in the exercise of its functions by Devon LA or any other local authority which has informed Devon LA of its wish to place a child. Also includes those children who were in Care until they were adopted or made the subject of a residence order or of a special guardianship order. These children were looked after until they were adopted (see the Adoption and Children Act 2002 section 46) or made the subject of a residence order (see the Children Act 1989 section 8) or a special guardianship order (Children Act section 14A).
Children formerly in Care	These children were looked after until they were adopted (see the Adoption and Children Act 2002 section 46) or made the subject of a child arrangements order or a special guardianship order (Children Act section 14A). Child arrangements orders are defined in s.8 of the Children Act 1989, as amended by s.12 of the Children and Families Act 2014. They replace residence orders and any residence order in force prior to 22 April 2014 is deemed to be a child arrangements order. This priority applies to all children who were formerly in care, regardless of the date they were adopted.
Code of Conduct	A written agreement between the local authority and the child and or the parent. It acknowledges the standards of behaviour required of passengers on education transport and the potential sanctions should behaviour be unacceptable.
Community School	State schools in England and Wales which are wholly owned and maintained by the Local Authority. The LA is the admissions authority – it has main responsibility for deciding arrangements for admitting pupils.

Compulsory or statutory school age	The age at which children in England must receive full-time education at school, at home or otherwise. This is from the beginning of the term following a child's 5 th birthday until the last Friday of June during the academic year when the child reaches 16.
Concessionary seat	A seat on a vehicle provided for education transport purposes to a child who is not eligible for transport. Concessionary seats are provided on a non-guaranteed and chargeable basis.
Contract vehicle	A bus, coach or taxi which has been hired by the Transport Co-ordination Service to serve a particular route to a school.
Designated Area	The geographical area served by a school. While admission is not limited to children living in the designated area, priority is given to residents for admission. Entitlement to free transport is generally, though not always, linked to residency within a designated area. Also known as the catchment.
DfE	The government's Department for Education.
Schools Company	Schools Company Devon Academy formerly the Devon Personalised Learning Service
Education, Health and Care Plan (EHC)	This replaces a Statement of Special Educational Needs as a formal document describing a child's special educational needs (SEN) and how they will be provided for in a school. The Children and Families Act 2014 provided for the phasing out of Statements by EHCPs.
Escort	An adult allocated to some vehicles where there is an identified need for supervision.
EWS	Education Welfare Service which employs Education Welfare Officers. The EWS is provided by the local authority through the Babcock LDP to support children in getting the most out of their education.
Exeat weekend	An exeat weekend means that boarding students are expected to leave the school after lessons have finished on the Friday afternoon to spend the weekend away from school with their family or guardian.
Extended Schooling	Provision for children to be on site at a school before or after the normal school day.
Feeder route	A journey part way between home and school. A feeder route will take passengers to meet the vehicle which arrives at the school
GIS	Geographical Information System. Also known as Mapscape. Measurement will be based on GIS. This is an electronic mapping system which makes measurements using computer software. In Devon, this means specifically the mapping system used by the Education Transport Team for measuring purposes.
Home Address	The LA when considering eligibility to transport support will not accept more than one address as the child's home address. The terms of a residency order may clarify the home address. Where necessary to determine which address to recognise and in the absence of a child arrangements order, the LA will consider the home address to be with the parent with primary day to day care and control of the child. In reaching this decision, evidence may be requested to show the address to which any Child Benefit ³⁴ is paid and

³⁴ Child Benefit will not be an automatic determining factor. This benefit is not universal and does not necessarily reflect where the child's resides for the majority of the time. Payment of the benefit can take some time to follow the child after a change in living arrangements.

	<p>from which the child is registered with a medical GP. Any other evidence provided by parents will also be considered by the LA in reaching a decision on the home address for transport purposes.</p> <p>This may be necessary for instance where parents do not agree on the child’s home address. Parents are urged to reach agreement or seek a Specific Issues Order from a court to decide which parent should or should not pursue an application. Where they do not, the LA will determine the home address. In reaching this decision, the LA will seek the views of those schools for which it is the admission authority.</p> <p>Where the LA asks for evidence of the address from which a child would attend school, this would usually be written confirmation of a house purchase or a formal tenancy agreement. It is recognised that some families may be unable to provide this – for example, where a house move is at very short notice or where a family is escaping domestic violence. Applicants who cannot provide this evidence should contact the LA. There is no intention to penalise families where there is a genuine reason why the usual evidence cannot be provided.</p>
Key Stage One class size legislation	The legal limit of 30 pupils in a class predominantly or wholly of pupils of Reception, Year 1 or Year 2 age where there is one qualified teacher. There are limited legal exceptions to this limit.
LA	The Local Authority – in Devon this is Devon County Council; neighbouring local authorities are Plymouth City Council, Torbay Council, Cornwall Council, Somerset County Council and Dorset County Council.
LA area	the area in respect of which Devon County Council is the Local Authority. This is the administrative county of Devon excluding that area in Plymouth covered by Plymouth City Council and that in Torquay, Paignton and Brixham covered by Torbay Council.
Link Education	Where education is provided by the Local Authority away from a school setting.
Linked Primary School	A school which works with a particular secondary school to develop curriculum links and to ease transition for pupils from primary school to secondary school. Attending a linked primary school does not guarantee a place. May also be known as a contributory or feeder school.
LLDD	Learners with Learning Difficulties and/or Disabilities
Low-income	<p>A family is considered to be in receipt of a low income for school admissions and education transport purposes if it is in receipt of the maximum level of Working Tax Credit or is eligible for Free School Meals.</p> <p>Schools that are their own admission authority are responsible for making decisions regarding admissions, including where it is necessary to reach a decision on where a child lives. The LA will provide assistance where requested.</p>
Mapscape	See GIS
My Devon Customer Service Centre	Helpline for information on services in Devon: 0345 155 1019 and mydevon@devon.gov.uk . The first point of contact at 0345 155 1019 for enquiries regarding school admissions and education transport. Queries which cannot be resolved at this stage will be passed on for specialist advice and assistance from the School Admissions Service or the Education Transport Team.

Normal admission round	This is when the majority of children are admitted to a school – into Reception for primary and infant schools; the beginning of Year 3 for junior schools, Year 7 at secondary schools, Year 9 or 10 at a university technical college or studio school and Year 12 for sixth forms.
Outside of the normal round	Any other time for admission than the beginning of the normal years of intake, see the normal admission round. Also called In-Year or Casual Admissions.
Parental preference	This describes the choice expressed by a parent for a child to attend a particular education setting which is not either the designated school or the nearest school with an available vacancy. In expressing parental preference to a more distant school, a parent disqualifies a child from any entitlement to free transport (unless there is eligibility on low income grounds).
Parents/family members	A parent is any person who has parental responsibility or care of the child. Where admission arrangements refer to 'parent's attendance at church' it is sufficient for just one parent to attend. 'Family members' include only parents and siblings. While applications and expressions of preference may come signed by two parents, only one parental signature is required. A parent is person with parental responsibility or officer of a LA exercising parental responsibility for a Child in its Care
Pick-up point	The place where an education transport vehicle will stop to collect a child entitled to travel.
Primary education	The meaning as in Education Act 1996 section 2 (1)
Primary school	The meaning as in Education Act 1996 section 5 (1)
PRU	Pupil Referral Unit
Reintegration Panel	A Panel consisting of representatives from schools which sits to determine the admission of children with challenging circumstances – following a permanent exclusion from a school or where he or she is at risk of a permanent exclusion.
Rising five	A child aged four who will reach five during the academic year and eligible for admission to a state-funded school Reception class.
Route review	An exercise by the Transport Co-ordination Service to consider whether the transport provided in an area is as efficient as possible.
School	A community, foundation, trust, voluntary aided or voluntary controlled school maintained by the LA or a state-funded academy, free school, university technical college or studio school.
School Admissions Service	A part of the People Directorate of Devon County Council. Responsible for managing applications for admission to state-funded schools.
Selective school	A school which admits all or some of its children following a test of the children's ability.
SEN	Special Educational Needs; recognition that a child requires additional support to appropriately access education.
SENCO	Special Educational Needs co-ordinator at a school
SENDISP	Special Educational Needs Disability Panel. This Panel is responsible for resolving appeals for school places where a child has a Statement of Special Educational Need.

Set-down point	The place where an education transport vehicle will stop to enable a child to disembark.
SLD	Severe Learning Difficulties
Statement of SEN	A document that sets out all of a child’s special educational needs and how and where special educational provision will be made. Statements will be phased out from September 2014 as they have been replaced by Education, Health and Care Plans under a provision of the Children and Families Act 2014.
Statutory walking distance	The maximum distance which the law expects a child to walk to and from an education setting each day, accompanied as necessary by a parent or carer. For children aged below 8, this is two miles each way. For children aged 8 and over, this is three miles. In Devon, all children at primary school are deemed to have a statutory walking distance of two miles.
Studio School	A school offering education at Key Stage 4 and above.
Supported Placement Panel	A Panel including the Headteachers and Principals of local secondary schools to assist in identifying the most suitable school for a pupil’s reintegration to school following, for example, a permanent exclusion.
Transport Co-ordination Service or TCS	The Transport Co-ordination Service, the team responsible for assessing eligibility and organising the education transport network. TCS will: <ul style="list-style-type: none"> • administer this and any other policies which are determined by Devon and which govern eligibility for transport assistance; • determine eligibility to travel support; • be responsible for management of the budget for education transport. • manage all operating arrangements including planning, provision and management of transport in the most appropriate and cost-effective manner; • determine the most appropriate form of transport provision; • plan and manage education transport on a day-to-day basis; • make arrangements for transport within 20 working days;³⁵ • establish effective and appropriate operating standards; • manage contract compliance with transport providers; • integrate transport needs of clients and public passenger transport networks.
Transport eligibility team	A part of the Transport Co-ordination Service. Responsible for determining eligibility for education transport.
Transport Eligibility Officer Panel	A Panel consisting of LA officers. Responsible for hearing appeals against decisions of the Education Transport Team to refuse transport. A further appeal exists to elected Members of Devon County Council.

³⁵ In many cases, arrangements will be in place more quickly. In other cases, the process may be delayed, particularly where additional transport is required, in more rural and remote areas and where transport operators and providers are scarce. The LA is required to follow tendering procedures for new routes.

Unavailable route	A road or other path which has been assessed by the local authority as unsafe for a child to walk along to and from school, accompanied as necessary by a parent or carer.
UTC	University Technical College – a school offering education at Key Stage 4 and above.

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RECOMMENDED TO CABINET

Education Travel for Post-16 Students

for the academic year 2020-21

This applies to Devon parents and their post-16 children seeking travel assistance to and from mainstream, state-funded sixth form and Further Education colleges.

Policy updated:	October 2018
Review date:	October 2019 for 2021-22 and then annually unless a need to review earlier is identified

Description of Policy

This policy describes travel arrangements for post-16 students in Devon.

Linked Policies

[Education Transport Policy](#)

[Special School Education Transport](#)

Education Travel for Post-16 Students

for the academic year 2020-21

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2020 Education Travel Post-16 – updated 31 January 2019

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General Information and Contacts

Date Determined	8 February 2019
Review date	Annual
Approval	by Cabinet Members of Devon County Council
Key partners	Babcock Learning and Development Partnership Devon Association of Primary Headteachers Devon Association of Secondary Headteachers Devon Association of Governors Church of England Diocese of Exeter Roman Catholic Diocese of Plymouth School Admissions Service
Author	Policy and Strategy Officer (Education) schoolsadmissionpolicy-mailbox@devon.gov.uk educationtransport@devon.gov.uk
Sponsors	Dr Phil Norrey, Chief Executive
Other contacts	Steve Roberts, 0-25 SEN Transport Manager 01392 383000 steve.roberts@devon.gov.uk Transport Eligibility Team of the Transport Co-ordination Service 0345 155 1019 – contact through My Devon Customer Service Centre schooltransportservicequeries-mailbox@devon.gov.uk educationtransport@devon.gov.uk School Admissions Service 0345 155 1019 – contact through My Devon Customer Service Centre admissions@devon.gov.uk Transport Co-ordination Service 01392 383000
Useful links	Department for Education Local Government Ombudsman; 0300 061 0614 PO Box 4771, Coventry CV4 0EH

Summary

The LA has a statutory duty to make arrangements to provide free home to school transport for some children of compulsory school age and discretion whether to provide transport for others. There is no statutory duty on local authorities to provide a formal universal Post-16¹ travel scheme although there is a duty to consider whether support is essential to facilitate continued participation in education. There is no automatic entitlement to home to college transport after the age of 16.

This document sets out Devon's approach to Post-16 Education Travel. Devon will make decisions with reference to its commitment to the Armed Forces Covenant which seeks to redress disadvantage of opportunity with the armed forces community.

Councils have a duty to publish a transport policy for Post 16 transport setting out their transport arrangements and the financial help available for learners of sixth form age (16-18 or after 18 if they started the course before their 19th birthday). They have discretion to set out our own arrangements but must have regard to various factors including:

- The needs of those who could not access Education if no arrangements were made;
- The need for young people to have reasonable opportunities to choose between courses;
- The distance and journey time of the place of study;
- It is for officers to decide whether a course of study represents a new course. There are some programmes of study which mean that each year a student achieves a qualification, certificate or training outcome but do not lead to a final overall qualification at the end of the programme or study or course. An example of this is a "skills for living" type course which does not lead to a final qualification and consists of individual certificates or training outcomes. Where a student undertakes a new qualification or certificate or training outcome this will be considered a new course even though the student will not have changed their programme of study.

Devon County Council expects that parents² will consider how students are going to get to and from college³ prior to applying and accepting a place. Where there is public transport serving a college, it expects that parents will make their own arrangements to pay for a bus or rail ticket and, where necessary, they will approach the college for assistance through their bursary scheme. Only where a parent can evidence⁴ that he or she is unable to make other arrangements to get the student to and from college and that the absence of LA travel assistance is an unsurmountable barrier to education will Devon provide travel assistance.

This is a transport policy for students under the age of 19. An exception to this will be consideration of support for students under the age 21 who started the same formal education course before

¹ Children are of statutory school age from the beginning of the term following their fifth birthday (or from the fifth birthday if it falls on 1 January, 1 April or 1 September) until the last Friday in the June of the academic year when he or she reaches 16 years of age. Where young people are over the statutory school age but taught in Year 11 in a secondary school, they will be considered as if they were still of statutory school age under the Education Travel Policy.

² In this document, any reference to parents should be taken also to mean the student unless otherwise specified. In most instances, travel arrangements will be made by the parent but post-16 students could make arrangements themselves. The term parent also includes carers.

³ In this document, any reference to college should be taken to include sixth form school or college and Further Education colleges. This means any education setting for post-16 students.

⁴ In this document, where a parent is required to evidence, this should be taken to mean that the parent must provide satisfactory evidence to the LA to support any request for assistance.

they were 19. Adult learners over 19 at a new College or undertaking a new course or level of course (e.g moving from a Level 1 to a level 2 course) will be signposted to Adult Social Care for advice.

Key points:

- There is no universal entitlement to travel assistance from the LA for post-16 students.
- Parents are responsible for making travel arrangements for their children unless the young person makes their own arrangements.
- Where parents are unable to make their own arrangements then it is their responsibility to approach the College and/or the Local Authority for assistance.
- Colleges are provided with bursary funds to support a student with travel, clothing, books and equipment for a course.
- Where there is financial difficulty, parents should approach colleges for assistance through their bursary scheme.
- The LA should only be seen as providing assistance where there is a barrier to accessing or remaining in education and where all other options have been investigated and are not available, as evidenced by the parent.
- Where travel assistance is provided by the LA, a contribution towards costs will be required.
- Where necessary, the LA may undertake an assessment of need.

POLICY

1 Equality Statement

- 1.1 Devon County Council will only commit to policies and practices which will eradicate discrimination and promote equality for all, regardless of age, gender, disability, religion and belief, race and ethnicity and sexual orientation.
- 1.2 This policy will be subject to an [Equality Impact and Needs Assessment](#). This assessment will be integral to all future policy and guidance reviews.

2 Safeguarding Statement

- 2.1 Devon County Council and its partners recognise that safeguarding is everybody's responsibility. Whether their interest is in all young people 'staying safe' in all aspects of our services, or whether they are working in specific areas of vulnerability, all staff will have appropriate training and induction so that they understand their roles and responsibilities and are confident in carrying them out. Schools, settings, children, young people and their parents or carers, or any member of the community should feel secure that they could raise any issues or concerns about the safety or welfare of children and know that they will be listened to and taken seriously. This will be achieved by maintaining an ethos of commitment to safeguarding and promoting the welfare of children and young people. This is supported by a clear child protection policy, appropriate induction and training, briefings on and discussion of relevant factors and refreshed learning in line with current legislation and guidelines.
- 2.2 Devon County Council acts as a Corporate Parent for Children in Care. This means that the LA has a legal and moral duty to provide the kind of support that any good parents would provide their own children. This policy has been written to comply with this principle.

3 Legislative Background

- 3.1 This policy is made by Devon County Council (DCC), the Local Authority (LA) for the County of Devon, acting under the provisions of the Sections 508 and 509 of the Education Act 1996 and Schedule 35B inserted by Part 6 of the Education and Inspections Act 2006. It supersedes any previous agreement or policy. The policy applies to the academic year **2020-21** and will be reviewed annually. There should be no assumption that any discretionary elements of the policy will continue in future policies although Devon's approach has so far been not to remove provision from children who were receiving support at the point when a change to policy was made.

It was determined by the Cabinet of Devon County Council on 9 February 2018 following a public consultation hosted at www.devon.gov.uk/admissionarrangements

POLICY

4 Who is eligible for LA Travel Assistance?

4.1 There is no universal entitlement to travel assistance from the LA for post-16 students who are above statutory school age. All applications are looked at on a case by case basis. Individual circumstances will be considered and assistance may exceptionally be made available for post-16 young people who:

- live in the Devon County Council administrative area;⁵ and
- are under 19 on 31st August immediately preceding the start of the academic year;⁶ and
- attend the **nearest** appropriate establishment for their post-16 education; and
- live more than 3 miles from the college;⁷ and
- are in full-time⁸ education;⁹

and provide satisfactory evidence to the LA:

- that they have applied to their college for financial assistance, with details of the level of support offered; and
- of the cost to them if they were to make the necessary travel arrangements;¹⁰ and
- of a medical condition or other circumstance that would prevent the parent making the necessary travel arrangements, and
- of their financial circumstances e.g. proof of receipt of means tested benefit.
- that transport is an insurmountable obstacle to attendance.

4.2 Where a student does not attend the nearest establishment because of their chosen course, they will be required to provide evidence that the course is essential for entry to Higher Education.¹¹ It must be evidenced that a similar alternative course is not available closer to home.

4.3 Where the LA is satisfied that there is a need for travel assistance to be provided, that assistance will be chargeable in all cases.¹² This will be a contribution towards the costs incurred by the LA. For students from a low-income household, the parent will be expected to have sought financial support from the college bursary scheme to pay towards that contribution.¹³

⁵ That is the county of Devon except for the Plymouth City Council and Torbay Council areas.

⁶ Or he or she must be attending a specific course for those with learning difficulties and be required to attend beyond the age of 19 in order to complete the course. (Support would then continue until the end of the academic year during which he or she reaches 21 in order to attend the same course at the same establishment.)

⁷ The nearest sixth form to the home address or, where the nearest secondary school does not have a sixth form, the nearest FE College. Where the chosen course is essential and is not available at the nearest establishment, attendance must be at the nearest college to the home address offering the course, or one very similar. The nearest establishment may be in another local authority area.

⁸ At least 16 hours of education over at least 3 days a week.

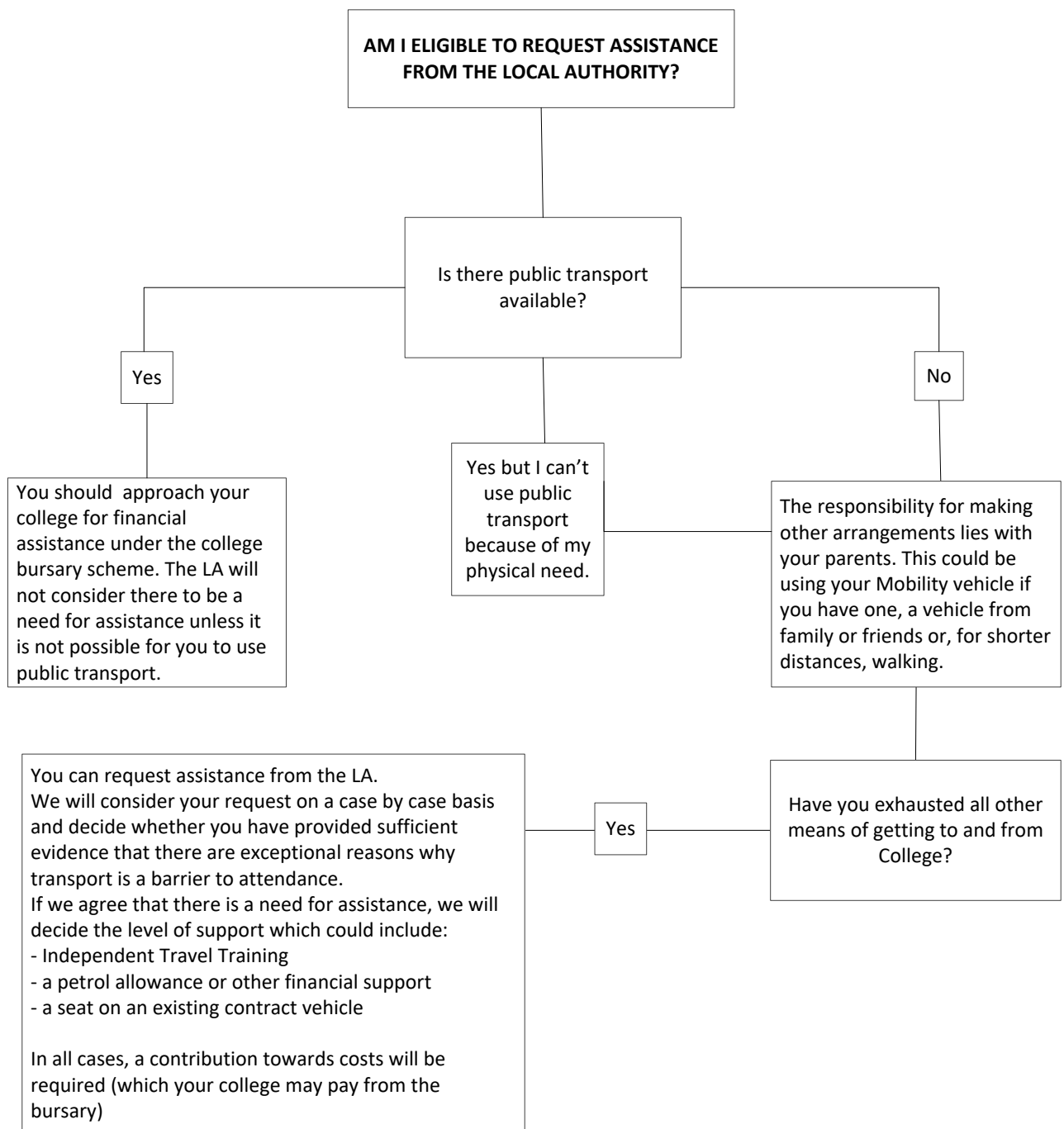
⁹ Travel assistance is not provided to students undertaking work placements, apprenticeships or traineeships. In these circumstances, young people are advised to contact their employer or learner provider.

¹⁰ This should be the most cost-effective arrangements possible.

¹¹ Confirmation of current entry requirements or a letter from the Higher Education setting stating that the course is essential for entry to the Higher Education course. 'A' levels are adequate for entry to university and therefore the wish to study the International Baccalaureate rather than 'A' levels is considered an expression of preference.

¹² The LA will not require a contribution towards the costs of providing Independent Travel Training.

¹³ A contribution to the cost of transport support is required in all cases, including where the young person has an Education, Health and Care Plan.



5 What would LA Travel Assistance consist of?

- 5.1 In cases where the LA agrees assistance it will be for a "main road" type of service only. Parents will be expected to make their own arrangements for transport to a specified pick up point. Transport assistance will not necessarily be for a door to door service.
- 5.2 Any assistance offered will be to the college start and finish times, based on one inward and one outward journey each day. Travel assistance will not be tailored to meet individual timetables, i.e. where contract vehicle timetables are not in line with that of the student. In such circumstances parents are expected to make suitable adjustments to travel arrangements.

The LA will determine the most appropriate travel arrangements. There will be a presumption in favour of shared travel arrangements. It will not be the LA's responsibility to get a student to a pick up point.

5.3 The type of assistance that may be provided will be the most cost effective for the LA and will be open to review.¹⁴

- provision of a Vacant Seat on a LA contract vehicle;¹⁵ or
- a financial allowance to assist with travel costs to and from college or to and from an appropriate pick-up/drop-off point for a public service or LA contract vehicle; or
- Independent Travel Training.

Where the journey time is lengthy or requires changes of vehicle as a result of the course chosen by the student, whilst assistance may still be offered, the parent will be responsible for managing that journey.

6 How would students get to and from college without LA assistance?

6.1 Before the LA will consider providing travel assistance to the **nearest appropriate** College or designated sixth form, it will require the parent to evidence that all other options have been explored and that no other arrangements or sources of support are available. This includes whether the student could:

- walk to and from college; or
- use a bicycle; or
- use a motorcycle or moped; or
- use a car provided by family or friends; or
- access public transport; or
- make other arrangements.

In many cases, the student will be able to walk to and from college or travel using public transport. Where this is the case, there is no need for the LA to assist in any way.

6.2 The LA expects that travel by public transport will be funded either by the family, with or without the support of the college bursary scheme. If, after approaching the college, the parent is able to evidence that there remains a genuine hardship acting as a barrier to accessing or remaining in education, the LA will consider offering additional assistance. Students must attend their **nearest appropriate** College or designated sixth form in order to require assistance from the LA.

7 How do Parents request LA Assistance?

7.1 Where a parent is unable to make other arrangements to enable the student to travel to and from college, the flow chart on page 9 above will assist in self-assessing whether assistance may be available from the LA. Parents should also visit the LA website at <https://new.devon.gov.uk/educationandfamilies/school-information/school-and-college-transport> or to contact the Devon Customer Service Centre on 0345 155 1019 for advice and t.

7.2 All requests for assistance will be considered on a case by case basis. While they may be challenging for parents, the LA does not consider that the following circumstances are likely to be exceptional on their own:

- parents' work hours or child-care arrangements not fitting in with public service times or college times; or
- parent's need to get other children to and from school;

¹⁴ While it may be agreed to provide a financial allowance to a parent, should other students require support in the same area, it may become more cost-effective for the LA to offer Vacant seats on a vehicle.

¹⁵ The LA will not assist with travel on public service vehicles as parents will be able to make their own arrangements, supported financially by college bursary schemes where appropriate.

- the convenience of using a family vehicle (including Mobility vehicle provided for the student) for other purposes; or
- an unavailable route, assessed by the LA¹⁶.

7.3 The LA's assistance may include offering a Vacant Seat on a LA contract vehicle where there is no access to suitable public transport.

8 Appeals, Comments and Complaints

8.1 When a request for travel assistance is refused, the LA provides for parents to pursue their request for assistance to:

- The Transport Eligibility Officer Panel, who will review the case and decide if there is sufficient argument to set aside the normal policy.
- The School Transport Appeal Committee, consisting of elected Members, where a parent, may put their case in person.

Information regarding the appeal process may be viewed at,

<https://new.devon.gov.uk/educationandfamilies/guide/secondary-school-transport/sec-appeals>

Where travel assistance is refused and an appeal has been dismissed, there will be no recourse to a further appeal unless there is a significant and material change in circumstances likely to affect the appeal decision.¹⁷

Where a parent feels that an appeal has not been conducted in a fair manner, he or she may pursue a complaint with the Local Government Ombudsman.

Comments about the service provided under this policy or general queries can be made by telephoning the My Devon Customer Service Centre on 0345 155 1019 or by emailing the Transport Co-ordination Service. If the issue is a complaint about the transport service or policy, the complaint process may be viewed online at www.devon.gov.uk under "Have Your Say", <https://new.devon.gov.uk/haveyoursay/feedback-and-complaints/>.

¹⁶ The legal requirement to provide education transport where the route is deemed unavailable to be walked, accompanied as necessary, only applies to students of statutory school age. Therefore, such circumstances will not confer an entitlement to travel assistance for post-16 students.

¹⁷ It will be for the LA to accept whether any change in circumstances is significant and material to the case.

Policy History

Date	Summary of change	Contact	Implementation date	Review date
10/2017	2018-19 Policy updated to 2019-20	Policy and Strategy Officer	9/2018	10/2018
9 Feb 2018	Policy determined by the Cabinet of Devon County Council	As above	9/2018	10/2018
10/2018	2019-20 Policy updated to 2020-21	As above	9/2019	10/2019

PROCEDURE

This Appendix provides guidance and detail for officers of the LA in operating the policy.

Appeals - When a request for travel assistance is refused, parents can pursue their request for assistance to:

- a Transport Eligibility Officer Panel;
- a Panel consisting of elected Members.

Where a parent feels that an appeal has not been conducted in a fair manner, he or she may pursue a complaint with the Local Government Ombudsman.

Appeal Panel - there is access to an appeal panel consisting of County councillors where a parent is dissatisfied with a decision to refuse assistance. The Appeals is a second tier of appeal after the Transport Officer Eligibility Panel.

Applications - Travel assistance is not provided automatically for any student. Parents must make a formal request as early as possible to enable appropriate provision to be put in place. Establishing that there exceptional need to support from the LA may take some time.

Where assistance is agreed, it will be for that academic year only. The parent can make a further request for the following year if that is necessary.

Attendance - Where travel assistance is agreed, it may be reviewed termly, taking into account the student's attendance. Assistance may be withdrawn if attendance is less than 95% as a result of unauthorised absences. The LA reserves the right to suspend transport assistance until a reintegration plan is agreed between parent, student and establishment.

Boarding - Where a parent has decided to educate the student at a boarding college, no assistance for transport will be available from the LA solely on that basis.

Where the LA provides travel assistance for a student who boards at a college, it will be provided in accordance with the boarding arrangements where the usual distance criteria are also met:

- weekly boarders will be provided with journeys from college on Friday afternoons and to school on Monday mornings
- termly boarders will be provided with journeys from school at the end of each term and half-term and to school at the beginning of each term and half-term
- termly borders will be provided with transport for exeat weekends only when the school's residential facility is closed¹⁸
- unused journeys will not be carried forward

Children of Passengers - Where a student is carried on education transport and is also the parent of a child, the LA will seek to support the student's education and any wish to be accompanied by the child. The following will be taken into account:

- the safety of the parent and child and others on the vehicle;
- suitability of the vehicle;
- costs which carrying the child would incur.

Code of Conduct - The LA has formulated Codes of Conduct to detail the standards of behaviour required of passengers on education transport. This is in the interests of the health and safety of all

¹⁸ Where there is doubt, the 0-25 Special Education Team will confirm whether the child is required to return home for the weekend. An exeat weekend means that boarding students are expected to leave the school after lessons have finished on the Friday afternoon to spend the weekend away from school with their family or guardian.

passengers, drivers and other road users. A student who persistently misbehaves on education transport will be deemed not to be abiding to the Code of Conduct. A potential consequence of this is a ban from travelling, either for a temporary or indefinite period.

No alternative transport assistance will be provided. Students will be responsible for making their own arrangements.

Transport will not be provided for students until a request has been approved by the LA, a photograph and payment has been provided as necessary and the Code of Conduct agreed to by the student and/or the parent.

The provision of a photograph and the acceptance of a travel pass will also be acceptance of the terms of the Code of Conduct. Parents of post-16 students are encouraged to be aware of the Code of Conduct and support students in meeting its terms.

Colleges with Multiple Sites - Where a college operates with more than one site, travel assistance will be based on the distance to the main site.

Where a college out-sources all or part of the education provision, the college will be responsible for all transport arrangements to and from the off-site provision. Travel assistance will be arranged to the main college site only. Transport to an alternative place of study will not be supported by the LA.

College [16 to 19 Bursary Scheme](#) - If there is a financial barrier to the young person remaining in education the college should be approached for assistance. All colleges receive funds for a 16-19 bursary scheme to provide targeted help to individuals in need. They may exercise their discretion to make financial awards to young people in ways that best fit their needs and circumstances. Bursary awards should be targeted towards young people facing financial barriers to participation, such as the costs of transport, meals, books and equipment. There are two types of bursaries:

Exceptional need bursary – the DfE calls this the Vulnerable Student Bursary

Students could receive up to £1,200 if they:

- are in Care to a Local Authority or have recently left LA Care; or
- receive Income Support in their own name; or
- are disabled and receive both Employment Support Allowance and Disability Living Allowance in their own name.

Discretionary Bursary

Parents can apply for a discretionary bursary if they are not eligible for a vulnerable bursary but need financial help for their children to stay on in a school, college or training provider.

Concessionary Seats – These are seats on contract vehicles provided by the LA, available for a contribution towards costs for students who have no entitlement to assistance from the LA. That may be because the parent has not shown that the establishment is not the nearest appropriate establishment.

Concessionary seats are subject to removal should they be required by a passenger with an entitlement to transport.

Costs - Whenever the LA provides discretionary transport assistance, it will take into account whether the costs to the LA are reasonable and sustainable when determining the form of assistance to be provided. The LA has limited resources to provide discretionary support. Colleges are provided with specific funds to be deployed through their own bursary schemes.

Distance - Students must live beyond a minimum walking distance of three miles from the college unless he or she is unable to walk that distance, accompanied as necessary.

Equal Cost Grounds - The LA does not provide travel assistance to an alternative college on the grounds that there would be no additional cost than would be incurred should transport be provided to a closer college.¹⁹

Exceptional Medical Reasons (parent or student) - will be considered as part of assessment of need process which will consider all relevant factors

The requirement for travel assistance will be reviewed no less than termly.

Assistance with transport on the grounds of a parent's medical reasons will not be considered where the student does not require the parent to accompany him or her to college.

Exceptional Need - In very limited circumstances, the LA may consider that a student requires transport support to a college to which there would not otherwise be an entitlement to assistance from the LA or other source.

The LA reserves the right to provide support where it considers this to be essential to meet the needs of the individual. In doing so, social, medical and educational needs of the student will have been considered. A decision should not be seen as a precedent for other children whose circumstances may appear to be similar.

Faith-based Schools - The LA has a duty²⁰ to have regard to the preference of a parent to have a child attend a school or institution on the grounds of the parent's religion or belief. This is not a requirement on the LA to provide travel assistance.

Fees and charges - Fees and charges for education transport services will be set by the LA annually and are subject to change at any time. Any allowance would be net of the required contribution. For example, if the costs were assessed as £800 a year, the allowance would be £800 less the contribution of £600 in the academic year.

The contribution to costs must be paid in advance for the academic year before a seat is made available or other arrangements put in place. Where a student no longer requires travel assistance, the travel pass must be returned to the address on the reverse of the pass. When a Travel Pass is received a refund will be made based on the time left before it expires.

Independent, Fee-Paying Schools²¹ Where a parent has decided to educate the student at an independent school, no assistance for transport will be available from the LA.

Where the LA arranges for a student to receive education at an independent school as part of an EHCP, that college will be deemed to be the nearest college for the purposes of a request for travel assistance (except where it named is the result of parental preference and where a closer college could meet the student's needs.)

¹⁹ There may be additional cost either immediately or subsequently where a vehicle is no longer required for an entitled passenger. An alternative route may currently of equal cost but will be subject to a price increase or change which would require, for instance, a larger vehicle

²⁰ Education and Inspection Act 2006.

²¹ This does not include academies, free schools, studio schools or university technical colleges. Although independent of the LA, they are state-funded establishments. Here independent schools are those which charge fees to parents.

Independent Travel Training In some cases, ITT will have been considered before a student reaches the end of statutory education. It should be considered as part of the EHCP process along with personal budgets and Mobility schemes.

Measuring Distances - Distances up to the three mile walking distance are measured by the shortest available walking route. This may include metalled roads, recognised footpaths and bridleways.

Distances above three miles are measured by the shortest available road route for the entirety of the distance.

Measurements of distance for transport purposes are made between the nearest entrance to the student's property (usually the front gate or entrance to the property) and the nearest official entrance to the college grounds.²² Measurements are made using Devon's electronic Geographic Information System shown at www.devon.gov.uk/schoolareamaps.²³

No Pass, No Travel: Requirement to Carry a Pass - All passengers are required to carry a pass if issued to them.

It is the responsibility of the parent to ensure the student arrives on time, carrying any pass that is issued.

Parent - In this policy, parent should be read to include carer or guardian where appropriate. Post-16 students may also apply for a school or college place in their own right and also make their own arrangements for transport. While parents will act in this area in the majority of cases, references to parents in this policy should also be read as the student where this is the case.

Participation Age - Nationally, the Participation Age has been increased. The Participation Age is not the same as the statutory school age. The effect of the Raising of the Participation Age is that a young person who ceased to be of statutory school age but has not reached the age of 18 or attained a Level 3 qualification is under a duty to participate in education or work-based training. This statutory requirement on young people is not accompanied by a statutory entitlement to transport support.

Passenger Escorts - The LA will arrange for an escort to be allocated to a particular student or for a vehicle where it is considered appropriate to do so in the interests of safety or welfare. All requests for an escort will be considered on a case by case basis. Provision will be reviewed regularly, including at the end of statutory education.

Pick-up and Drop-off Points - Travel assistance will not necessarily be from door to door. The responsibility for getting a student to and from a pick-up point lies with the parent. The LA does not assume that the student will walk to and from the pick-up point but where he or she does, it is the responsibility of the parent to accompany the student as necessary.

Preference - There is no entitlement to transport where a student attends a school or FE College which is not the nearest available appropriate establishment to the home address unless it can be evidenced that the student could not attend a closer college.

²² It should be noted that transport is not provided on private grounds such as private driveways.

²³ Distances for School Admissions purposes are measured in a straight line while distances for Education Transport purposes are measured along available walking routes or road route. This means that the nearest school for admissions purposes may not be the nearest school for transport purposes. It cannot be assumed that there will be free school transport to the nearest available school as measured for admissions purposes. Parents should always consider whether there would be an entitlement to transport support to a new school.

Recoupmnt - Where a Child in Care with an EHCP is accommodated by another LA within Devon, this LA may make arrangements for the student's education transport. The costs of that transport will be recovered from the home LA.

Prior to any provision being put in place, the 'belonging' LA must agree to the transport arrangements and costs with Devon' Transport Co-ordination Service – and supply an LA Order Number.

Residence - Transport support will be provided to and from one residential address in Devon, deemed by the LA to be the student's main home address.

Responsibilities and Expectations

- Parents**
- to accompany a student as necessary when walking or travelling to and from college or a pick-up point and to wait with the student until the vehicle arrives;
 - to ensure that a student has their travel pass (where issued) with them before they leave home;
 - to ensure the student knows what to do in the event they have lost their travel pass and are refused travel, or if for any reason the vehicle does not arrive;
 - to formally request travel assistance in good time²⁴ except where the student does so in his or her own right;²⁵
 - to provide evidence of personal circumstances in support of any request or appeal for transport;
 - to pay any contribution towards costs that are required directly or indirectly via the college bursary scheme;
 - to apply for support through the college bursary scheme;
 - to inform the LA of any change of address or college and to return any pass that was issued for the previous address;²⁶
 - to apply for a seat on a contract vehicle provided by the LA.
- Students**
- to consider how they will get to and from college before accepting a place there;
 - to use and pay for public transport where this is available;
 - to make their own way to a public transport pick up point;
 - to approach if necessary their college for transport support (via 16-19 Bursary);
 - to be aware of commercial tickets and discounts available from public transport operators;
 - to evidence they have approached their college for support;
 - to evidence that they have considered and exhausted all other options to make and pay for their own travel arrangements;

²⁴ Consideration of transport arrangements should be made at the same time as considering colleges and courses. As a guide, requests for LA assistance should be made by the end of May each year, and contributions towards costs made by the end of June.

²⁵ Parents of children with an EHCP must complete a transport application form where more detailed information is required to ensure the most appropriate form of transport is provided.

²⁶ Where a pass is not returned, the parent or student will be liable to pay all costs of the pass from the date it became invalid. Where a contribution was required towards the cost of a pass, no refund will be paid by Devon for the period when it was no longer required until the pass is returned.

- to make any approach for assistance from the LA in good time²⁷ before the start of the course;
- to pay any contribution towards costs that are required directly or indirectly via the college bursary scheme; to comply with requests for further information or evidence required by the LA in order to fully consider their request for support;
- where appropriate, to work with Independent Travel Trainers;
- to agree to and abide by the “Code of Conduct;”
- to attend regularly (at least 95%).

Colleges

- to provide clear information to students about their 16-19 bursary schemes;
- to provide evidence when requested of the outcome of applications for assistance under their bursary scheme;
- to provide evidence of attendance for individual students when requested.

Local Authority

- to provide transport assistance in the exceptional circumstances when there is an evidenced need to do so, where it accepts that the absence of transport would be a barrier to regular attendance and learning;
- to administer a scheme to make seats available on contract vehicles where there is a need for assistance;
- to determine what assistance will be allocated on a case by case basis;
- to monitor attendance levels for students provided with transport assistance;

Selective Schools - There is no entitlement to transport on the grounds that a college attended is selective. The LA is not obliged to have regard to a preference to attend a selective college when arranging transport.

Students with Additional Needs - There is no automatic entitlement to free transport following the issue of an EHCP. Parents of students with SEN are advised not to rely solely on presenting a case that a college is named in the EHCP in cases where it has been named as a result of parental preference.

Students with SEN may have specific needs that require the use of specialist transport provision. Even where a specialist vehicle is not required, it may be necessary to use more expensive transport provision, such as taxi transport, in order to meet specific needs. The LA arranges transport at the lowest possible cost commensurate with meeting the needs of the student.

Whereas transport assistance is available only to the end of the academic year in which a young person reaches 19, an exception may be made where the young person has been studying a specific course for those with learning difficulties and is required to attend beyond the age of 19 in order to complete the course. Support would then continue until the end of the academic year during which he or she reaches 21 in order to attend the same course at the same establishment. Transport support will continue without disruption as necessary to that point

Temporarily Rehoused (not returning to the former home address) The LA may provide transport support for up to 12 calendar weeks where a student is temporarily rehoused due to circumstances beyond the control of the parent and where the parent can evidence that they would otherwise be unable to get the student to and from college. After this period, it is expected that arrangements will be made to attend a closer college.

²⁷ Consideration of transport arrangements should be made at the same time as considering colleges and courses. As a guide, requests for LA assistance should be made by the end of May each year, and contributions towards costs made by the end of June.

Rehousing must have been involuntary, for example, a move to bed and breakfast or hostel accommodation following eviction, awaiting a new permanent address. The parent must provide supporting evidence which may include letters from other relevant teams in the LA, a Housing Association or landlord to confirm the student cannot return to the former home address and the new address is not considered to be a permanent address.

The LA will not assume that the family will be rehoused in the same area as the former home unless there is a clear view from a Housing Association or landlord that this will be the case.²⁸

Any assistance will be in very exceptional circumstances, subject to an assessment of need. This provision does not apply to Children in Care, the responsibility for whom will fall to social care.

Temporary Absence from the Home Address (intention to return) - The LA will provide travel assistance for up to 12 calendar weeks where a student is absent from the home address due to circumstances beyond the control of the parent and the parent can evidence that they would otherwise be unable to get the student to and from college.

The temporary move must have been involuntary, for example following fire, flooding or where essential repairs are required to the home. The parent must be able to establish that the student will be able to return to the same address. The parent must provide supporting evidence to the LA, for example, a letter from a landlord confirming that the family can return to the property.

Any assistance will be in very exceptional circumstances. This provision does not apply to Children in Care, the responsibility for whom will fall to social care.

Transport Eligibility Officer Panel - The Panel will consider requests for students to receive travel assistance where a request has been refused. The Panel will sit weekly as necessary to consider evidence provided by the parent that there are exceptional circumstances that mean the decision to refuse assistance should be set aside.

The Panel will consist of senior officers of the LA with responsibility in transport management and policy and Special Educational Needs.

The Panel is authorised to approve transport assistance under exceptional circumstances with a cost limit. Approval above this limit must be referred to the Portfolio Holder.

Where there is a house move or change of colleges, this will be considered to be a fresh application. Additional material related to the application that was refused, such as further medical information, will initially be considered by the Passenger Services Manager and will be referred to the Transport Eligibility Officer Panel if it is considered that it could lead to the original decision being changed. Otherwise, the parent will be directed to the Council's complaints process or to the Local Government Ombudsman.

Where the Panel does not agree to provide travel assistance, there will remain a right of appeal to an Appeal Panel consisting of County Councillors.

Transport Passes - Students are expected to carry a pass where one is issued and show this to the driver or officer of the LA when requested to do so.

²⁸ Where a Child in Care is placed outside the Devon LA area, it will be the responsibility of the receiving LA to make appropriate education transport arrangements. Devon will be liable to meet reasonable costs only where the Child in Care is the subject of an EHCP.

Transport provided in Error as a Result of False Information - Where transport has been agreed as a consequence of information provided by the parent which was false or misleading and where correct and accurate information would have resulted in a refusal for transport, provision will be withdrawn. This may be with immediate effect and will normally be with notice of withdrawal not less than 4 calendar weeks.

The costs of providing the travel assistance may be recovered from the parent.

Transport provided in Error or following a Change in Assessment - Where transport has been agreed as a consequence of an error of the LA or where an improvement in the accuracy of methods for assessing eligibility identifies that transport has been provided for a non-eligible student,²⁹ provision will be withdrawn.

Notice of withdrawal will be not less than 12 calendar weeks.

Transport Provision - Where travel assistance is provided, there is an expectation that all students will travel by public transport unless either no public transport is available or it would not be appropriate for the student's individual needs. This will be a decision of a transport entitlement officer, basing the decision on any information provided by the parent, the college and on his or her previous transport history.

The following forms of transport will be used, supported by Independent Travel Training where appropriate:

1. Contracted³⁰ coaches and minibuses³¹
2. Petrol allowances³²
3. Contracted taxis

The LA will arrange safe and efficient transport provision at the lowest possible cost commensurate with existing legislation and related Devon policies, where possible using existing public service provision. As far as possible, taxis will only be used in order to provide a link between a pick-up point and home. Where there is no alternative available, the LA may exceptionally authorise the use of taxis for the whole of a journey.

Where it is not possible to use or to establish public service provision, or where the use of such provision would require a significant increase in costs, the LA may commission contract coach or minibus services. Where no such services exist, the TCS establishes and manages the necessary transport contracts.

Even where a specialist vehicle is not required, it may be necessary to use more expensive transport provision, such as taxi transport, in order to meet the specific needs of students. The TCS arrange transport at the lowest possible cost commensurate with the needs of the students being met. All provision is subject to review.

²⁹ This may occur where the distance from home to school is remeasured and found to be under the relevant walking distance. In this case, the child will have benefited from free transport and would be expected to be able to walk to school and not be obliged to transfer to another school

³⁰ This will be the offer of a Vacant seat. Once allocated, a Vacant seat will be guaranteed provision while the student's circumstances remain unchanged.

³¹ Where public service vehicles including buses, trains and ferries are available, it is expected that parents will make their own arrangements to use them, seeking support from college bursaries where appropriate.

³² A petrol allowance could be used for a private vehicle or could be used towards payments for a taxi, arranged by the parent. It could be used for any purpose, agreed by the LA, to support the student in getting to and from college.

Unavailable routes - A route is considered by the LA to be unavailable when a child of statutory school age could not be expected to walk to school, accompanied as necessary by an appropriate adult, in reasonable safety.

This provision does not apply for post-16 students. There is no assumption that the student would walk along a route that had been assessed as unavailable by the LA.

Vacant Seats - vacant seats differ from the concessionary seats that have been offered by Devon. While they are chargeable, once a Vacant Seat has been allocated to a post-16 student, it is that student's seat and will not be withdrawn unless his or her circumstances change. It will not be withdrawn on the grounds that an entitled child of statutory school age requires a seat on the vehicle.

Work Experience and other activities - The LA will not consider travel assistance or vary provision to transport for a student to:

- attend work experience,
- attend a college as part of a foreign exchange programme,
- attend an induction or taster day at another establishment,
- attend appointments and activities for medical or sports reasons,
- attend breakfast or after-college clubs,
- attend college trips,
- attend late school,
- attend college on a part-time basis,
- accompany a friend home.

Glossary

Parent has the meaning of parent, carer or guardian and will include student where a student makes a decision, request or appeal in their own right.

School has the meaning of academy, school or college.

0-25 Special Education Team	Formerly, the County Special Education Team of the People Directorate of Devon County Council. Responsible for assessing additional needs of children and allocating education placements for children with particular needs.
Assessment of Need	can be completed to establish whether there is a responsibility on the council to provide transport support
Children in Care (CiC)	These children are looked after by or provided with accommodation in the exercise of its functions by Devon LA or any other local authority which has informed Devon LA of its wish to place a child. Also includes those children who were in Care until they were adopted or made the subject of a child arrangements order or of a special guardianship order.
Children formerly in Care	These children were looked after until they were adopted (see the Adoption and Children Act 2002 section 46) or made the subject of a child arrangements order or a special guardianship order (Children Act section 14A). Child arrangements orders are defined in s.8 of the Children Act 1989, as amended by s.12 of the Children and Families Act 2014. This priority applies to all children who were formerly in care, regardless of the date they were adopted.
Code of Conduct	A written agreement between the local authority and the child and/or the parent. It acknowledges the standards of behaviour required of passengers on education transport and the potential sanctions should behaviour be unacceptable.
Compulsory or statutory school age	The age at which children in England must receive full-time education at school, at home or otherwise. This is from the beginning of the term following a child's 5 th birthday until the last Friday of June during the academic year when the child reaches 16.
Concessionary seat	See Transport website for further details.
Contract vehicle	A bus, coach or taxi which has been hired by the LA to serve a particular route to a school or college.
DfE	The government's Department for Education.
Education, Health and Care Plan (EHC)	This replaces a Statement of Special Educational Needs as a formal document describing a child's special educational needs (SEN) and how they will be provided for in college. The Children and Families Act 2014 provided for the phasing out of Statements by EHCPs by 2017.
Escort	An adult allocated to some vehicles where there is an identified need for supervision.
Exeat weekend	An exeat weekend means that boarding students are expected to leave the school after lessons have finished on the Friday afternoon to spend the weekend away from school with their family or guardian.
Extended Schooling	Provision for children to be on site at a college before or after the normal school day.

Feeder route	A journey part way between home and college. A feeder route will take passengers to meet the vehicle which arrives at the college.
GIS	Geographical Information System. Measurement will be based on GIS. This is an electronic mapping system which makes measurements using computer software. In Devon, this means specifically the mapping system used by the Transport Co-ordination Service for measuring purposes.
LA area	the area in respect of which Devon County Council is the Local Authority. This is the administrative county of Devon excluding that area in Plymouth covered by Plymouth City Council and that in Torquay, Paignton and Brixham covered by Torbay Council.
Main road service	this may mean that supported students may have to make their way to a pick up point
My Devon Customer Service Centre	Helpline for information on services in Devon: 0345 155 1019 and mydevon@devon.gov.uk . The first point of contact at 0345 155 1019 for enquiries regarding transport. Queries which cannot be resolved at this stage will be passed on for specialist advice and assistance from the Education Transport Team.
Pick-up point	The place where an education transport vehicle will stop to collect a child entitled to travel.
Post-16 student	A person who is above statutory school age (16) and is continuing to study, either at a sixth form or a further education college. Young people over 16 may submit requests and appeals for school admissions and transport in their own name or permit a parent to do so on his or her behalf.
Route review	An exercise by the Transport Co-ordination Service to consider whether the transport provided in an area is as efficient as possible.
Selective school	A school which admits all or some of its children following a test of the children's ability.
SEN	Special Educational Needs; recognition that a child requires additional support to appropriately access education.
Set-down point	The place where an education transport vehicle will stop to enable a child to disembark.
SLD	Severe Learning Difficulties
Statement of SEN	A document that sets out all of a child's special educational needs and how and where special educational provision will be made. Statements will be phased out from September 2014 as they have been replaced by Education, Health and Care Plans under a provision of the Children and Families Act 2014.
Transport Co-ordination Service or TCS	The Transport Co-ordination Service, the team responsible for assessing eligibility and organising the education transport network.
Transport Eligibility Officer Panel	A Panel consisting of LA officers. Responsible for hearing appeals against decisions of the TCS to refuse transport. A further appeal exists to elected Members of Devon County Council.
Vacant seat	where a spare seat is available on a contract vehicle this can be sold where public transport is unsuitable or not available

Education Post-16 Travel Policy 2020

Schedule of Fees and Charges

This Schedule is subject to change following the allocation of resources.

Contribution for post-16 passengers	£600 per year
Discount on contributions if paid in full in advance	£30
Upper limit for transport provided on temporary absence from home address grounds	£35 per day
Upper limit for transport provided where a student is temporarily rehoused	£35 per day
Upper limit for transport provided on temporary medical grounds	£35 per day
Petrol Allowance	25p per mile

Education Post-16 Travel Policy 2

Independent Travel Training

There are circumstances in which the LA will assist students with learning or physical disabilities to attend their education setting by providing individual travel training (ITT):

1. where there is a statutory entitlement to that assistance;
2. where there is no statutory entitlement to assistance but the LA has chosen to exercise its discretion to provide travel assistance; and
3. where specialised transport has been requested and the LA believes that the child could benefit from training to enable him or her to travel with a greater degree of independence.

ITT provides tailored, practical support for students to travel to education on foot or by public transport. Once developed, the skills to do this can be used when travelling to work, key support services or generally for leisure.

ITT is delivered through discussion and planning with the student and accompanied journeys. It is aimed at people less inclined to travel independently, including people with reduced mobility, learning difficulties, young inexperienced travellers and those who may be older but have lost confidence.

There are three broad aims:

- Increase the individual's independence;
- Improve the individual's quality of life
- Improve the efficiency of the LA's transport network by using the most cost-effective provision appropriate to the individual's needs.

With regard to ITT, the LA has the following aims:

- To enable the student to develop skills and confidence to travel as independently as possible and to be able to transfer those skills and confidence to other aspects of day to day life
- To reduce financial costs for the provision of travel assistance as much as possible, safely and appropriately
- To promote sustainable travel with the environmental benefit of a reduction in CO2 emissions
- To reduce the amount of time family, friends and professionals need to support the student
- To open new learning opportunities for students
- To enable students to be more engaged, motivated and requiring less support

The LA recognises longer-term benefits of ITT for the wider community:

- Reduced reliance on welfare benefits due to increase in independence and access to education and employment
- Reduced social care requirement
- Reduced costs to the health service due to health benefits associated with greater independence
- More people available for work
- Promotion of sustainable travel
- Increased use of public transport
- Greater access to community services and social integration

Assessing Potential to Travel Independently

Where a student's travel arrangements are amended from the most cost-effective provision because of his or her disability or where such a request is made for new travel arrangements, the TCS will assess the student to identify whether there is a potential for the student to travel independently.

The LA considers that Independent Travel Training has the following immediate benefits for the student:

- Enables the student to be more independent
- Improves self-confidence
- Increases the student's use of his or her own initiative
- Reduces the student's reliance on family, friends and professionals
- Improves social skills
- Can have physical benefits where the student walks all or part of the way

The TCS officers will identify candidates for ITT where a more independent journey to education is available but not used. Teaching staff and ITT trainers will jointly assess candidates and will reach a decision whether ITT should be offered. This will be where the student is believed to have the potential to benefit from ITT and to be able to travel independently.

The assessment will be undertaken by the Independent Travel Trainer. The form ITT1 will be used to record the referral, assessment and its conclusion.

A student or his or her parents cannot refuse the offer of ITT and continue on existing transport. It is for the LA to determine how the travel assistance will be provided. Nevertheless, any concerns of the family will be considered and ITT trainers will work with students and parents to overcome those concerns as fully as possible. Students and parents will have recourse to the Transport Officers Eligibility Panel and to the Transport Appeal process if they wish to overturn a decision to offer ITT.

ITT Delivery

ITT will include at least one of the following:

- One-to-one advice and information (or small group work)
- Accompanied journeys with the student
- More general training sessions concerning all aspects of undertaking a journey

ITT develops key skills:

- Personal safety awareness – including stranger danger
- Road safety awareness – such as road crossing, getting on and off vehicles
- Journey planning – telling the time, reading timetables
- Preparation – what to take, making allowances for weather or coping with changes
- Technology – using phones, smartcards and tickets
- Communication – with drivers and other passengers, including responding to unwelcome behaviour
- Using money if necessary

ITT will be delivered by trained officers who have undergone appropriate checks by the Disclosure and Barring Service (DBS).

ITT is delivered flexibly considering the needs of the individual. The aim will be to reduce support as confidence and competence increase until the point when the student can successfully travel independently.

Existing transport provision, including the use of taxis, will continue during the period of ITT or for a temporary period until an ITT trainer becomes available.

ITT is a dynamic learning process. During this process of learning the trainer will constantly assess and review the progress of the student. If, at any stage, the trainer does not feel independent travel is suitable he or she will recommend that training is halted temporarily or permanently.

HIW/19/7

Cabinet
15 February 2019

Highways Budget: Allocation of additional capital funding for carriageway structural maintenance and bridge structural repairs

Report of the Chief Officer for Highways, Infrastructure Development and Waste

Please note that the following recommendations are subject to consideration and determination by the Cabinet (and confirmation under the provisions of the Council's Constitution) before taking effect.

Recommendations: It is recommended that

- (a) Cabinet approves the increase in the 2018/19 Highways, Infrastructure, Development and Waste capital programme by £18,754,000, funded by external grant;**
- (b) Cabinet notes the proposed allocation of these monies to the programmes identified in the report;**
- (c) the Chief Officer for Highways, Infrastructure Development and Waste, be given delegated powers to make variations to the programme to maximise delivery.**

1. Summary

This report seeks approval from Cabinet to increase the 2018/19 Highways, Infrastructure Development and Waste (HIDW) capital programme with the additional funding received by the Government. The report also clarifies how Devon proposes to allocate the funding.

2. Background

The Chancellor of the Exchequer announced in the Budget in November 2018, that the Government was allocating £420 million in the 2018/19 financial year for local highways maintenance, including the repair of potholes, to keep local bridges and structures open and safe, as well as to help aid other minor highway works that may be needed.

The funding was distributed formulaically, based on the Department for Transport's existing local highways maintenance capital funding needs element formula, which takes into account highway assets for which each authority is responsible. Devon County Councils share was £18.754m.

This allocation is in addition to the £41.132 million included in the 11 April 2018 Cabinet report (HIW/18/20), for the County Road highway maintenance capital programme.

The Department for Transport expects local authorities to publish a brief note on their website by the end of March 2019, setting out how the original funding and this new extra funding, has been utilised. A selection of schemes will also need to be published with pictorial evidence on our website which shows the 'before' and 'after' photographs of the works undertaken.

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3. Proposal

It is proposed to allocate the new funding across the following programmes of the highways and structures capital programme: -

Programme	Value £'000
Principal Named schemes	4,932
Principal Pre-patching for 2020/21 Preventative programme	1,099
Non-Principal Road Recovery Programme	6,501
Non-Principal Pre-patching for 2020/21 Preventative programme	4,434
Spray Injection Patching	530
Major refurbishments – bridges	1,258
Total	18,754

The agreed asset-based approach based on the national code of practice is being used to identify and complete these programmes.

For most of the carriageway elements countywide road condition data and pothole data is used to generate a list of schemes requiring further investigation. Prioritisation is based upon condition and the level of need for structural repair. A second iteration of prioritisation considers maintenance category with busier roads having a raised priority over the unclassified network.

The programmes also take in consideration future road condition on a route basis to establish whether there is added value in early treatment of these future sites with a view to reducing disruption and making efficiencies.

The asset strategy recognises that in addition to survey data it is important to consider other information in delivering programmes. To that end about 20% of the work in the carriageway programmes are driven by other data. Sites are initially promoted by the Neighbourhood Teams through visual assessment, complaints, reported defects and local councillor requests.

The bridgeworks programme development also follows national guidance. Based upon the Asset Management Plan the programmes are developed through structural inspections and the condition of the structure. Prioritisation is then based upon the classification of the road or roads it is serving, vehicle usage and how the structure is listed or is classified as substandard.

The asset approach targets funding to identified needs on the network rather than equally distributing funding throughout the county. Consequently, electoral divisions receive varying amounts and the proportion of funding tends to vary for each division from year to year as survey data is reviewed.

The overall programme has been identified and programmed for delivery through a range of highway contractors and there is sufficient capacity in the market to complete these works during the remainder of this financial year.

4. Consultations

The results of the 2017 National Highways and Transport (NHT) Public Satisfaction Survey reflect public perception of performance, importance and desire for various activities to be

funded. Analysis shows that the condition of the highway network and the speed and quality of repairs are important to the public.

The complete survey can be seen at <http://nhtsurvey.econtrack.com>

5. Financial Considerations

£18.754 million was received from the Department for Transport in November 2018. It is expected that it will be spent by 31 March 2019, on the programmes listed in section 3 of this report.

The additional funding provides a welcome injection of funding and will help in providing a value for money approach in reducing the backlog of repairs required to maintain and operate the highway network more effectively. In order to ensure that all electoral divisions benefit from this additional funding, it is proposed to allocate 20% of the funding to be evenly distributed to all divisions in the forward annual programme. This will provide a minimum of £60k to each division. Funding priorities will be identified by the locality teams with input from Councillor and Parish concerns, customer feedback and other local knowledge.

6. Environmental Impact Considerations

The ability to efficiently transport people and goods around the County underpins Devon's economy and has a direct impact on the quality of our environment.

When maintenance work is undertaken it is managed to ensure that the effect on the surrounding environment is kept to a minimum. On carriageways, surface treatment and reconstruction work is tightly controlled to achieve long term durability. Recycled materials and secondary aggregates are used whenever possible. When carriageway surfacing incorporating primary materials is required, a durable low noise material such as stone mastic asphalt is considered.

Construction contracts include for recycling plans to ensure that the use of natural resources is reduced where recycled alternatives exist.

7. Equality Considerations

Where relevant to the decision, the Equality Act 2010 Public Sector Equality Duty requires decision makers to give due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other prohibited conduct;
- advance equality by encouraging participation, removing disadvantage, taking account of disabilities and meeting people's needs; and
- foster good relations between people by tackling prejudice and promoting understanding.

Taking account of age, disability, race/ethnicity (includes Gypsies and Travellers), gender and gender identity, religion and belief, sexual orientation, pregnant women/new and breastfeeding mothers, marriage/civil partnership status in coming to a decision, a decision maker may also consider other relevant factors such as caring responsibilities, rural isolation or socio-economic disadvantage.

This may be achieved, for example, through completing a full Equality Impact Needs Assessment/Impact Assessment or other form of options/project management appraisal that achieves the same objective.

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A copy of an updated overview of the Budget 2018-19 Equality Impact Assessment for all service areas has been circulated separately and is available to all Members of the Council at: <https://new.devon.gov.uk/impact/published/budget-impact-assessment-201819/>

8. Legal Considerations

The lawful implications/consequences of the proposals/recommendations/proposed course of action have been considered and taken into account in the preparation of this report and formulation of the recommendations set out above.

9. Risk Management Considerations

This proposal has been assessed and all necessary safeguards or action have been taken/included to safeguard the Council's position.

The Highway Infrastructure Asset Management Strategy adopts a risk-based approach.

A requirement of the additional funding provision is to ensure that spending is achieved in the current financial year.

10. Public Health Impact

No adverse Public Health impacts have been identified in relation to the proposal.

11. Options/Alternatives

Two different options were considered in responding to the budget announcement of this additional funding.

One was to accelerate the current Highway programme by identifying additional programmes of work to be completed within the current financial year. A number of factors would have made this extremely difficult: availability of appropriate resource to identify and design additional schemes; availability of contractors to deliver the additional work; concern about the level of traffic disruption and lack of advance warning associated with delivery; and concern and risk associated with the effectiveness and value for money associated with delivery during the winter period. This was not considered an effective response.

The preferred option of maintaining the existing capital programme and identifying slippage of highway funding into future years was also considered. The highways programme is already over programmed as part of our risk-based approach and the additional funding enables this programme to be delivered, whilst also providing opportunity to adequately plan and prepare for effective use of the additional slippage available for future years.

12. Reason for Recommendation/Conclusion

The recommendation enables the Council to take best advantage of the welcome additional funding allocation announced in November. By minimising disruption to the current programme and taking a longer-term approach, all localities will see benefits and the funding can be used in an effective way to address the backlog of highway and structures repairs.

Meg Booth
Chief Officer for Highways, Infrastructure Development and Waste

Electoral Divisions: All

Agenda Item 9

Cabinet Member for Highway Management: Councillor Stuart Hughes

Local Government Act 1972: List of Background Papers

Contact for enquiries: Joe Deasy

Room No. Lucombe House, County Hall, Exeter EX2 4QD

Tel No: 01392 383000

Background Paper	Date	File Reference
Nil		

jd290119cab Highway Budget Allocation additional capital funding
hk 05 050219

PTE/15/8

Cabinet
15 February 2019

Newton Abbot Exeter Road Improvements

Report of the Head of Planning, Transportation and Environment

Please note that the following recommendations are subject to consideration and determination by the Cabinet (and confirmation under the provisions of the Council's Constitution) before taking effect.

Recommendation: That:

- (a) the scheme layout shown on drawing DWG B15013/43 (attached to the report at Appendix 2) be approved to proceed in line with the recommendations below;**
- (b) authority be given to obtain the land required for the scheme, including Compulsory Purchase Orders if necessary;**
- (c) any necessary Side Roads Orders and Traffic Regulation Orders are advertised and if no objections received, be made and sealed;**
- (d) a tender exercise is undertaken for construction of the scheme, with award of tender only when funding is secured; and**
- (e) the Head of Planning, Transportation and Environment, in consultation with the Local Member and relevant Cabinet Member, be given delegated authority to make minor amendments to the scheme design.**

1. Summary

This report seeks approval to proceed with land acquisition, side roads orders and a tender exercise for a scheme to widen the existing footway and highway between Whitehill Close and Churchills Roundabout on the A382, Newton Abbot. This is part of the wider A382 Corridor Improvement Scheme between the A38 and Newton Abbot and the Newton Abbot East – West Shared Use Path improvement strategy which when complete will form a high-quality access to the town and future developments.

2. Background

The scheme is based upon achieving the following objectives:

- Deliver development to the west of Newton Abbot;
- Improve safety on the A382; and
- Encourage the use of sustainable modes of transport.

Current Issues

The A382 is a key route connecting Newton Abbot at Churchills Roundabout with the A38 on the Strategic Road Network at Drumbridges roundabout. The existing road is of a low standard with poor alignment, high traffic flows and poor facilities for pedestrians or cyclists.

The section of the A382 into Newton Abbot town centre approaching Churchills Roundabout is busy and slow moving at peak times. The collision rate on the A382 is 297 collisions per billion vehicle kilometres for the period between 01/01/2014 and 31/12/2018, which is 17% higher than the national average of 254 collisions per billion vehicle kilometres for this type of road. On the A382 between Whitehill Cross and Churchills roundabout there were four slight collisions between 01/01/2014 and 31/12/2018, however it should also be noted that there was a fatality on this section in 2012 where a pedestrian was struck by a vehicle.

Agenda Item 10

The footway is of a low standard along this section and is as narrow as 1.05 metres in places. In addition, the road width is also narrow with a stone wall on one side which results in traffic passing very close to the footway and even large vehicles mounting the footway to pass each other. The footway is too narrow to allow use by cyclists who are currently forced to use the road. There is a need for cycle route improvements in this area to tie into existing routes and improve access to Newton Abbot rail station, local secondary schools and nearby employment sites.

Future Development

Teignbridge District Council's adopted Local Plan sets out proposed residential and employment developments in the area between 2013 and 2033. In the Heart of Teignbridge (Newton Abbot, Kingsteignton and Kingskerswell), 6,000 homes and 11,000 jobs are included.

This features a large amount of development to the west of Newton Abbot, including new development at Whitehill, Forches Cross and Houghton Barton. These developments will have direct access onto the A382 resulting in an increase in travel demand (both vehicular and pedestrians/cyclists) on the A382 into Newton Abbot. In addition, this section of road will also be affected by vehicles from other development sites in and around Newton Abbot accessing the A382.

3. Proposal

Scheme Description

The proposals for improving the section of the A382 between Whitehill Cross and Churchills roundabout, known hereafter as the Exeter Road Improvements, are: (shown on a map in Appendix 1):

- Widening of the highway to 6m
- Widening of the footway to a 3.5m shared pedestrian and cycle path
- New pedestrian refuge island to the north of Whitehill Close.

Providing additional carriageway width will improve highway safety and improve carriageway capacity.

The shared path will improve pedestrian and cycle facilities to encourage sustainable travel, providing adequate space for pedestrians and cyclists to use the path safely. This will improve accessibility for new and existing residents.

The pedestrian refuge island at Whitehill Close will enable residents from Whitehill Close, Orleigh Avenue and Orleigh Park to safely access bus services on the A382.

The Exeter Road Improvements are one phase of the wider A382 Corridor Improvement scheme which includes realignment and widening of the A382 and a new shared pedestrian and cycle path between Drumbridges roundabout and Whitehill Cross. The Exeter Road shared path will continue from Church Path/Whitehill House drive through the new Whitehill development and out to Whitehill Cross, to join up with the proposed path alongside the A382. The Exeter Road Improvements will contribute to improved safety, journey times, resilience and reliability as a result of the overall A382 Corridor Improvements.

To support current and future sustainable travel in and around Newton Abbot, Devon County Council (DCC) is currently delivering a shared use path improvement scheme, known as the "Newton Abbot East-West Shared Use Path". Some sections of the route along the A383 Ashburton Road are already complete and one section is currently under construction. The

Exeter Road Improvements will tie in with existing routes to facilitate sustainable travel in and around Newton Abbot.

4. Consultations, Representations and Technical Data

The Teignbridge Local Plan, adopted in May 2014, contains reference to support for “widening the A382 Bovey Tracey road between Newton Abbot and Drumbridges roundabout at the A38 and separate cycle lanes” to improve connectivity and accessibility within the Heart of Teignbridge. It also states that “the widening of the A382 between Newton Abbot and Drumbridges is considered necessary to improve the capacity of the existing lanes to ensure that the road can accommodate the future growth and to provide opportunities for new cycle links.”

A public consultation on the Exeter Road Improvements was conducted between Friday 5 October and Friday 2 November 2018, as part of the Newton Abbot East – West Shared Use Path. During the consultation members of the public were invited to share their views on the scheme including whether Exeter Road needs the proposed improvement and whether they preferred an option of widening to the east or to the west of Exeter Road. The consultation was advertised by a consultation leaflet delivered to nearby properties, on the DCC public website, on the “Have your say” DCC consultation finder and through a DCC news centre press release.

The majority of responses received were positive towards the scheme (62%); of the negative responses received (38%) the comments related to:

- Concerns over cost and value for money
- Traffic disruption during construction
- Safety concerns for pedestrians and cyclists using the proposed facilities
- New Jetty Marsh II scheme needed (*see Section 13*)

The preferred option among respondents who identified an option was to widen Exeter Road to the east (88%).

5. Land Assembly

Private land belonging to six land owners will be required for this scheme. DCC has engaged with landowners from an early stage and will attempt to acquire the land through negotiation, however Compulsory Purchase Orders may be required if an agreement is not reached with one or more land owners.

The six land owners affected are all substantial properties which back onto the A382. The amount of land required will have an impact on the rear gardens and bring the road closer to the properties.

6. Environment

The Exeter Road Improvements are within or adjacent to the highway, and therefore would be undertaken as permitted development. As such the scheme is designed to minimise its environmental impact. However, there are several trees alongside the road on both sides. A number of large specimens that may be regarded as veteran trees on the east side would have to be felled to make way for the widening of the road. Discussions will take place with the Local Planning Authority on how best to mitigate this environmental impact.

There is an existing wall which is of historical interest, some of the stone can be recycled and reused.

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There may be a minimal noise and/or visual impact from the Exeter Road Improvements and mitigation measures such as acoustic fencing could be implemented if required to reduce the environmental impact.

7. Financial Considerations

The Scheme is estimated to cost £2.4m. The funding is likely to come from several sources, including The Local Transport Plan, The Heart of the South West Local Enterprise Partnership and developer contributions through Teignbridge District Council's Community Infrastructure Levy.

8. Sustainability and Equality Considerations

Where relevant to the decision, the Equality Act 2010 Public Sector Equality Duty requires decision makers to give due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other prohibited conduct;
- advance equality by encouraging participation, removing disadvantage, taking account of disabilities and meeting people's needs; and
- foster good relations between people by tackling prejudice and promoting understanding.

Age, disability, gender identity, race, religion and belief, sex, sexual orientation, marriage and civil partnership, and pregnancy and maternity should be considered in coming to a decision. A decision maker may also consider other relevant factors such as caring responsibilities, rural isolation or socio-economic disadvantage.

An Impact Assessment has been prepared, a copy of which has been circulated to Cabinet Members, and is available on the Council's website at:

<https://new.devon.gov.uk/impact/published/>

The scheme will have a positive impact on pedestrians and cyclists with the provision of a new shared pedestrian and cycle path and improved pedestrian access from Whitehill Close to bus services on the A382, enabling sustainable travel from residential areas to Newton Abbot town centre.

In economic terms the scheme will contribute to facilitating development and travel along the A382, which will have a beneficial impact upon the local economy by enabling employment and housing development in the area to proceed with mitigated impact.

9. Carbon Impact Considerations

Widening the highway will reduce conflicts between large vehicles resulting in an improvement to traffic flow and therefore fuel efficiency of engines, reducing certain emissions including carbon.

An increase in people changing mode from the private car to walking and cycling is anticipated by the construction of the shared use path which will have a positive impact on air quality.

10. Legal Considerations

The lawful implications of the recommendations have been considered and considered in the formulation of the recommendations set out above.

11. Risk Management Considerations

The scheme is subject to the normal engineering risks. A quantified risk assessment has been undertaken and these risk costs have been included in the scheme estimate.

12. Public Health Impact

The scheme is subject to a Road Safety Audit with Feasibility and Stage 1 Safety Audits now complete.

The scheme includes the provision of a shared pedestrian/cycle path which will encourage physical activity.

13. Options and Alternatives

Two options have been considered for the Exeter Road Improvements of the road being widened either to the east or west side of the carriageway. A number of factors were considered in selecting the chosen option of widening to the east side. Those in favour of the east side were:

- Public consultation – preference for widening to east.
- Construction issues – shorter road closure required for construction on the east side.
- Heritage – existing walls of historical interest on both sides which can be reused. A Pillbox on the western side would require moving or demolition if widened to the west.
- Safety – the eastern widening features improved visibility for access from Church Path/Whitehill House drive and other properties.

Factors in favour of the west side were:

- Impact on properties – fewer properties affected (5) and properties are further away from the retaining wall.
- Environment – a number of large specimens which may be regarded as veteran trees are present on both sides, however there are fewer on the western side.

As part of the A382 Corridor Improvements there are wider plans for a new road connection from Whitehill Cross to West Golds Way (known as Jetty Marsh Phase II). When completed this new connection will result in a reduction in traffic on Exeter Road, reducing congestion and further improving pedestrian and cycle safety. This scheme remains a priority and is continuing to be progressed alongside the Exeter Road Improvements. The scheme will tie in with the widening improvements on the A382 between Drumbridges and Whitehill Cross.

14. Reason for Recommendation

The A382 is the main connection between Newton Abbot and the A38 on the Strategic Road Network. Exeter Road forms part of this route and is the gateway to the town. An improvement to this section will bring it up to modern standards capable of fulfilling the aspirations of the town in terms of growth and provision for cyclist/pedestrians. The scheme is consistent with the aims of the Devon and Torbay Local Transport Plan 3 with regard to economic growth.

Dave Black
Head of Planning, Transportation and Environment

Electoral Divisions: Newton Abbot North

Cabinet Member for Infrastructure, Development and Waste: Councillor Andrea Davis

Agenda Item 10

Chief Officer for Highways, Infrastructure Development and Waste: Meg Booth

Local Government Act 1972: List of Background Papers

Contact for enquiries: Samantha Taylor

Room No: Lucombe House, County Hall, Topsham Road, Exeter EX2 4QD

Tel No: (01392) 383000

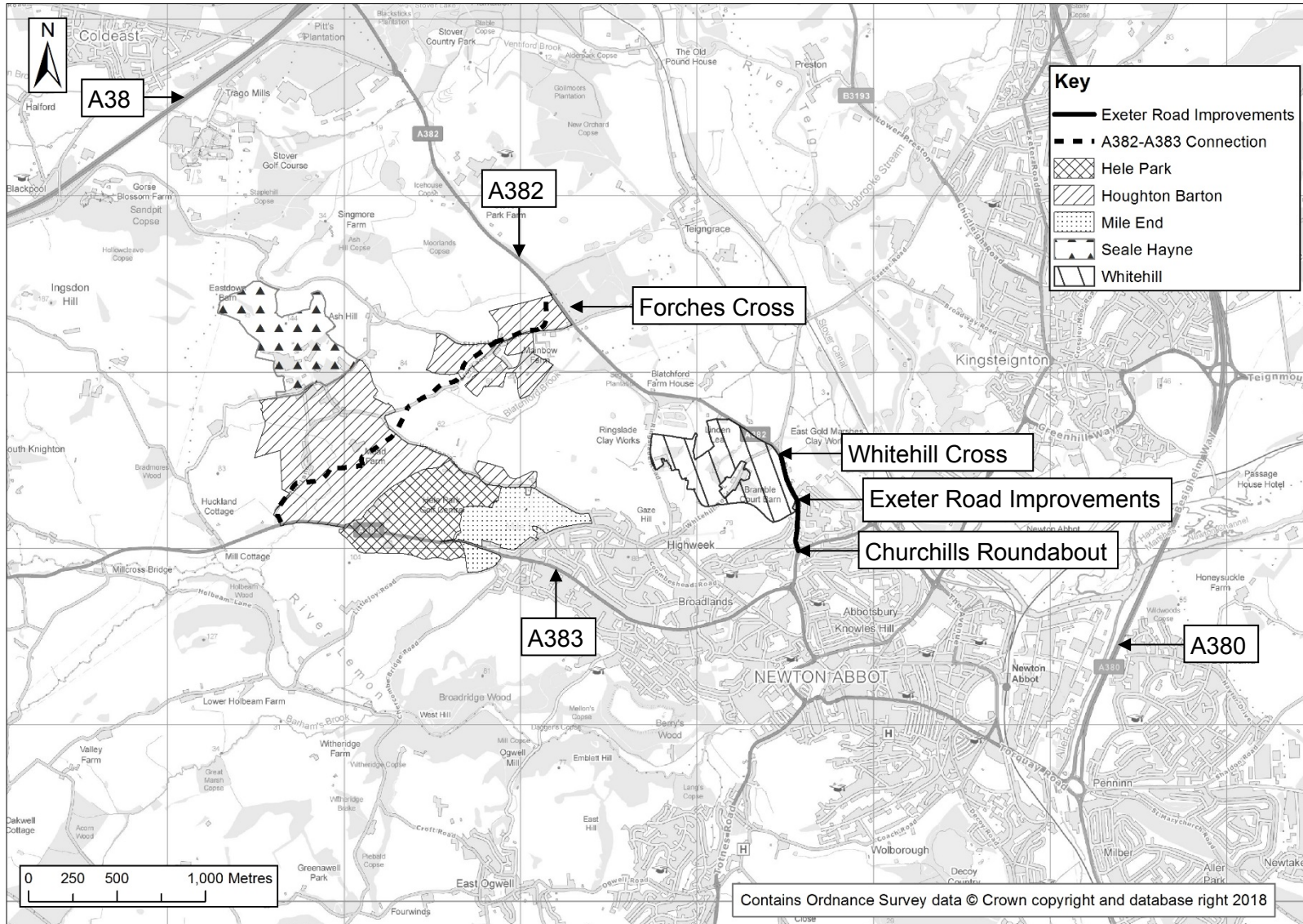
Background Paper	Date	File Ref.
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Nil

st280119cab Newton Abbot Exeter Road Improvements

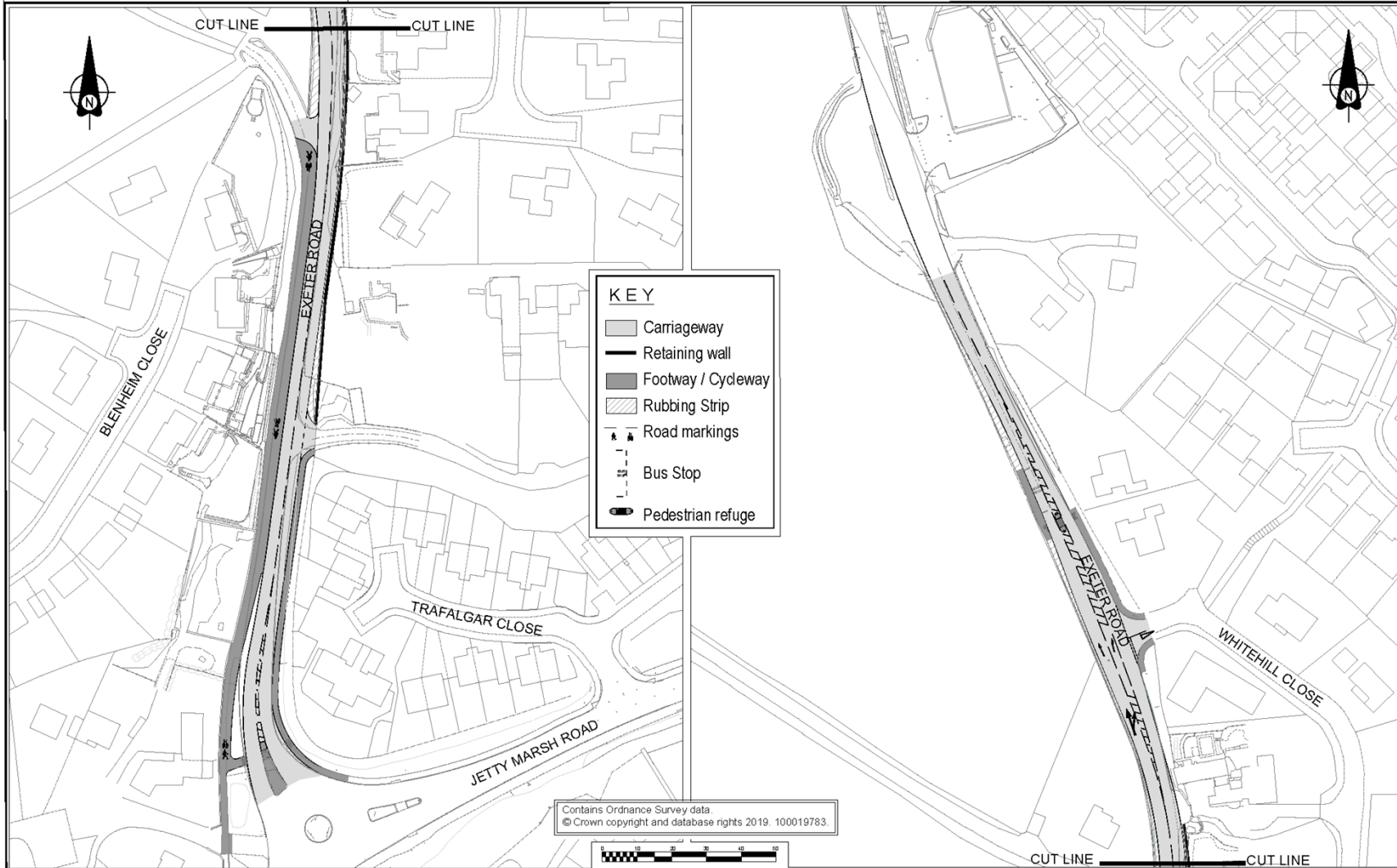
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Location Plan

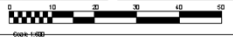


Scheme Drawing

Roads A4 FRAME Committee landscape - Version 2.0



Contains Ordnance Survey data.
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	Engineering Design Group	Cabinet	NEWTON ABBOT - EAST WEST CYCLE ROUTE - Phase 3 EAST SIDE WIDENING 6.0m Carriageway 3.5m Combined Footway & Cycleway	date January 2019	scale NTS
		job/title/proposal		number B15013/ 43	

Impact Assessment

Version 2017

To publish, please send a dated PDF to impactassessment-mailbox@devon.gov.uk

Assessment of:	Newton Abbot Exeter Road Improvements
Service:	PT&E – Transport Planning

Head of Service:	Dave Black
Date of sign off by Head Of Service/version:	5 February 2019
Assessment carried out by (incl. job title):	Chris Shipway – Transport Planner

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Section 1 - Background

Description:	<p>Improvements to the section of the A382 between Whitehill Cross and Churchills Roundabout. This includes widening the highway to 6 metres and widening the footway to a 3.5m shared pedestrian and cycle path.</p> <p>This is part of the overall A382 Corridor Improvement Scheme between the A38 and Newton Abbot and the Newton Abbot East-West Shared Use Path.</p>
Reason for change/review:	A Cabinet Report has been prepared for which an Impact Assessment is a requirement to conduct a review in line with The Equality Act 2010 Public Sector Equality Duty.

Section 2 - Impacts, options and recommendations

See sections 3, 4 and 5 for background analysis

Options Appraisal and Recommendations:	<p>Two options have been considered for the Exeter Road Improvements of the road being widened either to the east or west side of the carriageway. A number of factors were considered in selecting the chosen option of widening to the east side. Those in favour of the east side were:</p> <ul style="list-style-type: none"> • Public consultation – preference for widening to east. • Construction issues – shorter road closure required for construction on the east side. • Heritage – existing walls of historical interest on both sides which can be reused. A Pillbox on the western side would require moving or demolition if widened to the west. • Safety – the eastern widening features improved visibility for access from Church Path/Whitehill House drive and other properties. <p>Factors in favour of the west side were:</p> <ul style="list-style-type: none"> • Impact on properties – fewer properties affected (5) and properties further away from retaining wall • Environment – a number of large specimens which may be regarded as veteran trees are present on both sides, however there are fewer on the western side. <p>As part of the A382 Corridor Improvements there are wider plans for a new road connection from Whitehill Cross to West Golds Way (known as Jetty Marsh Phase II). When completed this new connection will result in a reduction in traffic on Exeter Road, reducing congestion and further improving pedestrian and cycle safety. This scheme remains a priority and is continuing to be progressed alongside the Exeter Road Improvements. The scheme will tie in with the widening improvements on the A382 between Drumbridges and Whitehill Cross.</p> <p>A consultation in October 2018 (see section 3) found that the majority of responses received were positive towards the scheme, with the preferred option among respondents being to widen Exeter Road to the east.</p> <p>The scheme improves safety and connectivity for travel by sustainable modes. The scheme is consistent with the aims of the Devon and Torbay Local Transport Plan 3 with regard to economic growth.</p>
Social/equality impacts (summary):	Improving pedestrian and cycle facilities to encourage sustainable travel;

	<p>Providing adequate space for pedestrians and cyclists to use the path safely;</p> <p>Providing additional carriageway width to improve highway safety and improve carriageway capacity.</p>
Environmental impacts (summary):	<p>The Exeter Road Improvements are within or adjacent to the highway, and therefore would be undertaken as permitted development. As such the scheme is designed to minimise its environmental impact. However, there are several trees alongside the road on both sides. A number of large specimens that may be regarded as veteran trees on the east side would have to be felled to make way for the widening of the road. Discussions will take place with the Local Planning Authority on how best to mitigate this environmental impact.</p> <p>There is an existing wall which is of historical interest, some of the stone can be recycled and reused.</p> <p>There may be a minimal noise and/or visual impact from the Exeter Road Improvements and mitigation measures such as acoustic fencing could be implemented if required to reduce the environmental impact.</p> <p>Widening the highway will reduce conflicts between large vehicles resulting in an improvement to traffic flow and therefore fuel efficiency of engines, reducing certain emissions including carbon.</p> <p>An increase in people changing mode from the private car to walking and cycling is anticipated by the construction of the shared use path which will have a positive impact on air quality.</p>
Economic impacts (summary):	<p>The A382 is the main connection between Newton Abbot and the A38 on the Strategic Road Network. Exeter Road forms part of this route and is the gateway to the town. An improvement to this section will bring it up to modern standards capable of fulfilling the aspirations of the town in terms of growth and provision for cyclist/pedestrians. The scheme is consistent with the aims of the Devon and Torbay Local Transport Plan 3 with regard to economic growth.</p>
Other impacts (partner agencies, services, DCC policies, possible 'unintended consequences'):	N/A

<p>How will impacts and actions be monitored?</p>	<p>Cycle and pedestrian counts will be undertaken before and after scheme implementation to evidence the increase in physical activity.</p> <p>Collision data is obtained and monitored by Devon County Council and can be analysed before and after scheme implementation to show the improvements to safety on the A382 between Whitehill Close and Churchills roundabout.</p> <p>Traffic counts will be conducted before and after scheme implementation to monitor any changes in traffic flows as result of the scheme.</p>
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This section describes how relevant questions and issues have been explored during the options appraisal.

Section 3 - Profile and views of stakeholders and people directly affected

People affected:	Local residents, development landowners, drivers, pedestrians, cyclists
Diversity profile and needs assessment of affected people:	The scheme will provide benefits to all road users in the area and will be of use to current residents and residents of the new developments. The shared use path will benefit pedestrians and cyclists by improving accessibility to amenities such as Newton Abbot Town Centre.
Other stakeholders (agencies etc.):	Teignbridge District Council, Local Members, Heart of the South West LEP
Consultation process and results:	<p>A public consultation on the Exeter Road Improvements was conducted between Friday 5 October and Friday 2 November 2018, as part of the Newton Abbot East – West Shared Use Path. During the consultation members of the public were invited to share their views on the scheme including whether Exeter Road needs the proposed improvement and whether they preferred an option of widening to the east or to the west of Exeter Road. The consultation was advertised by a consultation leaflet delivered to nearby properties, on the DCC public website, on the “Have your say” DCC consultation finder and through a DCC news centre press release.</p> <p>The majority of responses received were positive towards the scheme (62%); of the negative responses received (38%) the comments related to:</p> <ul style="list-style-type: none"> • Concerns over cost and value for money • Traffic disruption during construction • Safety concerns for pedestrians and cyclists using the proposed facilities • New Jetty Marsh II scheme needed (<i>see Section Error! Reference source not found.</i>) <p>The preferred option among respondents who identified an option was to widen Exeter Road to the east (88%).</p>
Research and information	N/A

used:	
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Section 4a - Social Impacts

Giving Due Regard to Equality and Human Rights

The local authority must consider how people will be affected by the service, policy or practice. In so doing we must give due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation
- Advance equality of opportunity and
- Foster good relations.

Where relevant, we must take into account the protected characteristics of age, disability, gender, gender reassignment, pregnancy and maternity, marriage and civil partnership, sexual orientation, race, and religion and belief.

This means considering how people with different needs get the different services they require and are not disadvantaged, and facilities are available to them on an equal basis in order to meet their needs; advancing equality of opportunity by recognising the disadvantages to which protected groups are subject and considering how they can be overcome.

We also need to ensure that human rights are protected. In particular, that people have:

- A reasonable level of choice in where and how they live their life and interact with others (this is an aspect of the human right to 'private and family life').
- An appropriate level of care which results in dignity and respect (the protection to a private and family life, protection from torture and the freedom of thought, belief and religion within the Human Rights Act and elimination of discrimination and the promotion of good relations under the Equality Act 2010).
- A right to life (ensuring that nothing we do results in unlawful or unnecessary/avoidable death).

The Equality Act 2010 and other relevant legislation does not prevent the Council from taking difficult decisions which result in service reductions or closures for example, it does however require the Council to ensure that such decisions are:

- Informed and properly considered with a rigorous, conscious approach and open mind, taking due regard of the effects on the protected characteristics and the general duty to eliminate discrimination, advance equality and foster good relations.
- Proportionate (negative impacts are proportionate to the aims of the policy decision)
- Fair
- Necessary
- Reasonable, and
- Those affected have been adequately consulted.

Characteristics Page 215	In what way can you eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage? Are there any lawful, reasonable and proportionate, unavoidable negative consequences?	In what way can you advance equality (meet needs, encourage participation, make adjustments for disabled people, ‘close gaps’). In what way can you foster good relations between groups (tackle prejudice and promote understanding), if relevant?
All residents (include generic equality provisions):	The scheme will have the same impacts on all groups of people. A limited number of people will be affected. There would be traffic management disruption during construction.	The scheme will have the same impacts on all groups of people. There will be benefits to existing residents and those who occupy the future developments.
Age:	No negative consequences identified.	None identified.

Disability (incl. sensory, mobility, mental health, learning disability, ill health) and carers of disabled people:	No negative consequences identified.	None identified.
Culture and ethnicity: nationality/national origin, skin colour, religion and belief:	No negative consequences identified.	None identified.
Sex, gender and gender identity (including men, women, non-binary and transgender people), and pregnancy and maternity (including women's right to breastfeed).	No negative consequences identified.	None identified.
Sexual orientation and marriage/civil partnership:	No negative consequences identified.	None identified.
Other socio-economic factors such as families, carers, single people/couples, low income, vulnerability, education, reading/writing skills, 'digital exclusion' and rural isolation.	No negative consequences identified.	A shared path between Whitehill Close and Churchills roundabout will improve accessibility to the town centre for low income groups who cannot finance the running of a car.

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Human rights considerations:	None identified.
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Supporting independence, wellbeing and resilience?

Give consideration to the groups listed above and how they may have different needs.

In what way can you support and create opportunities for people and communities (of place and interest) to be independent, empowered and resourceful?	The shared path will improve pedestrian and cycle facilities to encourage sustainable travel, providing adequate space for pedestrians and cyclists to use the path safety. This will improve accessibility for new and existing residents to amenities such as shops, schools and community services.
In what way can you help people to be safe, protected from harm, and with good health and wellbeing?	<p>The scheme includes the provision of a shared pedestrian/cycle path which will encourage physical activity. The shared path will improve pedestrian and cycle facilities to encourage sustainable travel, providing adequate space for pedestrians and cyclists to use the path safety.</p> <p>Improved visibility for access from Church Path/Whitehill House drive and other properties.</p> <p>Widening the A382 and existing footway will reduce the likelihood of collisions on the A382.</p>
In what way can you help people to be connected, and involved in community activities?	The shared path will improve pedestrian and cycle facilities to encourage sustainable travel, providing adequate space for pedestrians and cyclists to use the path safety. This will improve accessibility for new and existing residents to amenities such as shops, schools and community services.

Section 4b - Environmental impacts

An impact assessment should give due regard to the following activities in order to ensure we meet a range of environmental legal duties.

The policy or practice does not require the identification of environmental impacts using this Impact Assessment process because it is subject to (please select from the table below and proceed to the 4c, otherwise complete the environmental analysis table):

	Devon County Council's Environmental Review Process
	Planning Permission
	Environmental Impact Assessment
	Strategic Environmental Assessment

Page 21	Describe any actual or potential negative consequences. (Consider how to mitigate against these).	Describe any actual or potential neutral or positive outcomes. (Consider how to improve as far as possible).
Reduce, reuse, recycle and compost:	None.	There is an existing wall which is of historical interest, some of the stone can be recycled and reused.
Conserve and enhance wildlife:	There are several trees alongside the road on both sides. A number of large specimens that may be regarded as veteran trees on the east side would have to be felled to make way for the widening of the road. Discussions will take place with the Local Planning Authority on how best to mitigate this environmental impact.	None.
Safeguard the distinctive characteristics, features and special qualities of Devon's	There may be a minimal visual impact from the Exeter Road Improvements and mitigation measures such as acoustic fencing could be	None.

landscape:	implemented if required to reduce the environmental impact.	
Conserve and enhance Devon's cultural and historic heritage:	There is an existing wall which is of historical interest.	There is an existing wall which is of historical interest, some of the stone can be recycled and reused.
Minimise greenhouse gas emissions:	Neutral – no impact.	Widening the highway will reduce conflicts between large vehicles resulting in an improvement to traffic flow and therefore fuel efficiency of engines, reducing certain emissions including carbon. An increase in people changing mode from the private car to walking and cycling is anticipated by the construction of the shared use path which will have a positive impact on air quality.
Minimise pollution (including air, land, water, light and noise):	There may be a minimal noise impact from the Exeter Road Improvements and mitigation measures such as acoustic fencing could be implemented if required to reduce the environmental impact.	None.
Contribute to reducing water consumption:	Neutral – no impact	Neutral – no impact
Ensure resilience to the future effects of climate change (warmer, wetter winters; drier, hotter summers; more intense storms; and rising sea level):	Neutral – no impact	Neutral – no impact

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Other (please state below):	N/A	N/A
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Section 4c - Economic impacts

	Describe any actual or potential negative consequences. (Consider how to mitigate against these).	Describe any actual or potential neutral or positive outcomes. (Consider how to improve as far as possible).
Impact on knowledge and skills:	No potential negative consequences identified.	No potential neutral or positive outcomes identified.
Impact on employment levels:	No potential negative consequences identified.	In economic terms the scheme will contribute to facilitating development and travel along the A382, which will have a beneficial impact upon the local economy.
Impact on local business:	No potential negative consequences identified.	In economic terms the scheme will contribute to facilitating development and travel along the A382, which will have a beneficial impact upon the local economy.

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Section 4d -Combined Impacts

Linkages or conflicts between social, environmental and economic impacts:	No identified linkages or conflicts between social, environmental and economic impacts.
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Section 5 - 'Social Value' of planned commissioned/procured services:

<p>How will the economic, social and environmental well-being of the relevant area be improved through what is being proposed? And how, in conducting the process of procurement, might that improvement be secured?</p>	<p>The scheme includes the provision of a shared pedestrian/cycle path which will encourage physical activity.</p> <p>Widening the highway will reduce conflicts between large vehicles resulting in an improvement to traffic flow and therefore fuel efficiency of engines, reducing certain emissions including carbon.</p> <p>An increase in people changing mode from the private car to walking and cycling is anticipated by the construction of the shared use path which will have a positive impact on air quality.</p> <p>The A382 is the main connection between Newton Abbot and the A38 on the Strategic Road Network. Exeter Road forms part of this route and is the gateway to the town. An improvement to this section will bring it up to modern standards capable of fulfilling the aspirations of the town in terms of growth and provision for cyclist/pedestrians.</p>
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**Corporate Infrastructure & Regulatory Services
Scrutiny Committee**

Planned & Reactive
Maintenance:
Potholes & Drainage
Task Group

1. Recommendations

The Task Group asks the Corporate Infrastructure & Regulatory Services Scrutiny Committee and Cabinet to endorse and action the recommendations below. The Task Group requests that an update on the progress of the recommendations should be brought back to the Corporate Infrastructure & Regulatory Services Scrutiny Committee in six months' time.

RECOMMENDATION 1

CLOSER MONITORING OF GULLY CLEANING, OTHER CYCLICAL DRAINAGE WORKS AND PLANNED MAINTENANCE PROGRAMMES

a) Countywide monitoring through the regular reporting of Highways progress and performance through a dashboard/performance report, to include gully cleaning and drainage works, at each meeting of the Corporate Infrastructure & Regulatory Services Scrutiny Committee, starting in March 2019.

b) Highways & Traffic Order Committees (HATOCs) to have closer oversight of the delivery and performance of local cyclical and planned maintenance programmes.

Methods to be determined by individual HATOCs but suggestions include:

- Asset Management Team to report annually on local cyclical and planned maintenance programmes for the year ahead;
- Asset Management Team to provide Mid-Year progress reports on the delivery of these programmes;
- Regular attendance at HATOC by Skanska and other relevant contractors to report on the progress of programmes.

RECOMMENDATION 2

CONTINUED FOCUS ON DELIVERING HIGHWAYS MAINTENANCE FROM THE POINT OF VIEW OF COMMUNITIES

a) A report be brought to Corporate Infrastructure & Regulatory Services Scrutiny Committee in March 2019 on the findings of the East and Mid Devon trials for further scrutiny, before formal adoption

b) If after consideration of the report referred to in recommendation 2a) the Scrutiny Committee are not convinced that the trial is delivering improvements for the public, that a new trial is established in part of the County, whereby the Skanska pothole gangs are given flexibility and autonomy to take pragmatic/common sense decisions to the repair of 'service defects' for those rural roads, not covered in the trial

c) Further work be undertaken to improve the user experience of the Public Information Portal and accurate and informative alerts and updates to be provided to members of the public who report potholes.

RECOMMENDATION 3

A CLEAR SET OF PRIORITIES FOR MAINTENANCE DURING WINTER

- a) Skanska's approach to prioritise cyclical drainage works early in the year, freeing up resources to manage reactive works in the winter, be fully supported and endorsed
- b) DCC and Skanska to establish a joint protocol for the prioritisation of highways maintenance works during peak winter periods. The protocol should focus on maintaining a safe road network, acknowledging that before, during and after more extreme weather conditions, emergency and reactive works will have to take priority over planned works; the highest priority should be snow clearance, followed by gritting, repairing safety defects, and then cyclical/planned works.

RECOMMENDATION 4

ESTABLISH A MORE JOINED UP APPROACH BETWEEN HIGHWAYS TEAMS, CONTRACTORS AND COMMUNITIES

- a) Highways Teams to pilot different ways of collaborative working with town and parish councils and report findings back to the Corporate Infrastructure & Regulatory Services Scrutiny Committee in the Autumn
- b) Highways to continue to develop a user friendly, online facility, to include historic works and contractor details, searchable by electoral division, to be completed by Summer 2019

RECOMMENDATION 5

IMPROVE SKANSKA'S MANAGEMENT OF POTHOLE CLAIMS, INLINE WITH THE AGREED INSURANCE PROTOCOL

- a) Skanska to clear the backlog of DCC claims and be managing all claims in line with the timescales in the agreed insurance protocol by 1st April 2019
- b) Skanska's progress in this area continue to be monitored through the Devon Highways Board, and that the Corporate Infrastructure & Regulatory Services Committee be informed of progress as part of a highways performance report (see recommendation 1a)

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2. Background

Delivering Highways Maintenance in Devon

2.1 'Highways Maintenance' can refer to a wide range of works and services, from pothole repairs, to surface dressing, to streetlighting. Devon County Council (DCC) has commissioned Skanska Construction UK Ltd, to deliver a large proportion of these services through a Highways Term Maintenance Contract (TMC), running from 1 April 2017 to 31 March 2024 (with the option of extension for a further 3 years). The key components of the TMC are:

- 1) Planned & Reactive Maintenance
- 2) Winter Service
- 3) Emergency Response

2.2 It is important to acknowledge that DCC's relationship with Skanska is more 'employer/supplier' in nature than the 'virtual joint venture' partnership held with South West Highways (SWH) prior to April 2017. This has been a significant and sometimes challenging cultural shift for all staff, including those operational staff who have transferred from SWH to Skanska and for DCC staff.

2.3 'Devon Highways' is the collective name for the DCC and Skanska partnership.

2.4 For 2018/19, around 40% of highways maintenance spend is with Skanska through the TMC. The remaining 60% is being delivered through other contractors. 2018/19 is a slightly unusual year in that DCC received additional capital funding from government through the Pothole Action Fund, and for the rebuild of the road at Slapton, and additional highways revenue budget (as recommended by Scrutiny), and much of this by nature has to be delivered outside of the TMC. In a normal year DCC might expect to spend around 60% of its highways maintenance budget with Skanska and around 40% with other contractors. Through the TMC, Skanska are however responsible for delivering all safety defect (pothole) repairs, gully cleaning/emptying and drainage works.

2.5 As referenced above, the 2018/19 budget scrutiny process identified a need to allocate additional highways revenue budget to areas such as drainage, patching and pothole repairs. Following agreement at Cabinet and adoption by the full Council in February 2018, an additional £6.5 million has been successfully allocated to these areas and will be spent by the end of the 2018/19 financial year. This has been allocated as follows:

- £1.69 million Cyclic drainage
- £380,000 Routine drainage
- £150,000 Public Rights of Way drainage
- £500,000 Jetting and camera surveys
- £400,000 Grass cutting
- £1.5 million Safety defect trials (initially East Devon)
- £2 million Routine patching

Scope of the review

2.6 In view of concerns raised by both Members and the public relating to the high number of issues around planned and reactive maintenance (predominantly potholes and blocked gullies), and concern surrounding the performance of Devon Highways, the Corporate Infrastructure and Regulatory Services Scrutiny Committee agreed on 27 March 2018 that a Task Group be set up to:

- Investigate Devon Highways' (DCC and Skanska) performance over the past year in terms of planned and reactive maintenance, and how this should be managed going forward;
- Examine the robustness of DCC's contract management of Skanska;
- Examine issues of communication and feedback failure with the public, councillors and parish councils, and communication between DCC and Skanska;
- Review issues with the online 'report a problem' system and steps being taken to address these;
- Make recommendations as appropriate to the Corporate Infrastructure & Regulatory Services Scrutiny Committee on how Devon Highways' performance could be improved to deliver a better service for Devon residents.

3. Findings

Communication

3.1 Throughout this review, issues around communication have arisen in a number of areas, including how DCC's highways teams, Skanska and other contractors interact with each other and work together. This has a huge impact on how communities and local Members receive information about highways works, and how local people are able to influence the works and services which affect them. Not all issues are experienced universally across the County, however specific issues in a number of areas include:

- Neighbourhood and Asset Management Teams knowledge of timing and detail of work being planned/undertaken by Skanska;
- Neighbourhood Teams knowledge of works being planned/undertaken by other contractors;
- Lack of information/poor communication of local works and issues from highways teams and contractors to the local Member;
- Lack of information/poor communication of local works and issues from highways teams and contractors to communities
- Complexities of the integration of different IT systems

3.2 Many of these issues are explored in more detail later in this report, and communication problems are a theme which run throughout the Task Group's findings. Reflecting this,

Agenda Item 11

many of the recommendations in this report aim to improve how DCC highways teams, contractors, local Members and communities communicate with each other.

Drainage systems

3.3 Gullies, ditches, grips and buddle holes (see glossary for definitions) allow rainwater to drain away from the highway and aim to keep the road surface free of standing and flood water. Drainage systems need to be properly maintained and kept clear to prevent blockages and subsequent flooding. Under the TMC, Skanska are responsible for emptying or flushing gullies annually, or once every three years (dependant on the type of gully and the location). Grips, easements and buddle holes in problem areas should also be cleaned on an annual basis.

3.4 Towards the end of their first year of operation, it emerged that Skanska had failed to complete their scheduled gully cleaning programme, with 30% of works still outstanding on 31st March 2018. One of the key factors associated with the backlog was the transition from the previous contractor South West Highways to Skanska. Despite Skanska having a detailed mobilisation plan in place, it took longer than expected to manage issues such as staff consultation and TUPE arrangements. Problems with plant availability and reliability and the March snow events contributed to delays.

3.5 Issues around the monitoring of the gully cleaning programme also emerged, with Skanska and DCC contract managers only becoming aware of the full extent of delays two weeks before the end of the financial year, meaning that little action could be taken to address problems at that time.

3.6 A number of steps have already been taken by Skanska and DCC to address the issues and mitigate against similar delays in the current year. Actions include:

- Prioritisation of gullies still outstanding at the end of March 2018;
- Purchase and use of a new fleet of vehicles to improve reliability;
- Changes to line management and increased resources in gully clearing;
- Improved communication and monitoring of performance by contract managers;
- Prioritisation of resources into gully cleaning in the spring and summer, to get ahead of schedule going into the autumn and winter months.

3.7 The maintenance of roadside ditches is the responsibility of whoever owns the land adjacent to the ditch. Where the landowner fails to maintain a ditch, DCC has the power to take enforcement action against the landowner, however, there are times when Devon Highways will clear ditches in order to keep the highway free of water. A DCC working group is being established to review how the Council is dealing with ditches, and whether greater enforcement of landowner responsibility is needed.

3.8 The Task Group accepts that the failure of Skanska to complete its gully cleaning programme in 2017/18 was predominantly related to issues surrounding the transition of the contract and is reassured by the steps taken by DCC and Skanska to mitigate against this backlog reoccurring. Members remain concerned however about the approach to the performance monitoring of Skanska in terms of cyclical and planned works and as such, seek greater oversight by elected Members.

RECOMMENDATION 1

CLOSER MONITORING OF GULLY CLEANING, OTHER CYCLICAL DRAINAGE WORKS AND PLANNED MAINTENANCE PROGRAMMES

a) Countywide monitoring through the regular reporting of Highways progress and performance through a dashboard/performance report, to include gully cleaning and drainage works, at each meeting of the Corporate Infrastructure & Regulatory Services Scrutiny Committee, starting in March 2019.

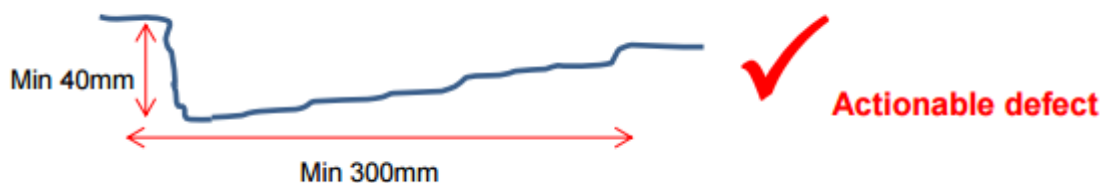
b) Highways & Traffic Order Committees (HATOCs) to have closer oversight of the delivery and performance of local cyclical and planned maintenance programmes.

Methods to be determined by individual HATOCs but suggestions include:

- Asset Management Team to report annually on local cyclical and planned maintenance programmes for the year ahead;
- Asset Management Team to provide Mid-Year progress reports on the delivery of these programmes;
- Regular attendance at HATOC by Skanska and other relevant contractors to report on the progress of programmes.

Pothole reporting and repairs

3.9 DCC has to prioritise resources in terms of how it manages potholes identified through planned safety inspections or reports from the public. Under current policy and practice, only potholes which meet the 'safety defect' criteria, based on the National Code of Practice¹, will receive a repair. To be considered a safety defect a carriageway pothole must be a 'large 40mm vertical-edge hole that is also greater than 300mm wide'. See diagram below.



3.10 This practice has some advantages for the public and the Council; it ensures that the potholes most likely to cause damage to a vehicle are repaired and it gives the Council a clear defence in terms of responding to damage claims.

3.11 However, there are also disadvantages to this very 'black and white' approach; potholes which do not meet the 'safety defect' criteria are left unrepaired, and over time tend to worsen until they do meet the safety defect criteria and then require repairing. This is both inefficient for the Council and its contractor Skanska, and extremely frustrating for the public.

¹ <http://www.ukroadsliaisongroup.org/en/utilities/document-summary.cfm?docid=4F93BA10-D3B0-4222-827A8C48401B26AC>

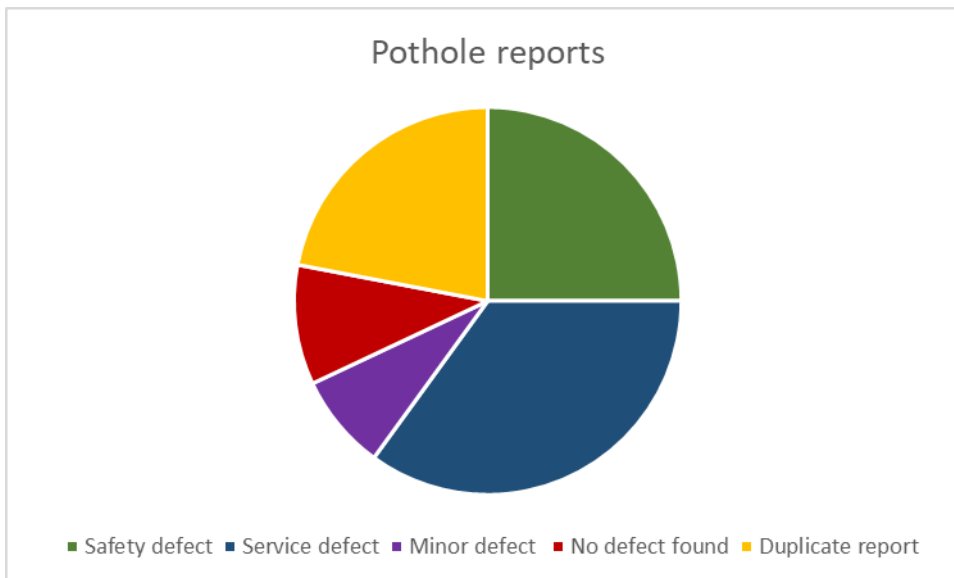
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3.12 The Public Information Portal (PIP) allows members of the public to report potholes online² and is also used by the Council's Customer Service Centre to log reports from members of the public which arrive by phone or email. But the way that this information is currently passed to Skanska also results in inefficiencies.

3.13 Under the current process Skanska's highway maintenance gangs receive pothole reports directly from the PIP. They then visit the location of each report to assess whether a pothole is present and whether it meets the 'safety defect' criteria, repairing as required by policy.

3.14 By its nature, public reporting results in duplicate reports and inaccurate locations, and this combined with the Council's current policy to only carry out repairs on 'safety defects' means that only around a quarter of 'jobs' that Skanska currently 'complete' actually involves a repair. Over a third of reports relate to a defect which doesn't currently meet the 'safety defect' criteria, but is very likely to worsen to that state if left unrepaired for a period of time (shown in the chart below as 'service defect').

3.15 The remaining reports are either very minor defects, where no defect has been found (probably due to the report giving an inaccurate location) or are duplicate reports (often relating to potholes which have already been visited and/or repaired). The latter two categories, making up around a third of all reports, mean that resources are wasted through gangs visiting areas unnecessarily.



3.16 In addition, alerts or updates provided to members of the public who have reported potholes come directly from the PIP, and due to the number of duplicate and inaccurate reports, much of the feedback that members of the public receive is confusing, inaccurate and completely unsatisfactory.

² <https://new.devon.gov.uk/roadsandtransport/report-a-problem/report-a-pothole/>

3.17 As part of the County Council's 'Doing What Matters' work, which is taking a 'systems thinking' approach to service delivery across the Council, a trial to manage pothole reporting and repairs more efficiently and from the public's view point, is currently ongoing in East Devon. Under the trial, a safety inspector works to triage pothole reports by visiting the location and assessing which of the categories (as per the chart above) the report falls in to. Only those reports which are considered 'safety defects' are sent directly to Skanska's gangs to visit and repair. Those categorised as 'service defects' are added to a future programme of works to be completed in the coming weeks, and the remaining categories, where no further action is required are simply closed off.

3.18 To date the trial is looking to be practical and cost efficient and a similar pilot is beginning in the Mid Devon area, with plans to roll out this way of working on category 3-6, and potentially more rural roads, countywide if successful.

3.19 Communities have long expressed frustration at the Council's blanket approach to repairing only 'safety defects' on the highway, and the Task Group therefore welcomes the ongoing trials in East and Mid Devon to take a more pragmatic approach through a triage process, which should be both more efficient for Devon Highways, and provide a better service for communities. The Task Group would like to see a pragmatic, common sense approach taken to 'service defects' on all roads, and would like the results of these trials to be subject to scrutiny before progressing further. Members also ask that additional focus is put on accurate, two-way communication with the public around pothole reporting and repairs.

RECOMMENDATION 2

CONTINUED FOCUS ON DELIVERING HIGHWAYS MAINTENANCE FROM THE POINT OF VIEW OF COMMUNITIES

- a) A report be brought to Corporate Infrastructure & Regulatory Services Scrutiny Committee in March 2019 on the findings of the East and Mid Devon trials for further scrutiny, before formal adoption
- b) If after consideration of the report referred to in recommendation 2a) the Scrutiny Committee are not convinced that the trial is delivering improvements for the public, that a new trial is established in part of the County, whereby the Skanska pothole gangs are given flexibility and autonomy to take pragmatic/common sense decisions to the repair of 'service defects' for those rural roads, not covered in the trial
- c) Further work be undertaken to improve the user experience of the Public Information Portal and accurate and informative alerts and updates to be provided to members of the public who report potholes.

Resilience, Flexibility and Prioritisation

3.20 DCC's current TMC with Skanska has a reduced scope compared to the TMC held with the previous contractor South West Highways, which delivered up to 90% of the Council's highways maintenance works.

3.21 The decision to commission a smaller TMC was taken on the basis that tying up a smaller percentage of the highways maintenance budget with a single contractor would give DCC more flexibility, provide better value for money and allow smaller and more local

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contractors to bid for work. Deciding on the right size of the TMC requires the balancing of financial viability and value for money against the ability of the contract to be flexible and resilient enough to manage periods of increased demand in winter. As we approach the end of the second year of the contract with Skanska, an officer working group is reviewing the current size of the TMC to establish if the current balance is right.

3.22 Skanska has a flexible workforce and during periods of peak demand is able to redistribute staff from planned and cyclical works to deal with reactive works. As mentioned in paragraph 2.11, Skanska have also taken the approach this year to 'frontload' the programme of cyclical drainage works earlier in the year, providing greater capacity to react to issues caused by winter weather later on. Both of these approaches give Skanska a greater level of resilience.

3.23 Increasing the size of the TMC could provide Skanska with more resilience during the winter, however there will always be a need to prioritise works during peak periods. Skanska have requested through the Task Group, and to Council officers directly, that they be provided with clearer guidance on prioritisation of finite resources, particularly around how reactive and planned works should be balanced.

3.24 The Task Group welcomes Skanska's approach to prioritising cyclical drainage works and acknowledges the challenges in determining the most appropriate size of the TMC. The approach of the working group to reviewing the TMC size is welcomed, but the Task Group is clear that where the prioritisation of resources is needed during winter months, this protocol should be set by DCC with input from Skanska, and based around keeping the road network safe to travel on.

RECOMMENDATION 3

A CLEAR SET OF PRIORITIES FOR MAINTENANCE DURING WINTER

- a) Skanska's approach to prioritise cyclical drainage works early in the year, freeing up resources to manage reactive works in the winter, be fully supported and endorsed
- b) DCC and Skanska to establish a joint protocol for the prioritisation of highways maintenance works during peak winter periods. The protocol should focus on maintaining a safe road network, acknowledging that before, during and after more extreme weather conditions, emergency and reactive works will have to take priority over planned works; the highest priority should be snow clearance, followed by gritting, repairing safety defects, and then cyclical/planned works.

Joined up working across Highways Teams, contractors & communities

3.25 The Asset Management Team are responsible for the development and delivery of local maintenance programmes at an operational level, in accordance with the Asset Management Plan. Neighbourhood Highways Officers (NHOs) work closely with Town and Parish Councils and local Members and are the main link between communities and DCC on highways maintenance matters. NHOs aim to work closely with Skanska and hold monthly meetings discussing programme delivery and works.

3.26 Feedback from Members indicates that NHOs often (but not always) have good knowledge of works being undertaken by Skanska in their locality, and they tend to have less information about works being delivered by other contractors, which are managed by DCC's Asset Management Team. Local Members and communities report that they often have difficulties in getting information about upcoming works, or even finding out who the right person or organisation is to contact, sometimes having to make enquiries with the Asset Management Team or with the contractor directly. Local Members and communities find this longwinded process extremely confusing and frustrating.

3.27 Inconsistencies have also been identified in the way in which contractors interact with local Members and Town and Parish Councils, with some contractors contacting local Members directly to inform them when works are about to take place, but the majority do not do so.

3.28 Members have heard that there has been a historical disconnect between the way that Neighbourhood and Asset Management Teams work, but acknowledge also that both teams have been subject to budget and staff reductions over recent years and are managing increased pressure and workloads. The Western Neighbourhood Team has also experienced higher than average levels of sickness, which in a small team, puts additional pressure on remaining staff. This environment can mean that there is less time and space for teams and individuals to think more strategically about the way they work and can lead to a lack of joined up working and overview.

3.29 However there are areas of good practice where pragmatic approaches have been taken across highways teams and with communities. In Beaworthy (West Devon), the NHO, Asset Management Team and the Parish Council have begun meeting to agree maintenance priorities for the parish and provide feedback to communities on planned works and progress.

3.30 Online platform roadworks.org³ also provides some useful information for communities about current and planned works; location, type of works and expected timeframe. However it doesn't include details of the contractor carrying out the works and is limited to current and future works. DCC Highways are developing an online database which is intended to provide improved roadworks information, including historic works. This is hoped to be completed by Summer 2019. The Scrutiny Task Group have been invited to comment on the draft and feed into the final design.

3.31 Members of the Task Group recognise the increased pressure that highways teams are under and highly value the work of NHOs and Asset Management staff. However the way in which teams work can appear siloed and improved working across teams and greater availability of information is essential if DCC is to improve how it communicates with communities on highways issues.

RECOMMENDATION 4

ESTABLISH A MORE JOINED UP APPROACH BETWEEN HIGHWAYS TEAMS, CONTRACTORS AND COMMUNITIES

a) Highways Teams to pilot different ways of collaborative working with town and parish councils and report findings back to the Corporate Infrastructure & Regulatory Services Scrutiny Committee in the Autumn

b) Highways to continue to develop a user friendly, online facility, to include historic works and contractor details, searchable by electoral division, to be completed by Summer 2019

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Pothole claims management

3.32 As this Task Group review progressed, it came to the attention of Members that there were some significant issues with the way in which pothole claims were being managed by Skanska.

3.33 The County Council may be held liable for damage to vehicles and/or personal injury as a result of safety defects on the highway, where:

- a safety inspection has not been carried out in line with the timeframe laid out in Council policy;
- a safety defect has been missed and therefore not repaired following a safety inspection;
- a safety defect identified through routine safety inspections or reported by the public has not been repaired within the timeframe laid out in policy;
- a safety defect has been repaired within the relevant time frame but the repair has not held.

3.34 As the Council's term maintenance contractor, Skanska hold the indemnity for the liability and costs under their contract with the Council, and therefore a proportion of claims are redirected to them to manage and settle. Under the agreed insurance protocol, Skanska have a responsibility to respond to damage claims within seven working days and injury claims within three working days. However the reality of this proved to be quite different, taking at least two weeks for the Council to receive an acknowledgement of the claim, with many liability decisions taking up to four months, and some longer.

3.35 Consequently these long delays leave many members of the public who are entitled to compensation out of pocket for months and extremely frustrated. Not only does this leave the Council at risk of reputational damage, it also creates additional work for the Customer Service Centre, Insurance Team and Customer Relations Team, fielding calls, following up on claim enquiries and dealing with complaints.

3.36 Since this matter was raised with the Task Group, the Council has begun to address this problem with Skanska, issuing an early warning notice, following which steps towards improvement were agreed between both parties, namely the recruitment of an additional member of staff to assist with the claims management. Performance in this area is being closely monitored by senior officers and through the Devon Highways Board, which meets on a monthly basis.

3.37 The Task Group was extremely disappointed as it emerged that Skanska were failing to manage pothole claims in line with the agreed protocol, and consider the impact on claimants, staff and DCC's reputation as a result to be completely unacceptable. However, Members do feel reassured that appropriate steps are now being taken to address the issues, but urge Skanska to make timely improvements in this area and request that Skanska's performance be closely monitored by DCC going forward.

RECOMMENDATION 5

IMPROVE SKANSKA'S MANAGEMENT OF POTHOLE CLAIMS, INLINE WITH THE AGREED INSURANCE PROTOCOL

- a) Skanska to clear the backlog of DCC claims and be managing all claims in line with the timescales in the agreed insurance protocol by 1st April 2019
- b) Skanska's progress in this area continue to be monitored through the Devon Highways Board, and that the Corporate Infrastructure & Regulatory Services Committee be informed of progress as part of a highways performance report (see recommendation 1a)

4. Conclusion

4.1 When Members of the Corporate Infrastructure & Regulatory Services Scrutiny Committee first discussed the need for this Task Group review, key concerns were initially around the performance of Devon Highways in delivering planned and reactive maintenance works, and particularly the failure of Skanska to complete their gully cleaning programme in 2017/18.

4.2 As the Task Group progressed, other related issues emerged and were included in the review; some such as DCC's policy to repair only 'safety defects' and problems with the reliability of the PIP were ongoing issues, very familiar to Members through their community casework and scrutiny roles. Other issues, such as Skanska's management of pothole claims had emerged more recently under the new contractor.

4.3 As the Task Group interviewed witnesses and gathered evidence, it became clear that the transfer of the contract from SWH to Skanska had contributed towards many of the problems that the Task Group had set out to review, and although steps had been taken to respond, Members were disappointed that these issues had taken so long to be resolved .

4.4 In addition, communication blockages and difficulties in sharing information between DCC highways teams, contractors, local Members and communities had such a noticeable impact, not only on service delivery but also on communities' confidence in DCC and partners to deliver the services they need.

4.5 Throughout this review, The Task Group has also uncovered some excellent efforts to improve the delivery of highways services, including the work to address smaller potholes, the early prioritisation of drainage programmes and the bringing together of highways staff and communities to address local issues.

4.6 Members of the Task Group also acknowledge that reducing budgets and rising demand has put increased pressure on highways teams and operational staff, and the Task Group would like to put on record their thanks to all those who work hard to keep the County moving throughout the year.

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4.7 DCC staff and partners are clearly working hard to make improvements, but there is more still to be done, and the Task Group puts forward the recommendations in this report to support further change and progress in these areas.

5. Membership

Councillors Kevin Ball (Chair), Alistair Dewhirst, Richard Edgell, Linda Hellyer, Andrew Saywell and Martin Shaw

6. Contact

For all enquiries about this report or its contents please contact:
Vicky Church (Scrutiny Officer) victoria.church@devon.gov.uk 01392 383691

7. Sources of Evidence

Witnesses

The task group heard testimony from a number of witnesses and would like to express sincere thanks to the following people for their contribution and the information shared.

Robert Richards	Highways and Traffic Management Group Manager, DCC
Tom Vaughan	Neighbourhood Highways Manager (East), DCC
John Fewings	Neighbourhood Highways Manager (West), DCC
Meg Booth	Chief Officer for Highways, Infrastructure Development & Waste, DCC
Simon Kane	Contract Manager, Skanska
Joe Deasy	Asset Management Group Manager, DCC
Emily Wilkins	Corporate Insurance Manager
Craig Jackson	Highway Maintenance & Drainage Manager, Bath & North East Somerset Council

Bibliography

Devon County Council, Flooding and drainage

<https://new.devon.gov.uk/roadsandtransport/maintaining-roads/flooding-and-drainage/>

Devon Highways, Highway Infrastructure Asset Management Policy

<https://new.devon.gov.uk/roadsandtransport/highway-asset-management/>

Devon County Council, Report a Pothole

<https://new.devon.gov.uk/roadsandtransport/report-a-problem/report-a-pothole/>

Devon County Council, Roads and Transport

<https://new.devon.gov.uk/roadsandtransport/>

LocalGov, 'The fall in funding', 27 March 2018

<https://www.localgov.co.uk/The-fall-in-funding/45012>

Roadworks.org

<https://roadworks.org/>

Well-Managed Highway Infrastructure – A Code of Practice

<http://www.ukroadsliaisongroup.org/en/utilities/document-summary.cfm?docid=4F93BA10-D3B0-4222-827A8C48401B26AC>

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8. Glossary of Terms

Asset Management

The coordinated activity of an organisation to realise value from its assets. Devon's Highways' assets include the network of roads, bridges, pavements, cycle ways and public rights of way, together with street lights, traffic signals, bollards and signs, drainage systems and retaining walls

Devon Highways

The collective name for the Devon County Council (DCC) and Skanska partnership.

Ditch

An open channel used to discharge surface water

Buddle holes

A hole or pipe that carries water through a hedge or bank

Grips

A ditch across the verges which drains water into a back ditch

Gullies

Collects and removes excess surface water from roads

Highways and Traffic Orders Committees (HATOCs)

Devon has eight HATOCs made up of representatives from Devon County Council and each of Devon's District Councils. They are responsible for the way in which the Council delivers its responsibilities as the Highway Authority.

Key Performance Indicators (KPIs)

Performance measures which, for highways, have a focus on monitoring the key assets which keep the county moving

Neighbourhood Highways Officers (NHOs)

Each electoral division within Devon has a designated Neighbourhood Highway Officer to provide local support and information on highway matters

Safety Defect

A pothole that is deeper than 40mm, wider than 300mm and has a vertical edge

Service Defect

A pothole which doesn't meet the criteria of a 'safety defect', but is likely to increase in size and become hazardous if left unrepaired

Skanska

Skanska Construction Ltd is a construction company, which DCC has a highways maintenance contract with running from 1 April 2017 to 31 March 2024

South West Highways (SWH)

DCC's previous highways maintenance contractor

DEVON AND EXETER RAIL PROJECT WORKING PARTY

18 January 2019

Present:

Devon County Council:

Councillors K Ball (Chairman), M Squires, A Leadbetter, Y Atkinson, R Bloxham, J Clatworthy, J Hodgson, J Mathews, D Sellis, C Slade and N Way

Exeter City Council

Councillor R Sutton

East Devon District Council

Councillor B Bailey

Mid Devon District Council

Councillors B Deed and T Snow

Teignbridge District Council

Councillor J Goodey

Torbay Council

Councillor I Doggett

Apologies

Councillors T Wardle, R Longhurst, D Luggar, R Prowse and A Eastman

* 20

Minutes

RESOLVED that the minutes of the meeting held on 13 July 2018 be signed as a correct record.

* 21

Items Requiring Urgent Attention

There was no item raised as a matter of urgency.

* 22

Structure and Membership of Future Meetings

The Head of Planning, Transportation and Environment reported to the Working Party on the structure and membership of future meetings, following agreement at the previous meeting to develop the Working Party into a forum working with the Devon and Cornwall Rail Partnership.

A Devon Rail Forum was suggested as a future format, which would be managed by the Devon and Cornwall Rail Partnership, with administrative support from the Council's Transport Service, independent of the Council's formal committee structure.

In discussion with Members and Officers regarding the new meeting format, the following points were made:

- that Councillor Ball continued as Chair for the first year;
- that Members considered the frequency, membership and format of future meetings, to be incorporated into the Terms of Reference;
- that membership be reduced to one Member per Local Authority (unless relevant to a local Member) thereby allowing other interested parties and/or user groups to input and attend;

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CABINET

DEVON AND EXETER RAIL PROJECT WORKING PARTY- 18/01/19

- that unelected Members and voting rights be clear in the new format;
- that Network Rail and South Western Railway along with Great Western Railway be represented and attend the new meetings;
- establish if Plymouth City Council wanted to be included in the new format;
- suggested future agenda items included – finance and Local Authority contributions, an overview for freight on rail, Dawlish, and Marsh Barton; and
- that the date of the first meeting should be in June.

RESOLVED that draft Terms of Reference be circulated to the current Working Party by the Devon and Cornwall Rail Partnership and the Head of Planning, Transportation and Environment for consideration at the next meeting in its new format.

* 23 Update from Devon and Cornwall Partnership

The Working Party received a presentation from Richard Burningham, Manager, Devon and Cornwall Rail Partnership which covered the following:

- the Partnership worked primarily on rural branch lines, but not exclusively, extending from Axminster to Cornwall. It had arrangements with South Western Railway, and now covered the East Devon Line;
- Its core partners were Devon County Council, Cornwall Council, Great Western Railway, South Western Railway, Cross Country Trains, Plymouth City Council and the University of Plymouth;
- its core aims included promoting the use of trains, seeking improvements to services and facilities; boosting local economies of the places served via their rail link, and working to link the railway and community;
- passenger numbers had increased from last year;
- good marketing through their website which publicised the scenic branch lines; use of social media, targeted ads, printed publicity, work with South West Coast Paths and others;
- Foodie Guides on the Avocet Line; and
- improving Services through e.g. the launch of extra trains between Newton Abbot and Paignton and an all-year Tamar Valley line on Sundays.

Points raised in discussion with Members included:

- the Partnership had not explored freight on branch lines, as their focus was on the passenger service only;
- problems of overcrowding on the Tarka line and the use of only two-carriage trains;
- a new shared prosperity fund that would in the future be replacing the EU fund; and
- the problem of only two bicycles being allowed on trains, preventing group cycle travel.

* 24 Update from Great Western Railway

Lewis Ward, the Assistant Regional Development Manager at Great Western Railway, provided an update to the Working Party which covered:

- performance had improved in recent weeks with high speed services in particular seeing the benefit of the live electrification of the line between Newbury and Paddington thereby improving punctuality;
- performance improvement also around Bristol as a result of the Filton Bank Four Tracking;
- driver/guard training was ongoing creating crew shortages which impacted travel at weekends, but the training programme was soon coming to an end and benefits would be seen in 2019;
- phased timetable changes would take place during May and September, including a phased introduction of new and refurbished trains;

- 2019 would see more high-speed fleet working on mainlines;
- much work was going on at the Exeter depot to support the new faster trains, where the challenge was maintaining service as usual;
- the station gate at Exeter had been widened creating two new portals, plus the customer service section was also being looked at to speed up movement through;
- CCTV and Wi-Fi had been introduced at some stations, with real-time information now available at Polsloe Bridge;
- business discussions were ongoing regarding ticket vending machines;
- improved lighting and other works were due to take place on St Clément's Lane, off St David's Hill, Exeter, utilising match funding;
- a lot of engineering work would be coming up this year, with major works between Tiverton and Taunton and other pockets of work which may affect Sunday travel, advice was to check GWR website; and
- Access for All funding had been granted for the bridge at Totnes, and work on other locations was ongoing;

In discussion with Members and Mr Ward, the following points were made:

- that allowing more than two bicycles on trains was at the Guard's discretion, but longer distance trains did have other arrangements whereon bicycles could be booked;
- trains were being refurbished now for use on the Tarka line, although the work was slower than anticipated, it was expected to have five available by May;
- dialogue was ongoing with Network Rail on the accessibility of Polsloe Bridge and St Thomas, with stations being ranked in priority for higher footfall; and
- Great Western Railway would be happy to hear from local groups regarding the setup of cycle hire at Totnes.

RESOLVED that Mr Ward would revert to Councillors Doggett and Clatworthy respectively with updates on the toilet and lift facilities at Torbay; and the disabled access at Dawlish/Teignmouth.

* **25** **Update on Government Rail Review**

The Working Party noted the Report of the Head of Planning, Transportation and Environment (PTE/19/3) which provided an update on the Government Rail Review.

The Secretary of State for Transport had announced an independent review of rail franchising and structures following the widely publicised issues with the introduction of new timetables over the Summer, the surrender of the East Coast franchise by Stagecoach and issues with infrastructure projects.

The independent review would look at the whole rail industry and the first step of the review was a call for evidence which was available for online completion. The closing date originally set for 18 January 2019 had been extended to 31 May 2019.

* **26** **St James - Exeter City FC Match Days**

(Councillor Aves attended in accordance with Standing Order 25(2) and spoke to this item at the invitation of the Working Party.)

In accordance with Standing Order 23(2), Councillor Atkinson had asked that the Working Party consider this item.

Councillor Aves welcomed the news that the Department for Transport had agreed to the platform two extension at St James Park Station.

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CABINET

DEVON AND EXETER RAIL PROJECT WORKING PARTY- 18/01/19

Currently, the platform was only 37m long meaning that only one or two coach trains could stop, using only the front two doors. There was concern also about the safety of people wanting to disembark in a hurry, especially on conflicting match days at Sandy Park.

Network Railway had agreed, as part of the Devon Metro Strategy, that certain stations were going to have platform extensions and St James Park was one of them. An announcement from Network Rail on the extension to the platform later this year would be eagerly anticipated.

* 27

Date of New Meeting

A suggested date for the next meeting in its new format was Friday 7 June 2019 at County Hall.

The Meeting started at 1.30 pm and finished at 3.20 pm

DEVON EDUCATION FORUM

23 January 2019

Present:-

Schools Members

Primary School Head teachers

Mr M Boxall

Mr A Dobson

Mr J Stone

Mr P Walker

Exeter Children's Federation

Marwood Primary

Denbury Primary

First Federation Trust (*Academy Member*)

Primary School Governors

Mrs A Blewett

Mr M Dobbins

Ms M Wallis

Mr A Walmsley

Kings Nympton Primary

Exmouth Marpool Primary

Whimple School (**Chair**)

First Federation (*Academy Member*)

Secondary School Head teachers

Mr R Haring

Ms A Mitchell

Mrs J Phelan

Ivybridge CC (*Academy Member*)

The Ted Wragg Multi Academy Trust (*Academy Member*)

Cullompton CC

Secondary School Governors

Ms J Elson

Mrs J Larcombe

Mrs T Sturtivant

Exmouth CC (*Academy Member*)

Uffculme Academy Trust (*Academy Member*)

Tiverton High

Nursery School

Mrs S Baker

Westexe

Special School HeadTeacher

Ms S Pickering

Millwater School

Special School Governor

Mrs F Butler

Marland School

Non-Schools Members

Mr R Gurney

Mr J Searson

Mrs L Wright

Mr B Blythe

Teachers Consultative Committee

Exeter Diocesan Board of Education

Early Yrs Private, Voluntary & Independent (*Substitute Member*)

16-19 West England School & College

Observer

Councillor J McInnes

Cabinet Member – Children's Services and Skills

Apologies

Ms M Marder

Mr T Newman

Mr R Gasson

The Ted Wragg Multi Academy Trust (*Academy Member*)

Chulmleigh Academy Trust (*Academy Member*)

WAVE Multi Academy Trust (*Academy Member*)

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DEVON EDUCATION FORUM
23/01/19

96 Minutes

DECISION:

That the minutes of the meeting held on 20 November 2018 be signed as a correct record.

97 Matters Arising from the Last Meeting and Report back on Issues Raised with Cabinet

DISCUSSION:

DAPH welcomed the clarification of the Regulations appended to the minutes of 20 November 2018 referred to in Minute 90 (bullet 1), in relation to the use of the DSG High Needs Block for students aged 19-25.

In response to whether there were likely to be further unforeseen costs regarding the small number of historic cases of 19-25 young people with EHCPs, the County Treasurer advised that it was not anticipated there should be any further young people within that category although Devon had no control over some factors eg consideration by tribunal.

98 Membership

DISCUSSION:

The Forum noted the resignation of Mrs S Barnett (Early Years Private, Voluntary and Independent representative).

Mrs L Wright was present as the current EYPVI substitute member.

Arrangements would be put in hand for the local authority to consider and appoint the EYPVI representative(s).

ACTION:

County Solicitor (Fiona Rutley)

99 Head of Education & Learning Update

DISCUSSION:

The Head of Education & Learning reported on:-

(a) Early Help for Mental Health (EH4MH) Members welcomed that following concern regarding the uncertainty around ongoing provision, the principles of EH4MH provision had now been confirmed. It had been confirmed as a priority included in the new service specification and wider funding had been made available. The detailed provision was now being worked upon.

(b) SEND Ofsted Inspection December 2018 Devon had had sight of the draft report affecting all providers (including CCG, schools and LA) within Devon. The final report was anticipated end January/beginning February 2019. The draft report had raised no new issues that Devon was not already aware of. Strategies to address these were therefore already being worked upon and implemented. Devon had made significant progress on the timing of EHCPs with a target of 95% ECHPs to be on time for October 2019.

In response to DAPH/DASH concerns:- reducing delays in the EHCP process was improving information becoming out of date from the draft plan stage; the Head of Education & Learning would continue to build and improve upon proactive communications and relationships with schools to help to resolve SEN issues before the draft plan stage, although educational

psychologist input continued to have a higher priority within the statutory SEND Code of Practice.

The SEND Improvement board (responsible for the action plan) and officers would further review and refresh the action plan to respond to the Ofsted report. A smaller action group would also be created to focus on the fine detail of specific actions. This would be chaired by Jo Olson as chair of the DCF Local Area Partnership

The Chair acknowledged the work driving SEND improvements over the last two years.

(c) Recruitment Associations were invited to participate in shaping a new Devon recruitment website/advertising campaign to help address recruitment issues including the shortage of high quality mathematics, physics and chemistry teachers.

(d) Attainment/Key Stage results (some figures unvalidated, summary tabled) compared nationally and by Devon's statistical neighbours. Although attainment was a more positive picture, work was being progressed to understand the generally downward trend in Devon's Progress results.

DECISION: that the Progress/Key Stage results summary be circulated electronically to DEF members.

ACTION:

Head of Education & Learning (Dawn Stabb)

100

Finance Update

DISCUSSION:

The Forum considered the report of the Chief Officer for Children's Services and County Treasurer (DEF/19/01).

The Forum also noted the respective minutes of the Schools Finance Group (SFG) of 9 January 2018.

The report (DEF/19/01) covered:

Dedicated Schools Grant (DSG) 2019/20 Budget Planning

Schools Block 2019/20

Central School Services Block 2019/20

High Needs Block 2019/20 (including pressures and planned actions)

Early Years Block 2019/20

Other Schools Grants 2019/20

Month 8 DSG Budget Monitoring Position 2017/18 (including DSG Month 8 forecast and major variations; High Needs Month 8 forecast and budgets).

The County Treasurer summarised sections 1-6 of the report. Discussion on these sections included:-

-members' had some reservations regarding the EFSA schools funding allocations 2019/20 announced 17 December 2018; Devon will be funded £294 per pupil lower than the national average, £26.8million in total.

-the continued considerable budget pressure of the High Needs Block (section 4) and whether there could be an increase in Alternative Provision places at least in the short term until strategies within the Devon Inclusion Project could take effect to support pupils with SEN and complex needs;

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-that as a lot of the budget was needs-led, the LA could not guarantee demand and it therefore challenging to achieve the management action required in year 2019/20 to meet pressures of £5.34m; There was a request that DEF members be provided with a breakdown of the 2019/20 £2.4m management actions (paragraph 7.6 of the report) regarding the 3rd – 5th year action within FE. Actions were currently being worked on;

-the 16-19 representative would welcome continued dialogue to offer improved value SEN placements.

The County Treasurer further summarised section 7 of the report (Month 8 DSG budget monitoring) and members' discussion included:-

-it was acknowledged that Devon had played a considerable part in the additional £250m of funding for high needs 2018/19 and 2019/2020, with Devon receiving £1.54m each year;

-the Secretary of State decision regarding the disapplication request was expected shortly and by 28 February 2019 at the latest.

- Due to the local formula Devon Secondary schools will see a lower minimum funding per pupil level than those of Cornwall and Plymouth.

-any plan B for HNB budget pressures to avoid the ongoing cycle. Costs of independent sector high needs provision was a national issue and delays in additional Devon infrastructure had been beyond Devon's control. The growth to this budget line was therefore unfortunately expected to continue to grow but the rate of growth should slow down due to other action taken. This growth is recognised within the 2019/20 budget. The Children's Scrutiny Committee on 21 January 2019 considering the 2019/20 budget supported proposals (subject ratification by the full Council Budget meeting on 21 February 2019) to corporately set aside £3.5m next year to cover changes to accounting rules requiring the Council to finance any High Needs deficit from 2021/22;

-that as requested by SFG a communication to Headteachers to explain the revised disapplication request to 0.25% was being prepared by the County Treasurer in consultation with DAPH and DASH and would be sent out shortly.

- Governors requested as part of communication on budgeted it should include expectations for the next 3 year budgets, an explanation of the short term and guidance for the medium term, 3-5 years.

DECISION:

(a) that the Dedicated Schools Grant (DSG) 2019/20 EFSA announcement on 17 December 2018 as set out in section 1 of report (DEF/19/01) be noted;

(b) that the Schools Block, High Needs Block and Early Years Block for 2019/20 as set out in sections 2 to 6 of the report be noted;

(c) that month 8 DSG monitoring position as set out in section 7 of the report be noted.

101

Standing (and other) Groups

The Forum received the following minutes of its standing groups:-

(a) Schools' Finance Group (SFG)

Minutes of the meeting held on 9 January 2019 (considered under Finance Update minute 100 above)

(b) School Organisation, Capital and Admissions (SOCA)

Minutes of the meeting held on 8 January 2019.

102 **Dates of Future Meetings**

Meetings to be held at County Hall, Exeter, at 10am (unless otherwise specified):

Wed 20 March 2019
Wed 19 June 2019
Wed 20 Nov 2019
Wed 22 January 2020
Wed 18 March 2020.

<https://democracy.devon.gov.uk/mgCalendarMonthView.aspx?GL=1&bcr=1>

The Meeting started at 10.00 am and finished at 11.40 am

The Schools Forum web is www.devon.gov.uk/schoolsforum

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SCHEDULE OF CABINET MEMBER DECISIONS TAKEN SINCE PREVIOUS MEETING		
Cabinet Remit/Officer	Matter for Decision	Effective Date
Policy, Corporate & Asset Management	Approval of an amendment to the individual delegation to the Chief Trading Standards Officer	2 January 2019
Infrastructure, Development and Waste	Approval of a resolution to use compulsory purchase powers and side roads order powers re North Devon Link Road Scheme,	28 January 2019
	Approval to the commencement of advance construction works and a tender exercise for construction of Phase 1 of the A382 Corridor Improvement Scheme at Newton Abbot	5 February 2019
Children's Services & Schools	Approval to consultation taking place on a proposal to lower the age range of Newton St Cyres and Cheriton Fitzpaine Primary Schools	24 January 2019
	Approval to consultation taking place on a proposal to lower the age range at North Molton Primary School,	24 January 2019
Community, Public Health, Transportation & Environmental Services and Infrastructure, Development and Waste	Approving the award of local bus service contracts ED/99, SH/160/162 and SH/164 ED/99 Exmouth Town Evenings, SH/160/162 Kingsbridge Town and Kingsbridge - Loddiswell/Inner Hope SH/164 Kingsbridge – Totnes)	18 January 2019
Highway Management	Approval to progress to public consultation on the Exeter Transport Strategy.	18 January 2019
Organisational Development and Digital Transformation.	Approval to enter into a Joint Working Agreement with Hampshire County Council and Manchester City Council re Southern Construction Framework Professional Services.	25 January 2019

The Registers of Decisions will be available for inspection at meetings of the Cabinet or, at any other time, in the Democratic Services & Scrutiny Secretariat, during normal office hours. Contact details shown above.

In line with the Openness of Local Government Bodies Regulations 2014, details of Decisions taken by Officers under any express authorisation of the Cabinet or other Committee or under any general authorisation within the Council's Scheme of Delegation set out in Part 3 of the Council's Constitution may be viewed at <https://new.devon.gov.uk/democracy/officer-decisions/>

DEVON COUNTY COUNCIL

COUNCIL/CABINET FORWARD PLAN

In line with the public's general rights of access to information and the promotion of transparency in the way which decisions are taken by or on behalf of the Council, Devon County Council produces a Forward Plan of any Key Decisions to be taken by the Cabinet and any Framework Decisions to be made by the County Council. The Plan normally covers a period of a minimum of four months from the date of publication and is updated every month.

The County Council has defined key decisions as those which by reason of their strategic, political or financial significance or which will have a significant effect on communities in more than one division are to be made by the Cabinet or a Committee of the Cabinet. Framework Decisions are those decisions, which, in line with Article 4 of the Council's Constitution must be made by the County Council.

The Cabinet will, at every meeting, review its forthcoming business and determine which items are to be defined as key decisions and the date of the meeting at which every such decision is to be made, indicating what documents will be considered and where, in line with legislation, any item may exceptionally be considered in the absence of the press and public. The revised Plan will be published immediately after each meeting. *Where possible the County Council will attempt to keep to the dates shown in the Plan. It is possible that on occasion may need to be rescheduled.* Please ensure therefore that you refer to the most up to date Plan.

An up to date version of the Plan will available for inspection at the Democratic Services & Scrutiny Secretariat in the Office of the County Solicitor at County Hall, Topsham Road, Exeter (Telephone: 01392 382264) between the hours of 9.30am and 4.30am on Mondays to Thursdays and 9.30am and 3.30pm on Fridays, free of charge, or on the County Council's web site, 'Information Devon', (<http://www.devon.gov.uk/dcc/committee/>) at any time.

Copies of Agenda and Reports of the Cabinet or other Committees of the County Council referred to in this Plan area also on the Council's Website at (<http://www.devon.gov.uk/dcc/committee/mingifs.html>)

FORWARD PLAN

All items listed in this Forward Plan will be discussed in public at the relevant meeting, unless otherwise indicated for the reasons shown

Any person who wishes to make representations to the Council/Cabinet about (a) any of the matters proposed for consideration in respect of which a decision is to be made or (b) whether or not they are to be discussed in public or private, as outlined below, may do so in writing, before the designated Date for Decision shown, to The Democratic Services & Scrutiny Secretariat, County Hall, Exeter, EX2 4QD or by email to: members.services@devon.gov.uk

PART A - KEY DECISIONS

(To Be made by the Cabinet)

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Date of Decision	Matter for Decision	Consultees	Means of Consultation**	Documents to be considered in making decision	County Council Electoral Division(s) affected by matter
	<i>Regular / Annual Matters for Consideration</i>				
February 2019	Admission Arrangements and Education Travel Review: Approval to admission arrangements for subsequent academic year	Schools, GBs and Phase Associations	Formal consultation and Devon Education Forum	Report of the Chief Officer for Childrens Services outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions
13 March 2019	Flood Risk Management Action Plan – Update on the current year’s programme and approval of schemes and proposed investment in 2019/20	All other Risk Management Authorities	Liaison through Devon Operational Drainage Group	Report of the Head of Planning, Transportation and Environment outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions
10 April 2019	County Road Highway Maintenance Capital Budget Update on current years programmes and approval of schemes and proposed programmes for forthcoming financial year	N/A	N/A	Report of the Chief Officer for Highways, Infrastructure Development and Waste outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions
10 April 2019	County Road Highway Maintenance Revenue Budget and On Street Parking Account Allocation of highway maintenance funding allocated by the Council in the budget for the current/forthcoming financial year	N/A	N/A	Report of the Chief Officer for Highways, Infrastructure Development and Waste outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions

10 April 2019	Transport Capital Programme 2019/20: For approval	Public, HoSW LEP\LTB, District Councils, Stakeholders and Delivery Partners.	LTP 2011-2026 consultation, meetings, planning applications and local plan consultation.	Report of the Head of Planning, Transportation and Environment outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions
<i>Specific Matters for Consideration</i>					
15 February 2019	Newton Abbot Exeter Road Improvements seeking approval to commence land acquisition and go to tender	Public	Public consultation 5 October to 2 November 2018, leaflet distribution, website, have your say.	Report of the Head of Planning, Transportation and Environment outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	Newton Abbot North
15 February 2019	Highways Budget: Allocation of additional capital funding for carriageway structural maintenance and bridge structural repairs	N/A	N/A	Report of the Chief Officer for Highways, Infrastructure Development and Waste outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions
13 March 2019	Budget Monitoring: Month 10 Approval of Month 4 Report and actions arising	n/a	n/a	Report of the County Treasurer outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions
13 March 2019	Cullompton Eastern Relief Road: Approval to preferred route and development/submission of planning application	Public and stakeholders	6-week public consultation in Sep/Oct 2018 with public exhibitions and questionnaires	Report of the Head of Planning, Transportation and Environment outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	Cullompton & Bradninch

<p>13 March 2019</p>	<p>Proposed Long Lane widening and new link road on Silverdown Office Park, near Exeter Airport, Broadclyst</p>	<p>Representatives from East Devon District Council. Exeter Airport, Landowners, Flybe, the Hampton by Hilton hotel and FAB Link project</p>	<p>Stakeholder Meetings</p>	<p>Report of the Head of Planning, Transportation and Environment outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.</p>	<p>Broadclyst</p>
<p>13 March 2019</p>	<p>Transport and Engineering Professional Services Contract: Approval of model for civil engineering design services and to proceed to tender</p>	<p>Other local Authorities and potential suppliers</p>	<p>Combination of, face to face (suppliers), and e-surveys (other LA's and suppliers)</p>	<p>Report of the Chief Officer for Highways, Infrastructure Development and Waste outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.</p>	<p>All Divisions</p>
<p>Between March 2019 and April 2019</p>	<p>E4 (Section 10) Cycle route along Pinhoe Road and Exhibition Way, Exeter</p>	<p>Public consultation, Statutory consultees, Exeter City Council</p>	<p>Public consultation via the Council's Have Your Say website, delivered 500+ postcards to nearby residents, distributed letters to local businesses, held meetings with a number of community groups including Living Options and Guide Dog representatives</p>	<p>Report of the Head of Planning, Transportation and Environment outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.</p>	<p>All in Exeter</p>

13 March 2019	Edge of Care			Report of the Chief Officer for Childrens Services outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions
13 March 2019	Skypark Development Partnership, Clyst Honiton	N/A	N/A	Report of the Head of Economy, Enterprise and Skills outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	Broadclyst
10 April 2019	Moor Lane Roundabout, Exeter: Junction Improvement Scheme – Scheme and Estimate Approval	Neighbouring businesses and forums for the Sowton/Business Park area	Letters to neighbouring Business and Sowton/Exeter Business Park Forums Online information on DCC 'Have your say' page Meetings with Local Business Forum (Sowton Forum and/or Exeter Business Park Travel Forum)	Report of the Head of Planning, Transportation and Environment outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All in Exeter; Heavitree & Whipton Barton; Wonford & St Loyes
10 April 2019	Park and Change facility, nr Exeter Science Park: Scheme and cost estimate approval	Public consultation including statutory consultees; landowners	Consultation via Reserved Matters planning application, which was submitted to and approved by East Devon District Council on 16 October 2018	Report of the Head of Planning, Transportation and Environment outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	Broadclyst

10 April 2019	Adult Services Market Sufficiency Position			Report of the Head of Adult Commissioning and Health outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions
10 April 2019	Accommodation Strategy			Report of the Head of Adult Commissioning and Health outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions
10 April 2019	Children and Young People Plan Approval to Children & Young People's Plan for 2018 onwards			Report of the Chief Officer for Childrens Services outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions

PART B -FRAMEWORK DECISIONS

(Requiring approval of the County Council)

Date of Decision	Matter for Decision	Consultees	Means of Consultation**	Documents to be considered in making decision	County Council Electoral Division(s) affected by matter
12 December 2018 21 February 2019 (Council)	Heart of the South West - Local Industrial Strategy To approve the LEP Local Industrial Strategy	TBC	TBC	Report of the Chief Executive outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions
05 January 2019 15 February 2019 (Council)	Pay Policy Statement Recommendation to County Council in February of each year to approve, in accordance with the provisions of the Localism Act 2011 of the Councils Annual Pay Policy Statement setting out its policy for each financial year relating to remuneration of Chief Officers and other employees and the relationship between the pay of chief officers and other employees	Appointments & Remuneration Committee	Public Meeting	Report of the County Solicitor outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions
15 February 2019 21 February 2019 (Council)	Revenue Budget, Medium Term Financial Strategy & Capital Programme for next subsequent financial year and beyond Including Treasury Management and Capital Strategies for the next subsequent financial year and beyond.	Public, Stakeholders, Trades Unions, Business and Voluntary Sectors and public	Statutory consultations, meetings, fora and public meetings, correspondence and website	Report of the County Treasurer outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions

PART C - OTHER MATTERS (i.e. Neither Key Nor Framework Decisions)					
Date of Decision	Matter for Decision	Consultees	Means of Consultation**	Documents to be considered in making decision	County Council Electoral Division(s) affected by matter
	<i>Regular / Annual Matters for Consideration</i>				
Between 15 February 2019 and December 2020	Standing Items, as necessary (Minutes, References from Committees, Notices of Motion and Registers of Delegated or Urgent Decisions)	As necessary		Report of TBC outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions
Between 15 February 2019 and 1 May 2021	Standing items on the future management, occupation, use and improvement of individual holdings and the estate, monitoring the delivery of the Budget & the Estate Useable Capital Receipts Reserve in line with the approved policy and budget framework	To be considered at the Farms Estates Committee, including any advice of the Council's Agents NPS South West Ltd		Report of the County Treasurer, Head of Digital Transformation and Business Support outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions
Between 15 February 2019 and 1 May 2021	<i>[NB: Items relating to the letting or occupancy of individual holdings may contain information about, or which is likely to reveal the identity of, an applicant for a holding and about the financial and business affairs of the Council and any prospective or existing tenant that may need to be discussed in the absence of the press and public]</i>				
15 May 2019	Approval to Revenue & Capital Outturn, for the preceding financial year	N/A	N/A	Report of the County Treasurer outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions
15 May 2019	Public Health Annual Report Cabinet to receive the Public Health Annual Report of the Director of Public Health			Report of the Director of Public Health outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions

10 July 2019	Treasury Management Stewardship Outturn Report	Corporate Infrastructure and Regulatory Services Scrutiny Committee	n/a	Report of the County Treasurer outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions
9 October 2019	Annual Childcare Sufficiency Report: Endorsement of Annual report Outlining how the Council is meeting its statutory duty to secure sufficient early years and childcare places and identifying challenges and actions for the coming year in relation	TBC	TBC	Report of the Head of Education and Learning outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary.	All Divisions
<i>Specific Matters for Consideration</i>					

