

## 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**)

- 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](http://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

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](http://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.

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:

## 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

**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
4011	Sidmouth College	150 for Year 7 and 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

## **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](http://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
<b>31 January 2019</b>	Deadline for the completion of the consultation on proposed admission arrangements	Admission Authority
<b>28 February</b>	All policies to be formally determined – including the date of determination in the Policy version section.	Admission Authority
<b>28 February</b>	Appeals timetable to be published	Admissions Service Admissions authority
<b>15 March</b>	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
<b>By 15 May</b>	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
<b>3 January 2020</b>	LA-hosted consultation ends	Admissions Service
<b>31 January</b>	Deadline for the completion of the consultation on proposed admission arrangements	Admission Authority
<b>28 February</b>	All policies to be formally determined – including the date of determination in the Policy version section.	Admission Authority
<b>28 February</b>	Appeals timetable to be published	Admissions Service Admissions authority
<b>15 March</b>	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
<b>By 15 May</b>	Deadline for objections to the OSA	

## 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.

## **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.