


**SCHOOLS ORGANISATION, CAPITAL AND ADMISSIONS GROUP**  
**Notes of meeting**  
**on 8 January 2019 at Larkbeare**

**Items for DEF on 23 January 2019**

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| <b>Item 6</b> | <p><b>Compliance with the School Admissions Code</b></p> <p>SOCA endorsed the recommendations for LA action with regard to non-compliance with School Admissions Code requirements:</p> <ul style="list-style-type: none"> <li>• LA will work with the Academy Trust to resolve identified areas of non-compliance and support the MAT in delivering statutory responsibilities.</li> <li>• LA will report continued non-compliance by Academies to ESFA and RSC.</li> <li>• LA will challenge a school seeking to refuse admission on behavioural grounds, and will not defend an appeal on behalf of an own admissions authority school where it believes the refusal is unlawful.</li> <li>• Devon LA will seek changes in arrangements applied by other LAs including forms requesting information inappropriate for the admissions process.</li> </ul> |
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|                                 |  | <b>Attendance</b> |                  |                  |
|---------------------------------|--|-------------------|------------------|------------------|
|                                 |  | <b>8/1/19</b>     | <b>25/9/18</b>   | <b>5/6/18</b>    |
| <b>DCC</b>                      |  |                   |                  |                  |
| Neil Pateman (Chair)            | Built Environments Capital Programme Manager | ✓                 | ✓                |                  |
| Simon Niles                     | Children's Strategy Manager                  | <b>Apologies</b>  | ✓                | -                |
| Andrew Brent                    | Policy Officer                               | ✓                 | ✓                | ✓                |
| Fran Butler                     | EY Childcare Sufficiency Lead                | ✓                 | ✓                | ✓                |
| Christine McNeil                | School Organisation Policy Manager           | ✓                 | <b>Apologies</b> | ✓                |
| Heidi Watson-Jones              | Service Support Officer (Education)          | ✓                 |                  |                  |
| <b>DAPH</b>                     |  |                   |                  |                  |
| Hilary Priest                   | The Grove Primary                            | <b>Apologies</b>  | ✓                | ✓                |
| Colin Butler                    | Offer Valley Federation                      | ✓                 | ✓                |                  |
| Penny Hammett                   | Payhembury Primary                           | ✓                 | ✓                | ✓                |
| Mel Smallwood                   | Bishops Tawton Primary                       | ✓                 | ✓                |                  |
| Alun Dobson                     | Marwood Primary                              |                   |                  | ✓                |
| <b>DASH</b>                     |  |                   |                  |                  |
| Daryll Chapman                  | Dartmoor MAT                                 | ✓                 | ✓                | <b>Apologies</b> |
| Rob Haring                      | Ivybridge Community College                  | ✓                 | <b>Apologies</b> | ✓                |
| <b>SENTient Heads</b>           |  |                   |                  |                  |
| Sam Barham                      | Lampard Community School                     | <b>Apologies</b>  | ✓                | ✓                |
| <b>DAG</b>                      |  |                   |                  |                  |
| Ian Rogers                      | DAG  | ✓                 | ✓                | ✓                |
| <b>Diocesan Representatives</b> |  |                   |                  |                  |
| tbc                             | Plymouth CAST                                | -                 | -                | -                |
| Christina Mabin                 | Exeter Anglican Diocese (Admissions)         | ✓                 | ✓                | ✓                |
| Richard Power                   | Exeter Anglican Diocese (Capital)            | ✓                 | ✓                | <b>Apologies</b> |
| <b>Union Representatives</b>    |  |                   |                  |                  |
| Nigel Williams                  | Corporate Forum (Education) NASUWT           | ✓                 | -                |                  |
| <b>In Attendance</b>            |  |                   |                  |                  |
| Nigel Coleman                   | NPS  | ✓                 | ✓                | ✓                |

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| <b>1. Item/Focus: Minutes and Matters Arising from meeting on 25 September 2018</b>   |   |
| <b>Discussion:</b>  |   |
| <ul style="list-style-type: none"> <li>Survey re. staggered entry to primary school in hand.</li> </ul>   |   |
| <b>Key Decision/ Issues for DEF:</b>  | <ul style="list-style-type: none"> <li>Minutes of previous meeting agreed as an accurate record.</li> </ul>   |
| <b>Action:</b>  | <ul style="list-style-type: none"> <li><b>Simon Niles</b> to bring update on surplus places to February meeting.</li> </ul>   |
| <b>2. Item/Focus: SOCA Terms of Reference</b>   |   |
| <b>Discussion:</b>  |   |
| <ul style="list-style-type: none"> <li>Revised draft circulated for comment.</li> <li>Agreed to remove reference to traded admissions service, as from 1 April 2019 this will no longer be relevant</li> <li>Agreed Phase Associations will continue to determine representation and length of term of their membership.</li> </ul>   |   |
| <b>Key Decision/ Issues for DEF:</b>  | Group agreed to endorse amendments as presented.<br>Report noted  |
| <b>Action:</b>  | <p>HWJ to revise and circulate updated Terms of Reference document</p>  <p>SOCA Terms of Reference</p> |
| <b>3. Item/Focus: Proposed Admission Arrangements 2020/21</b>   |   |
| <b>Discussion:</b>  |   |
| <ul style="list-style-type: none"> <li>Consultation process concluded 4 January 2018. Arrangements must be determined by 28 February and published by 15 March 2018. 8 Feb Cabinet meeting for determination for co-ordinated schemes and DCC community and VC schools; Full Governing Body or Academy Trust Board meetings to agree determination for VA, Foundation, Academies, Free Schools, Studio Schools or UTCs.</li> <li>Discussed Supplementary Information Form for consideration of prioritisation due to exceptional need. To be introduced for 2020/21 (not for in year admissions during 2019/20)</li> <li>Discussed importance of open and honest information about the child being provided at time of admission, and frustration in trying to accommodate a pupil which a school is not appropriately prepared for. Noted that Parental Preference will be prioritised.</li> <li>Noted proposed amendments including removal of references to EU, replaced by right of entry into/abode in the UK.</li> <li>All faith schools have been asked to review faith oversubscription criteria. Diocese has looked into this, to determine whether local pupils are being displaced. Diocesan guidance will be drafted, which although not statutory, C of E schools should have regard to follow such guidance. Mindful of 2 year lead-in for any new arrangements and guidance around admissions.</li> <li>Noted DCC advice to Kingsbridge CC and Uffculme School Admissions Authorities not to include additional feeder primary schools due to ongoing oversubscription and unreasonable raising of parental expectation for admission.</li> <li>No changes proposed to transport arrangements.</li> <li>All schools encouraged to have a separate 6<sup>th</sup> form admission policy due to differences in timeframes and arrangements. <b>AB</b> to send communication to all relevant schools regarding arrangements.</li> <li>Discussed arrangements for dormant or closing sixth form accommodation – schools must be mindful of timeline for RSC to comply with admissions determination. Noted liaison between Schools, FE sector and other LAs is required when considering a sixth form closure to ensure</li> </ul> |   |

placement sufficiency.

- Headteachers wished to express that they felt Devon runs an efficient and good quality admissions service. It was felt that this was partly due to schools' commitment to being inclusive and cooperating well.

**Key Decision/ Issues for DEF:** Report noted

**Action:** AB to circulate communication to secondary schools regarding sixth form admission

#### 4. Item/Focus: Fair Access Protocol

**Discussion:**

- New protocol established from summer term 2018 for in-year admission of vulnerable children who otherwise would not be in school.
- Fair Access to secondary school often involves children new to the authority, admitted under the 3% rule. Little change to protocol for this phase.
- Primary phase saw higher numbers under revised Fair Access Protocol, enabling more vulnerable children to access a local school more quickly.
- Noted particular pressure in Years 1 and 2, and in East Devon where there is very little vacant capacity.
- Noted further work to be undertaken to review policies around re-integration of children from alternative provision, supporting children at risk of exclusion, and admission of pupils through a range of processes e.g. EHCP named schools.

**Key Decision/ Issues for DEF:** Report noted

**Action:** AB to report back at next meeting

#### 5. Item/Focus: Admission of Children in Care and those Formerly in Care

**Discussion:**

- Noted Virtual School presumption of admission for children in care or formerly in care. Noted other LAs do not always demonstrate such a level of commitment to CiC.
- Some difficulties can arise where carers or social care staff do not follow the Virtual School protocols, including Planning for Success process. Schools are requested to make contact with AB if they are approached informally regarding an admission of a CiC.
- Discussed what arrangements would be put in place for an out of county student formerly placed in AP in another LA. Admissions team in liaison with Inclusion would normally determine appropriate provision, (e.g. dual registration or reintegration into mainstream), based on report provided by former setting. Presumption would be a replication of provision in former LA in first instance.

**Key Decision/ Issues for DEF:** Update noted

**Action:**

#### 6. Item/Focus: Compliance with the School Admissions Code

**Discussion:**

- Concerns have been identified around a particular Academy Trust which is using unlawful application forms for admission arrangements, admissions are being refused on basis of a student's additional needs and reports of behaviour.
- Diocesan advice has been offered. Devon Admissions Team continues to work with the MAT towards an appropriate outcome to ensure legal compliance with the School Admissions Code, however ongoing non-compliance will be reported to the ESFA and the RSC as a breach of the schools funding agreement.
- Discussed issues of parental preference enabling multiple moves from school to school which

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| <p>could be to the detriment of other pupils.</p> <ul style="list-style-type: none"> <li>The group discussed the process of Managed Moves and the increasing implications for schools, particularly in the SW. Headteacher concerns to be fed back to Marc Kastner.</li> <li>Headteachers reiterated that schools do not willingly refuse admission but are mindful of exceptional circumstances, and professional consideration of the needs of individual children.</li> </ul>  |  |
| <b>Key Decision/ Issues for DEF:</b>  | <p><b>SOCA endorsed the recommendations as outlined:</b></p> <ul style="list-style-type: none"> <li>LA will work with the Trust to resolve identified areas of non-compliance and support the MAT in delivering statutory responsibilities.</li> <li>LA will report non-compliance by Academies to ESFA and RSC.</li> <li>LA will challenge a school seeking to refuse admission on behavioural grounds, and would not defend an appeal on behalf of an own admissions authority school where it believes the refusal is unlawful</li> <li>Devon LA will seek change in arrangements applied by other LAs including forms requesting information inappropriate for admissions process</li> </ul> |
| <b>Action:</b>  |  |
| <b>7. Item/Focus: Admission Arrangements and School Websites</b>  |  |
| <p><b>Discussion:</b></p> <ul style="list-style-type: none"> <li>The group was reminded that each school website / Academy Trust website must publish determined admissions policies on their website and proposed policies during the consultation period</li> </ul>   |  |
| <b>Key Decision/ Issues for DEF:</b>  |  |
| <b>Action:</b>  | <b>Phase Associations</b> to remind schools of the expectation that admission policies are to be published on websites.  |
| <b>8. Item/Focus: Early Years Update</b>  |  |
| <p><b>Discussion:</b></p> <ul style="list-style-type: none"> <li>Noted the take up of provision for 2, 3 and 4 year old provision and extended hours provision.</li> <li>Considering issues of eligibility, mindful of significant number of families in the area with seasonal, part time or zero hours employment.</li> <li>EY Capital projects have been submitted for Littleham (Exmouth) and Bearnas (Newton Abbot). Noted difficulties in identifying schools with required proportion of children on Free School Meals (20%). Successful applications will be notified in March.</li> </ul>                              |  |
| <b>Key Decision/ Issues for DEF:</b>  | Report noted   |
| <b>Action:</b>  |  |
| <b>9. Item/Focus: NPS Update</b>  |  |
| <p><b>Discussion:</b></p> <ul style="list-style-type: none"> <li>Noted DMP / DAMA scheme membership adjustments due to academisation.</li> <li>Requested separate VA Promise and DMP maintenance works data.</li> <li>Noted reliance on schools and contractors working together under DAMA. Improved communication between schools and contractors would be helpful to ensure accurate picture of compliance and completion of work within appropriate timeframes.</li> <li>Particular concerns noted around tolerance for completion of Heating works.</li> <li>No changes to contractors, no complaints received.</li> </ul> |  |
| <b>Key Decision/ Issues for DEF:</b>  | Report noted   |
| <b>Action:</b>  | <b>NC</b> to request separate data for DMP and VA Promise scheme schools for next report   |

## 10. Item/Focus: Capital Programme Update

### Discussion:

- Tabled draft 2019/20 capital maintenance programme (collected back at end of meeting). To be approved at February Cabinet.
- Some 2018/19 projects due for completion Feb half term, and some deferred to Summer 2019 as not able to complete during 2018.
- Noted 2019 schedule includes compliance works. All projects prioritised according to agreed SOCA processes based on condition data.
- 22 schools currently on proposed programme, however around 50 had been shortlisted for potential projects.
- Schedule based on expectation of allocation of approximately £4m, amount to be confirmed.
- NP meeting with NPS on 9/1/19 to discuss the schedule, aiming to ensure that projects are started in good time, with contractors engaged in advance to ensure summer holiday works are completed.
- Discussed pilot project linked to green energy, for which funding which ceased. **NP** to look into circumstances of 12 schools involved and report back on possible options for continuance.
- Document published by DfE / ESFA around building material failure identified in Kent. Devon and NPS have undertaken a review of Devon schools building stock, the results of which will be investigated further. **NP** to circulate document for information.

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| <b>Key Decision/ Issues for DEF:</b> | Report noted |
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| <b>Action:</b> | <ul style="list-style-type: none"> <li>• <b>NP</b> to look into outcome of Green Energy pilot school capital projects.</li> <li>• <b>NP</b> to circulate DfE document re. building material failure.</li> </ul> |
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## 11. Item/Focus: School Organisation Update

### Discussion:

- Noted guidance on making significant changes to an open academy (and closure by mutual agreement)
- Statutory processes re. recommendations made within Strategic Review of SEN will shortly be consulted on.
- Charlton Lodge Free School presumption with ACE sponsorship. On track to open September 2019. Noted additional information was requested by DfE and submitted before Christmas break. Noted expectation that the sponsor would consult widely on proposals, including with Union groups. – *post meeting note*: ACE carried out their Section 10 Consultation, which ended on 30 November 2018, and included all Unions.
- St James, Okehampton Primary relocation to permanent site in February 2019.
- Lowering the age range – Schools were reminded of requirement to consult fully with LA before age range can be lowered.

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| <b>Key Decision/ Issues for DEF:</b> | Update noted |
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| <b>Action:</b> |  |
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## NEXT MEETINGS

Tuesday 26 February 2019 9.30am at Larkbeare (Exe Room)  
 Tuesday 24 September 2019 9.30am – venue tbc  
 Tuesday 7 January 2020 9.30am at Larkbeare (Exe Room)  
 Tuesday 3 March 2020 9.30am at Larkbeare (Exe Room)