



Hull
City Council

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Children, Young People and Families

In Year Fair Access Protocol (primary phase)

- The National Schools Admission Code 2014 requires all local authorities to establish and co-ordinate a Fair Access Protocol. This relates to legislation within the Schools Standards and Framework Act 1996 (SSFA).
- The code requires that the majority of schools and all admission authorities agree a fair access protocol so that outside of the normal admission round unplaced children, especially the most vulnerable, are offered a suitable school or academy as quickly as possible that can best meet their needs. **All** admission authorities **must** take part.

What does this protocol cover?

In the majority of cases children are placed in accordance with agreed admission procedures. Children covered by this protocol are those who are hard to place in a school and the protocol aims to balance the circumstances of the child and the circumstances and profile of the school or academy. All mainstream schools, voluntary aided, trust schools and academies in Hull are covered by this protocol which begins on 1st September 2017 and will be reviewed each September thereafter by the FAP.

Consideration of children with challenging behaviour

- Schools or academies in the Ofsted category 'special measures' will not be required to accept children who have challenging behaviour.
- Definition of persistently disruptive and challenging behaviour:
 - Persistently disruptive behaviour is defined as behaviour which is shown to disrupt their learning and the learning of others over a period of more than two consecutive terms and has incurred more than 5 fixed period exclusions within one academic year. The school must have accessed outreach support from a Behavioural support service, with a report from this external provider made available for the FAP, if the provider it is not the Whitehouse Outreach Support service who attend the FAP meetings.
 - A child who has challenging behaviour is one with a history of violent, aggressive or defiant behaviour against children, adults and property which could result in the child being permanently excluded. Outreach support from the Whitehouse support service or alternative provider must have been sought.

In both of the above cases it is vital that SEND support is involved within the school structure, with consultation being made to external agencies for advice and work

developing towards an EHCP as needed.

- The protocol covers all children who may be deemed 'Hard to Place', Looked After Children and children with statements of SEN are not included in these arrangements as statutory requirements already apply to them.

The protocol should:

- be fair, transparent to all schools and academies
- acknowledge the need of vulnerable children who are not on a school roll
- deal with cases quickly (see flow diagram for timeline).
- ensure schools admit children on an equitable basis
- ensure a school will not be asked to take an excessive number of children who have been excluded from other schools

To be placed under this protocol are:

- children in a PRU who need to return to mainstream education
- children for whom a school place has not been sought ie children missing education
- young carers
- children of families who are homeless
- children who are refugees
- children of gypsy, Roma or traveller origin
- children out of education for more than two months
- children with special educational needs, disabilities, or medical conditions (but without a statement or EHC Plan)

Children who have been permanently excluded

- All permanently excluded children will be considered by the Panel when the date for appeal has expired or an Independent Review Panel has been heard.
- The Education Welfare Officer (Child Missing Education) will collate three school preferences of the parent/carers. The Panel considers this information and will allocate a school best able to meet the needs of the child. This school is then in place, ready for the child, when the Whitehouse consider the child ready for re-integration. It also allows for transition to begin, which **must** include visits from the receiving school every other week, with visits to the school by the child every other week too.
- If a placement is unsuccessful the school can refer back to panel.
- If a child has had two permanent exclusions the parents forfeit the right to a mainstream preference.
- A child who re-integrates into a school successfully should be considered under normal admission arrangements for any further transfer requests one year after the Panel date of the allocation.
- A permanently excluded child can sometimes not be referred to the panel by the PRU if the parents or carers have declined a place. In these cases the child will be

placed and the school will have access to outreach support from the PRU. Every effort will be made to ensure the child attends the PRU following a permanent exclusion before they move to another mainstream school.

Other children on placement at the PRU:

- An exit plan – the school they will go to after the placement - will be established immediately following a child starting at the PRU for a placement.
- This allows transition to begin, which **must** include visits from the receiving school every other week, with visits to the school by the child every other week too.
- If the child is on a part-time placement it is expected that the PRU will report to the base school on the days with them each week, and that the base school will report to the PRU each week too.

General Principles

- all admission authorities and schools must take part in the scheme
- admission authorities and schools will be positive, inclusive and demonstrate a shared ownership of excluded and vulnerable children
- within each MAT trust, schools will be committed to employing all resources and expertise to support any child who fits within the FA protocol.
- admission authorities and schools will continue to admit local children who apply for an available place under normal admission arrangements
- admission authorities and schools will not use oversubscription to refuse to admit a child under the protocol
- the panel will take into consideration the issue of a heavily over-subscribed year group that could be a risk to child safety or to the quality of education
- admission authorities and schools will respond as soon as possible to a request for admission
- admission authorities and schools will not insist on an appeal being heard before admitting a child
- wherever possible the views of parent/carers and children will be considered but will not override the protocol
- admission authorities and schools will abide by the decision of the panel
- information will be provided about each child's situation
- in order to ensure fairness within the placement of permanently excluded children if you have permanently excluded a child you are likely to receive a permanent excludee in return.

Fair Access Panel

- The Fair Access Panel will meet every half term to discuss and place pupils who meet the criteria. Dates of meetings will be published one year in advance and Panel members are expected to attend.
- The Fair Access Panel information and correspondence will be prepared by the

Admissions Team and monitored by the Local Authority lead for vulnerable children.

- The panel members are;
 - Chair selected by the Fair Access Panel
 - Head teacher/Principal from each admission authority or diocese
 - There is opportunity for Head teacher representatives from each MAT trust based in the city, other MATs represented in the city and other community schools.
 - PRU head teacher or representative.
 - LA representative
 - other agencies as necessary at the request of the Fair Access Panel

The panel needs to be representative but also of a workable number, no more than 15 members in total.

Admissions process for parent/carers moving school within an academic year

- The Admission Team will process all applications according to the Hull City Council scheme for In Year Transfers. If an application meets the criteria for Fair Access Panel consideration the application will be forwarded to the school requested.
- If a child meets the criteria for Fair Access, and the school is willing to admit, there will be retrospective consideration by the Fair Access Panel to ensure the child receives immediate education.
- For all other cases the Admissions Team will contact parent/carers and explain the Fair Access process. The views of parent/carers will be sought and school preferences obtained. The Panel is not required to adhere to parent/carers order of preference. Parent/carers sign stating they agree to abide by the decision.
- Information about the cases will be forwarded to Panel members prior to the Panel for their consideration.

School sharing panel

Occasionally the relationship between a parent and a school can break down, despite involvement of behaviour support services and determined efforts by the school to engage with parents.

Cases should meet the criteria for challenging behaviour.

In these cases a managed move may be sought by a school which would be referred through to the panel using an Information Passport (appendix 2).

These cases would be agreed through the panel and be reviewed with parents/carer and both schools according to the managed move protocol (appendix 1). No move should last longer than 12 weeks and any extensions agreed in writing.

Schools requesting a place at the PRU for a child.

- Schools can request a place at the PRU if they believe they have done everything within their power to support a child with their behaviour. This must include active support from the PRU Outreach team or another provider.
- An Information Passport must be completed by the school.
- If a different provider, from the Whitehouse PRU, is providing expert support they must provide a report that includes the actions taken and their impact. The Whitehouse PRU can represent their work at the meeting but a brief summary report is needed too, with actions and impact overtime.
- The FAP will consider the case and make a decision; to provide a Full-time place, a part-time place or to continue / enhance the outreach support from the Whitehouse PRU.

Resourcing Matters

- Hard to place allocation for Primary FAP
- AWPU deduction and allocations

Reviewing the Work of the Panel

- At the end of each term and at the end of each academic year a formal report analysing the work of the Panel will be produced by the Chair and Choice Advisor. This report will be circulated to all head teachers, the Director of Children Young & Young People's Services and City Manager, Learning and Skills.

Appendix 1

Managed Move Protocol

This guidance is agreed by all Hull schools, PRUs and academies to ensure that children' education is maintained, parent/carers rights are protected and there is clarity between the schools within the partnership over the responsibility for each child. Where a child's behaviour is of significant concern it may be helpful to agree with parent/carers to arrange a managed move through the Fair Access Panel.

Principles

- Managed move protocol will apply for years 1 to 5.
- Managed moves should take place with the agreement of the parent/carers and be agreed at the Fair Access Panel.
- Managed move period should be for a time-limited period of a maximum of 12 weeks with an initial period of 6 weeks. The move is made permanent with the agreement of both schools.
- The pupil must remain on the roll of the home school during the managed move period and the attendance register must be maintained at the home school with the receiving school providing attendance information at least weekly.
- During the managed move the child's behaviour will be monitored under the policy of the receiving school. The receiving school has the right to exclude the child, after consultation with the home school. The receiving school will contact parent/carers accordingly, and the home school will generate the exclusion letter.
- Any alternative provision will continue to be paid for by the home school.
- If, after 12 weeks, the managed move is unsuccessful the case will be referred back to the Fair Access Panel.

Procedures

1. To initiate a managed move a school must discuss this with the parent/carers. For a child in public care the child's social worker and carer should be consulted
2. The Admissions Team contacts parent/carers and explains their rights.
3. The Fair Access Panel will agree a receiving school taking parental choice into consideration. Other agencies involved could be invited to the Panel meeting.
4. The home school should provide the with information about the child's progress, attainment, behaviour, attendance and any special needs arrangements.
5. Arrangements for sending attendance data should be reported to the home school on a daily basis. The home school should record the attendance as 'educated off-site'. The child should be registered on SIMs as dual registration.
6. If the receiving school is considering ending the move the school should hold an urgent review meeting. Termination of the managed move should be confirmed in writing to the parents by the Admissions Team. The Fair Access Panel should then re-assess the case.

7. After 12 weeks the school must either admit the child to their school roll or end the managed move and refer back to the Panel. An extension beyond 12 weeks should only be made in exceptional circumstances. On the agreed date for permanent admission to the receiving school the child will be removed from the register of the home school and admitted to the register of the receiving school. Any remaining school records should be transferred to the receiving school.