



## **AGENDA**

**Kent County Council**

### **KENT SCHOOLS ADMISSIONS FORUM**

**Thursday, 22nd April, 2010, at 2.00 pm  
Darent Room, Sessions House, County Hall, Maidstone**

1. Apologies/Substitutes
2. Minutes of Meeting held on 12 February 2010 (Pages 1 - 6)
3. Matters Arising
4. Constitution of Forum and Terms of Reference
5. Feedback on Local Authority Duty to check Admission Arrangements (Scott Bagshaw)
6. Judicial Review (Dominic McBride)
7. Report on In Scheme Appeals Statistics (Geoff Rudd - Papers to follow)
8. Any Other Business
9. Dates of Future Meetings

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*Please note that any background documents referred to in the accompanying papers maybe inspected by arrangement with the officer responsible for preparing the relevant report.*

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**KENT COUNTY COUNCIL**

**KENT SCHOOLS ADMISSIONS FORUM**

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MINUTES of a meeting of the Kent Schools Admissions Forum held at Oakwood House, County Hall, Maidstone, on Friday, 12 February 2010.

PRESENT: Mrs R Chinnadurai, Mr G Cooke, Mr P Dalton, Reverend N Genders, Mrs S V Hohler, Mr P Karnavas, Mr P Luxmoore, Mr S Parr, Mr J Stanley, Mr J Watt, Mrs J Young.

IN ATTENDANCE: Mr D Adams, Principal Officer, Operations CFE and Mr G Rudd, Clerk to the Forum.

APOLOGIES: Mr G Chisnell, Mr D McBride, Rev Canon J Smith.

**UNRESTRICTED ITEMS**

**9. Minutes**  
(Item 2)

RESOLVED that the minutes of the meeting held on 17 December 2009 are correctly recorded, subject to the amendment of Item 4 (2) (b) to read "Governors" not necessarily Chairmen of Governors".

**10. Matters Arising**

(1) Reverend Genders referred to item 4 (3) (b) and confirmed that he had written to the Secretary of State but had not received a response.

(2) The content of the letter was welcomed by the Forum Members.

**11. Election of Vice Chairman**  
(Item 3)

(1) Mr Cooke was proposed by Mrs Hohler and seconded by Mr Watt as Vice-Chairman of the Forum.

(2) Mr Cooke was the only nomination and was unanimously elected Vice-Chairman of the Forum.

**12. Constitution of Forum and Terms of Reference**  
(Item 4)

(1) Current Proposed Membership – Mr Rudd had circulated a schedule identifying those positions on the Forum where nominations had been received. He advised that there was still a vacancy for the Foundation Primary Schools representative and advised the Forum that there were 12 possibilities for this position.

(2) Reverend Genders agreed to look at these and seek out a nominee on the Forum's behalf.

(3) Mr Parr requested information as to how the two Local Elected Members, Mr Cooke and Mrs Hohler, had been nominated. Mr Rudd advised that this had been done through the Selection and Member Services Committee of the County Council. Reverend Genders confirmed that the Forum Constitution was now looking more balanced across the whole of the Local Authority Area and not necessarily reflecting the political balance.

(4) Reference was made to filling the Business Link representatives on the Forum. Business interests in Academies was suggested and it was felt that this could be worth considering. The Forum agreed that Reverend Genders pursue this avenue.

(5) Mr Adams suggested that the Kent Governors Association might be able to identify parent nominations. Mr Cooke suggested that schools with a strong parent representation but not represented on the Forum could be considered. Mr Rudd agreed to liaise with Mr Bagshaw and Mr Duncan from CFE Policy on this. Mrs Hohler referred to an important change with the emphasis on fairness rather than legality and that this was a pertinent point when considering selection issues in West Kent which parents perceived as being unfair.

### **13. Feedback on Consultation on Proposed Co-ordinated Schemes 2011/12** (Item 5)

(1) Mr Adams reported that no comments had been received in respect of Secondary Admissions and that there had been little feedback in respect of Primary Admissions. He was able to confirm that all the Admissions Authorities had now signed up to all of the Schemes including the one relating to Casual Admissions.

(2) Mr Adams advised the Members that the only issue had been about placing the sibling criterion above faith. He was able to confirm that this had now been accepted by the Admissions Authorities. Reverend Genders enquired about what the comments on these issues were. Mr Adams agreed to look this up for the next meeting.

(2) Mr Stanley had noted that no comments were received on the Secondary Scheme but requested further clarification on what the little changes related to. Mr Adams was able to advise that these related to SEN.

(3) (i) Reverend Genders referred to the difference between paper and online applications methods of indicating on the tick box. This issue had been raised at the last meeting. He sought clarification as to whether it was a tick box or drop down online. He asked to see a print out from the screen and a copy of the form. Mrs Young confirmed that it was not a tick box but that applicants were prompted to respond. She agreed that this had been recognised as a problem.

(ii) Mr Cooke thought that the field was a mandatory one. Mrs Chinnadurai felt that it was vital the online tick box issue was resolved

as parents were confused by it. Mrs Hohler commented that a high number of applications were now made online.

- (iii) Mr Adams agreed to take the comments on board and look at this issue again.

#### **14. Review of Over Complex Admissions Arrangements**

(Item 6)

(1) Mr Adams introduced this item and invited the Forum Members' views.

(2) Reverend Genders asked why the three schools in question were selected.

(3) Mr Stanley (Headteacher of St John's Catholic Comprehensive School, one of the Schools identified) felt that the issues referred to should have been raised with the Diocese before being brought to the Forum. Reverend Genders agreed the principle of this view.

(4) Mr Adams advised that the issue was one of fairness. The arrangements might be lawful but were they clear and fair? It was not a case of challenging them but they were picked out because of their complexity.

(5) Reverend Genders expressed concerns about philosophy of fairness and felt that it was dangerous ground for the Forum to decide what was fair. He felt that clarity was the issue in question. Mr Adams agreed that was what was being looked at, not fairness but could it be understood.

(6) Mr Parr also felt that the Diocese would have had views. The Diocese needed to be given the opportunity to look at these issues first especially now that the consultation period on the proposed Co-ordinated Schemes had finished.

(7) Mrs Young reported that in her role as Choice Advisor it was apparent that parents did have issues understanding the complexities of some admission arrangements. She agreed though it was more a matter of clarity than fairness.

(8) Mr Parr questioned whether the Forum would be more usefully employed in helping parents understand CAF and supplementary forms especially where English was a second language.

(9) Mr Watt preferred to see the Local Authority discuss this with the school/Diocese outside of the Forum first to enable them to deal with any issues. If they could not resolve the matter the Forum could then be asked to look at it with both parties making their case.

(10) Similarly Mr Dalton suggested that a protocol on the process be sent to schools. If not resolved in accordance with these then it could be brought back to the Forum.

(11) Mr Adams suggested that he could do some work on clarity and how other schools dealt with the same issues, e.g. themes on selection processes and ways of explaining how they did it. Reverend Genders agreed the principle but would want to see a commentary on the theme incorporating the views of the Diocese,

Admission Authority and Local Authority. He felt that his would help understand the context.

(11) Mr Stanley wanted to see background evidence rather than Judgement. Mr Adams suggested could include information from the Choice Advisors.

(12) Mr Adams agreed that there was a need to open up discussions with the three Dioceses. The Forum was unanimous in its agreement to this proposal.

## **15. Judicial Reviews**

(Item 8)

(1) It was agreed to bring this item to the next meeting when Mr McBride could be present.

(2) Discussion took place regarding numbers of appeals and Local Government Ombudsman cases. Mr Rudd advised the Forum that to put the matter into context his team had dealt with approximately 3,000 admission appeals and of these approximately 70 had been referred to the Local Government Ombudsman.

(3) Mr Rudd agreed to provide the next meeting of the Forum with the statistical information on the number of appeals dealt with on a school by school basis.

## **16. Report on Appeals Panel Training**

(Item 9)

(1) Mrs Young advised the Members of the Forum that she had recently undertaken a series of training sessions for Panel Members and Clerks on behalf of the Local Authority. She reported that this year the training looked at issues of consistency, decision making and how these were recorded.

(2) Mr Karnavas had particular concerns that Panels were upholding appeals for children to go to a grammar school who had not passed the Kent Test and asked whether the Panels were given instructions to not do that. He was concerned at the damage done to a high school losing pupils to grammar schools on appeal. Mrs Young advised the Forum that the Appeals Code does not allow the Panel's discretion to be fettered but that any upheld decision should be evidence based. Mrs Hohler also advised the Forum that passing the Kent Test was not a guarantee of a place at a grammar school.

(3) Mr Adams reiterated the importance of providing a robust defence if appeals were to not be upheld.

(4) Mr Dalton sought information regarding the Panel's qualifications to make education judgements. Mrs Young confirmed the Code's requirements and advised that at least one member of the Panel should be a lay person. However the lay member could also be a school governor. She advised that the Panel members' role entailed weighing up the evidence and balancing the needs of the child against that of the school.

(5) Mrs Chinnadurai commented that the Headteacher Appeal Review stage of the PESE had improved this year with more clarity and consistency than in previous years.

(6) Mr Cooke pointed out that it was the statutory right of any parent to appeal for a place at their preferred school. He also reminded the members that it was not just pupils leaving high schools to go to grammar schools that was the issue. He confirmed that there were similar issues with pupils leaving less popular high schools to go to more popular ones. The Valley Park School appeals being a very good example of this.

(7) Mr Rudd had already agreed to provide appeal statistics and would include information relating to the number of appeals upheld together with Ombudsman complaints statistics.

(8) Mr Karnavas also expressed concern that the appeal panels may not be aware of the situation where some schools were facing challenging circumstances (eg national challenge; schools with high levels of absence; or, in the case of primaries WCPP). He gave reasons why the decision to put extra students into those schools would simply make it more difficult for those schools to overcome the challenge. This view was supported by Mrs Hohler and Mr Cooke and was recognised as another reason why it was important to be able to identify those schools.

## **18. Date of next meeting**

Mr Rudd advised the members that following consultation with the Chairman he had arranged for the next meeting of the Forum to be held at 2:00 pm on Thursday 22 April 2010 in the Darent Room, Sessions House, County Hall, Maidstone.

Chairman.....

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