

KENT COUNTY COUNCIL

KENT SCHOOLS ADMISSIONS FORUM

MINUTES of a meeting of the Kent Schools Admissions Forum held at Sessions House, County Hall on Tuesday, 11 September 2007.

PRESENT: Mr M Carroll, Mrs F Cottham, Mrs P Gibson, Mr S Parr, Mrs P Stockell, Mr R Tolputt, Mr M Vye (Chairman) and Mr G Wetherell.

IN ATTENDANCE: Mr S Bagshaw, Head of Admissions and Transport; Dr I Craig, Director of Operations; Mr G Rudd, Clerk to the Forum; and Ms S Williamson, Head of Attendance and Behaviour Services for Item 6.

APOLOGIES: Ms C Barham and Mrs S Dennis.

UNRESTRICTED ITEMS

10. Minutes of the meeting held on 8 March 2007
(Item 2)

RESOLVED that the Minutes of the meeting held on 8 March 2007 are correctly recorded and that they be signed by the Chairman.

11. Matters Arising
(Item 3)

Dr Craig referred to Item 7(2)(c). He reported that Kent County Council and St Edmunds RC School had challenged the admission arrangements for the Dover Grammar School for Boys but that the adjudicator had noted that there was nothing illegal in the school's admission arrangements and found in favour of the retention of the Dover Test. Dr Craig advised the Forum that this presented the Local Authority with a dilemma as it could not treat the Girls' Grammar School any differently even though the Local Authority was the Admissions Authority and that other undersubscribed East Kent Grammar Schools might seek to use their own test. Dr Craig confirmed that Kent County Council would be unlikely to win if it made a legal challenge on the Adjudicator's decision.

12. Membership of Forum
(Item 4)

(1) Mr Rudd advised the Forum that Mr A Stanton had retired as Headteacher of Simon Langton Girls' Grammar School and consequently would no longer be eligible to sit on the Forum.

(2) Mr Rudd also advised the Forum that Mr Ridings has resigned as one of the Conservative Members of the Forum and that his place would be taken by Mr J Simmonds.

(3) The Forum wished to record its gratitude to both Mr Stanton and Mr Ridings for their contributions to the work of the Forum and requested that Mr Rudd write to both of them accordingly. Mr Rudd confirmed that he would do this.

- (4) (a) Mr Vye referred to Item 4(2)(a) in respect of the notification from Mr Parr that the Archdiocese of Southwark intended increasing its membership from 1 to 3 in accordance with Regulation 5 of the Education (Admissions Forums)(England) Regulations 2002.
- (b) The Forum took the opportunity to discuss this matter and acknowledged that the Diocese had the right to increase its representation from 1 member to 3 members. It was also recognised that the Church of England Diocese representation could be increased from the current 2 members to 3 members if the Diocesan Boards of Canterbury and Rochester chose to do so. Mrs Gibson agreed to raise this with the Diocesan Boards.
- (c) Mr Rudd confirmed that he would write to formally appoint the additional Archdiocese of Southwark representatives.
- (5) With regard to Item 4(2)(b) in respect of a Community Secondary School Representative to replace Mr Stanton, Mr Rudd confirmed that he and Mr Bagshaw would liaise via Sarah Howe with the Secondary Forum to seek a replacement. It was agreed that to maintain the balance of the Forum the replacement member should be a grammar school headteacher.
- (6) The Forum was also advised that a replacement member was still being sought for the Voluntary Aided Secondary School Representatives. Mr Rudd confirmed that Mr A Hogarth from Archbishops School had been suggested as a possible member and again he agreed to liaise with Mr Bagshaw and the Diocesan Boards.
- (7) Mr Rudd also advised the Forum that he had been in contact with NASEN to seek a replacement for Mrs Smith but as yet one had not been found.
- (8) Mr Rudd confirmed that nominations for Parent Governor representatives was being pursued with Linda Lissimore Head of School Governance.

13. Terms of Reference *(Item 5)*

The Forum agreed that it did not have anything to discuss under this item.

14. In Year Fair Access Protocol - Presentation by Sally Williamson, Head of Behaviour Services *(Item 6)*

- (1) Ms S Williamson, Head of Attendance and Behaviour Service, addressed the Forum and invited the members to give their views on the previously circulated report on the Kent In Year Fair Access Protocol.
- (2) The points that arose from Members' comments are recorded as follows:-
- (a) Mr Tolputt noted that the document was about those children who wanted a school place. He enquired about what happened to the small nucleus of excluded children who did not want to be placed in a school and whose spasmodic attendance reflected this. Ms Williamson agreed that this was a concern and was a separate issue from the Protocol.

- (b) Mrs Stockell saw oversubscription and jumping the waiting list as a potential problem for some schools. Although Ms Williamson acknowledged this point she advised the members that in practice it was likely that most schools would not be asked to take more than one pupil per year group.
- (c) Mrs Cottam reported that the Dartford/Gravesham cluster meeting would be looking at a fair equitable distribution. Ms Williamson was also of the view that locally agreed working practices was the better option.
- (d) Mr Carroll referred to the Managed Move Framework and felt that the Protocol could be a barrier to this. Mr Bagshaw thought that the Protocol would only come into force if a Managed Move broke down. Mr Wetherell made the point that not every child was suitable for a Managed Move and Mrs Cottham confirmed that she runs both schemes together. Ms Williamson noted these comments and agreed that the Managed Move process would have to be included in the points scoring. Mr Vye concluded this aspect of the discussion by confirming that the Forum would need to monitor how this worked. His view was that there was already Managed Move best practice as described by Mr Carroll and that the Protocol would involve a different practice.
- (e) Mr Parr referred to the earlier consultation and commented that the feedback then was one of acceptance that the Protocol had to be worked with.
- (f) Mr Carroll sought clarification about numbers. Ms Williamson confirmed that the maximum any secondary school would be likely to be asked to take would be up to 5 pupils under the Protocol. Mr Carroll felt that this was a large number and could see some schools ending up with more than this. Dr Craig reported that this was where the point scoring would apply. Although Mr Carroll was confident that schools would be willing he felt that they would expect there to be financial assistance available as well.
- (g) Dr Craig pointed out to the members that legislation made it clear that Kent had to have a Protocol in place. A Protocol had been suggested that could be agreed locally. If this was not the case then the Local Authority would have to enforce the Protocol. He felt that the proposal before the members would spread the load far more equitably between the schools than had happened previously.
- (h) Mrs Cottham asked whether the schools could exceed their PAN and also whether Kent had any arrangements with other local authorities, e.g. London Boroughs. Dr Craig confirmed that if the other schools did not object there was no reason why the school could not go over the PAN. He added that the Greenwich Ruling meant that the LEA could not restrict admission from within the Local Authority boundary. Where the Protocol referred to excluded pupils schools could refuse to accept the pupil if excluded more than twice.

(3) RESOLVED that the Forum support the proposed Protocol.

15. PESE Process Review
(Item 7)

- (1) Dr Craig circulated a copy of a report in respect of PESE Review 2007. He referred to paragraph 2 of the report and advised the Forum that it had been decided not to consult on Continuous Assessment for PESE purposes.
- (2) Dr Craig also advised members of the Forum that consultation would take place on Testing Before Preference and that this was set out in paragraph 3 of the report.
- (3) The members were also informed that whilst being aware of the comments made, the CFE Senior Management Team at its meeting on 9 May 2007 had agreed to the report's recommendations. Dr Craig then invited the members to submit their own comments.
- (4)
 - (a) Mr Carrol felt that the marking procedures should be part of the Review Process. Mr Bagshaw agreed to provide the Forum with information about this.
 - (b) Mr Wetherell commented that aggregate scores could sweep up some of the appeals. Dr Craig advised the members that this had been looked at and it was marginal in numbers but the information could be included in the Annual Report.
 - (c) Mrs Cottham commented on the need to bear in mind consultation with the outer areas as a lot of appeals for her school came from the PAN London area where the headteachers did not involve themselves in the headteacher appeals process. Mr Bagshaw agreed with this point and confirmed that there was liaison with neighbouring Local Authorities.
- (5) Dr Craig noted the Forum members' comments.

16. Consultation on the 2009 Admission Arrangements (Scott Bagshaw)
(Item 8)

- (1) Mr Bagshaw circulated a draft consultation document for discussion which he proposed to send out for Formal Consultation in November 2007. He reported that some of the items had already been discussed under the PESE Process Review 2007.
- (2) Mr Bagshaw referred to paragraph 2.2.1 of the document in respect of the Outcome of Tests before Preference. He reported that whilst there was considerable support for this there were a number of logistical difficulties related to timescale and the need to meet the pan-London deadlines. He confirmed that he was currently seeking the views of the DCSF regarding external dates. He also advised that the right to appeal would take place much later. Mr Bagshaw agreed that he would keep the Forum updated on progress in this matter.
- (3)
 - (a) Mr Wetherell opened the discussion on this by referring to the timing of the appeals process and whether appeals determined a child's suitability for a grammar school. Mr Rudd clarified that strictly speaking, in accordance with the Code of Practice, Panels must not attempt to make their own assessment of a child's ability.

- (b) Mrs Cottham referred to difficulties that arose where a child had not been tested and wanted to sit a test organised by the school. She was concerned about the impact on local schools where some schools had placed advertisements offering the opportunity to sit such a test. Dr Craig agreed that this was morally wrong although not legally wrong. He referred to the recent Adjudicator's decision in respect of the Dover test.
 - (c) In response to a question from Mr Tolputt, Mr Bagshaw advised that the Admissions Team would not be able to advise parents which school had been offered until 1 March 2008 even if it was known that the child had been successful in passing the PESE test.
- (4) RESOLVED that the contents of the document be noted and that the Forum support Mr Bagshaw proceeding with the consultation procedure.

17. Admission Forum Annual Report
(Item 9)

- (1) Mr Bagshaw circulated a draft Annual Report and invited the members to take the report away for consideration on how they wanted it to be presented in the future.
- (2) Mr Vye asked that the report be sent to those members who were absent and that it be included as an item for the next meeting.
- (3)
 - (a) Mr Tolputt made reference to information being available in respect of academies.
 - (b) In response to a question from Mr Wetherell, Mr Bagshaw thought that January would be a good time to present the report. Dr Craig suggested that members respond before the next meeting and agreed that it should be included as an agenda item for the next meeting.
 - (c) Mr Vye suggested that during the year issues could be highlighted and included in the report. It was also suggested that these could be available on the website. Reference was also made to the Minutes being placed on the website and Mr Rudd agreed to check this.
 - (d) Mr Bagshaw agreed to work towards January 2008 as the next draft report with the final agreed format being presented in January 2009.

18. Any Other Business
(Item 10)

- (1)
 - (a) Dr Craig referred to the letter dated July 2007 received from the DCSF in respect of the decision of the Governors of Maidstone Grammar School to offer places to unsuccessful appellants. He also circulated a copy of his letter to the Chair of Governors expressing the Directorate's concern at the action taken. He advised the members that technically the Governors had acted illegally.
 - (b) Following discussion by the members of the Forum it was suggested that Mr Vye write to the Governing Body.

- (c) RESOLVED that Mr Vye write on behalf of the Forum to the Chair of Governors of Maidstone Grammar School formally expressing the Forum's concern at the action taken by the Governors.
- (2) Mr Bagshaw referred to liaison with neighbouring Forums. He suggested that an invitation could be extended to another Forum's representative if a relevant item was on the agenda. He also suggested that copies of the Forum's minutes could be sent to other Forums.

19. Dates of future meetings
(Item 11)

It was agreed that Mr Rudd would liaise with Mr Bagshaw to agree a date in the first term after Christmas, preferably early January 2008.