

# AGENDA

## Local Admissions Forum

Date: **Thursday 5 November 2009**

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Time: **6.30 pm**

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Place: **The Council Chamber, Brockington, 35 Hafod Road,  
Hereford**

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Notes: Please note the **time, date** and **venue** of the meeting.

For any further information please contact:

**Paul Rogers, Democratic Services Officer**

Tel: 01432 383408

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# Agenda for the Meeting of the Local Admissions Forum

## Membership

**Chairman**                    **Councillor JW Hope MBE**  
**Vice-Chairman**         **Councillor AM Toon**

<b>Mr AR Ross</b>	Primary School
<b>Mr P Box</b>	Primary School
<b>Mrs E Kearns</b>	Primary School
<b>Mr T Plumer</b>	Primary School
<b>Mrs C Shaw</b>	Local Community
<b>Mr P McKinnie</b>	Local Community
<b>Mrs O Denson</b>	Local Community
<b>Mrs C Weston</b>	Local Community
<b>Mr N Parker</b>	Secondary School
<b>Mrs S Catlow-Hawkins</b>	Secondary School
<b>Mr C Barker</b>	Secondary School
<b>Mrs A Robertson</b>	Roman Catholic Church
<b>Mr A Leach</b>	Church of England
<b>Mr T Mephram</b>	Steiner Academy
<b>Mr P Smith</b>	Independent Sector

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**AGENDA**

	<b>Pages</b>
<b>1. APPOINTMENT OF VICE-CHAIRMAN</b> To appoint a Vice-Chairman for the remainder of the ensuing year.	
<b>2. APOLOGIES FOR ABSENCE</b> To receive apologies for absence.	
<b>3. NAMED SUBSTITUTES</b> To receive any details of Members nominated to attend the meeting in place of a Member of the Forum.	
<b>4. MINUTES</b> To approve and sign the Minutes of the Meeting held on 18 June 2009.	1 - 8
<b>5. DECLARATIONS OF INTEREST</b> To receive any declarations of interest by Members in respect of items on the Agenda.	
<b>6. LATE ITEMS/ANY OTHER BUSINESS</b> To consider any issues that Forum Members may wish to raise.	
<b>7. AMENDMENTS TO SCHOOL PLANNED ADMISSION NUMBERS</b> To consider changes to the Planned Admission Numbers at Kingsland CE Primary, Aylestone High School and Fairfield High School.	9 - 14
<b>8. CO-ORDINATION OF IN YEAR TRANSFERS</b> To consider a proposed scheme for Co-ordinated In Year Transfers.	15 - 34
<b>9. IN YEAR FAIR ACCESS PROPOSALS</b> To consider a proposed In Year Fair Access Protocol.	35 - 54



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## **HEREFORDSHIRE COUNCIL**

**BROCKINGTON, 35 HAFOD ROAD, HEREFORD.**

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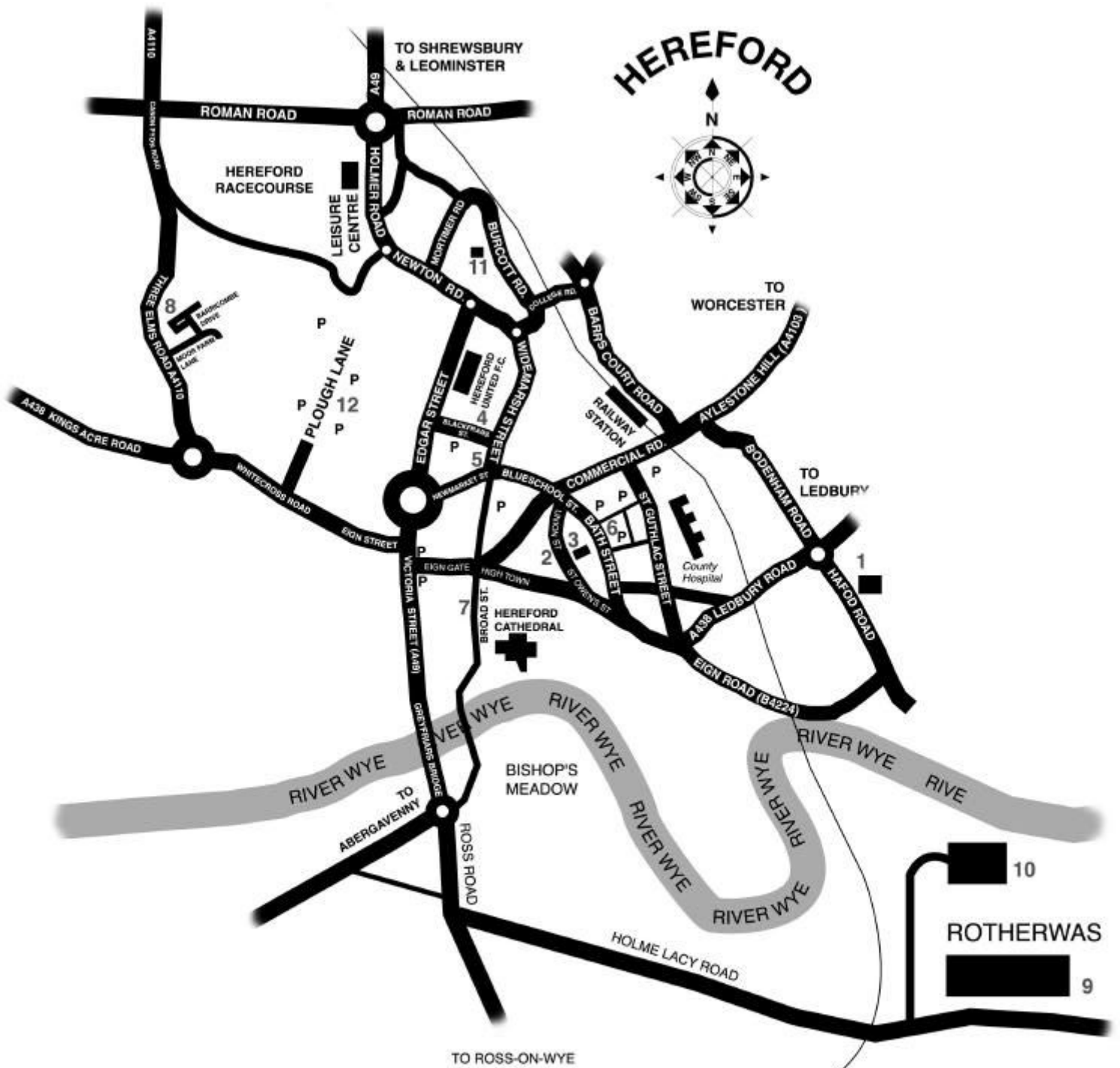
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HEREFORDSHIRE COUNCIL

**MINUTES of the meeting of Local Admissions Forum held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Thursday 18 June 2009 at 6.30 pm**

**Present:** Councillor JW Hope MBE (Chairman)

**Mrs E Kearns, Mr C. Barker, Mrs S Catlow-Hawkins, Mr T Mepham and Mr T Plumer.**

**In attendance:** None

**1. ELECTION OF CHAIRMAN**

Councillor JW Hope was nominated and seconded for the Chairmanship.

**RESOLVED: That Councillor JW Hope be elected Chairman of the Local Admissions Forum for the ensuing year.**

*Councillor JW Hope in the Chair.*

**2. APPOINTMENT OF VICE-CHAIRMAN**

Mrs S Catlow-Hawkins was nominated and seconded for the Vice-Chairmanship for this meeting only.

**RESOLVED: That Mrs S Catlow-Hawkins be appointed Vice-Chairman of the Local Admissions Forum for this meeting only.**

**3. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Mrs O Denson, Mr T Leech, Mr N Parker, Mrs A Robertson, Councillor AM Toon and Mrs C Weston.

**4. NAMED SUBSTITUTES**

There were no named substitutes.

**5. MINUTES**

**RESOLVED: That subject to the addition of Mrs S Catlow-Hawkins being added to those present at the meeting, the Minutes of the meeting held on the 19 June 2008 be approved as a correct record and signed by the Chairman.**

**6. DECLARATIONS OF INTEREST**

Councillor JW Hope declared a personal interest in the item relating to Almeley Primary school, Minute No. 13 refers.

**7. LATE ITEMS/ANY OTHER BUSINESS**

There were no late items or any other business.

## 8. INFORMATION FOR PARENTS BOOKLETS (Pages 1 - 2)

The Admissions and Transport Manager presented a report which requested approval of separate draft booklets for the admission/transfer of pupils into primary and secondary schools. He made particular reference to the Number on Roll figure for Staunton-on-Wye on page 65 and that he would be investigating its accuracy.

A Member referred to children who attend certain nursery schools in a secondary school catchment area and who did not meet the admission criteria to be taken into that secondary school. The Member made reference to the Every Child Matters criteria and also to the fact that some nursery children would not follow their friends to the secondary school and that these points should be included in the criteria.

The Planning and Access Manager informed the Forum that one of the recommendations from the Department of Children's Schools and Families is that there is a break between the end of nursery school and entrance to secondary school to enable local children to be admitted first to secondary schools.

The Admissions and Transport Manager advised that a number of nurseries were privately run in Herefordshire meaning that children were taken into nursery schools from outside the catchment area of a secondary school. Also, not all families could afford some nursery school daily charges which would mean that if all nursery school children were admitted to the secondary school in its catchment area, this would result in children being in the catchment area and not attending the nursery school being disenfranchised from admittance to the secondary school. The Planning and Access Manager informed the Forum that the issue could be part of the consultation programme with schools in the autumn.

A Member made reference to the transport issue referred to in paragraph 7.8 of the primary schools booklet and expressed concern that when a request is made for transport routes to be assessed, there is no timescale given as to when the assessment would be completed. The Admissions and Transport Manager advised that in such instances, traffic flows were an issue when forming assessments of school routes which took time. He would however request the appropriate department to give timescales for completion when route assessments were requested.

A Member referred to page 120 and requested that the names of the high schools be properly named.

The Admissions and Transport Manager circulated a revised admissions policy for St.Mary's High School, Lugwardine, page 180 refers (Appendix attached to the Minutes).

Regarding the third paragraph on page 122, Members noted that one Academy only was referred to, the reason being that the Steiner Academy was a single point of entry at year 'R'. The Admissions and Transport Manager stated that a note would be added after the paragraph to explain the point.

### **RESOLVED: That subject to**

- (i) the accuracy of the 'Number on Roll' at the Staunton-on-Wye Primary school being investigated;**
- (ii) the note being added regarding the Steiner Academy and the single point of entry in year 'R';**

- (iii) the amended admissions policy for St.Mary's High School , Lugwardine; and
- (iv) the booklets be approved.

**9. STANDARD APPLICATION FORMS FOR SCHOOL YEAR 2008/09**

The Admissions and Transport Manager resented a report which requested approval of the layout and content of the "common application form" to be used for the co-ordinated secondary transfer arrangement for September 2010, SA1, and the PA1 form for primary co-ordination to be introduced from the same time.

**RESOLVED: That the application forms be approved.**

**10. APPLYING FOR A PLACE AT HIGH SCHOOL AND STARTING SCHOOL**

The Admissions and Transport Manager presented a report regarding the layout and content of the simple guidance notes in relation to admission of children into reception class at 4 years of age and the transfer of pupils into high school at age 11.

**RESOLVED: That the guidance notes be approved.**

**11. ANNUAL SCHOOLS ADJUDICATOR REPORT REQUIRED TO BE PRODUCED BY THE HEREFORDSHIRE LOCAL AURTHORITY**

The Admissions and Transport Manager presents a report which requested the Forum to consider the annual Schools Adjudicator report shown in appendix X as required by The School Admissions (Local Authority Reports and Admissions Forums ((England) Regulations 2008(the Regulations).

He informed Members that the form which had been approved in the previous year had been updated. He further informed Members that to enable the statistics regarding the number of children approaching admission to schools being as accurate as possible, the Primary Care Trust was approached to provide the names of children of the appropriate age. For Members information, he would send an electronic copy of the report.

**RESOLVED: That subject to any further comments being received from members of the Forum on the content of the Annual Schools Adjudicator report, the report be approved.**

**12. INFORMATION REGARDING TRANSFERS OUTSIDE OF THE NORMAL ADMISSION ROUNDS**

The Admissions and Transport Manager presented a report giving statistics in relation to secondary school 'in-year' transfers. He informed the Forum that the report provided comparisons with the previous academic year. He drew Members attention to the reduction in transfer requests which cited bullying at Aylestone high school which was good news.

A Member asked if similar information was available regarding the number of pupils leaving Herefordshire. The Admissions and Transport Manager informed Members that this information was currently unavailable which was unfortunate, although he could investigate whether such information could be provided via the schools management information systems.

**RESOLVED: That the report be noted but that the possibility of using the schools management information systems to record the number of pupils leaving Herefordshire be investigated.**

*Mrs S Catlow-Hawkins, Vice-Chairman in the Chair, took the Chair for the issue regarding Almeley Primary school, Minute No. 13 refers.*

### **13. AMENDMENTS TO SCHOOL PLANNED ADMISSION NUMBERS**

Councillor JW Hope (Chairman) left the meeting for the item relating to Almeley primary school.

The Clerk to meeting informed the Members that as a consequence of the Chairman leaving the meeting for this issue, the meeting was inquorate. He suggested however that the views of Members might be useful to officers.

The Admissions and Transport Manager presented a report regarding proposed changes to Planned Admission Numbers (PAN) at Almeley Primary School

The Planning and Access Manager advised that although no Forum decision could be made on the issue, it would be beneficial to obtain the views of Members present. He advised that because of the additional pupils from Brilley primary school which had closed, Almeley Primary school currently had the physical capacity with a temporary classroom to take additional pupils from Brilley. However, the intention had always been to remove the temporary classroom when the 'bulge' of Brilley pupils moves on to high school. It was important to do some more work with the school, and other schools in the area, on likely future demand for places. The Forum was of the view that this should be done in the light of the Schools Task Force recommendations and that the request should then be considered by the Forum in the autumn.

Mr C Barker stated that he would only give a view on the Almeley issue if the Forum was quorate and a decision could be made. The other members agreed with the views of the Planning and Access Manager.

At this point, the Chairman, Councillor JW Hope, re-entered the meeting.

*Councillor JW Hope, Chairman in the Chair.*

The Admissions and Transport Manager presented a report regarding proposed changes to PAN at Leominster Infants School.

**RESOLVED: That the request for the change of PAN at Leominster Infants school be agreed.**

Members of the Forum in attendance requested that their disappointment at the non attendance by Members of the Forum at this and previous meetings of the Forum be

conveyed to those Members particularly in the light of the fact that the forum could not make a formal decision on the Almeley Primary school PAN issue.

**RESOLVED: That an appropriate communication be sent to those members not in attendance at today's meeting expressing the disappointment of the Forum at their non attendance.**

The meeting ended at 7.34pm

The meeting ended at 7.34 pm

**CHAIRMAN**





**St. Mary's R.C. High School, Lugwardine, Hereford. HR1 4DR**

**Admissions Policy**

**Please Note:**

All applicants to St. Mary's must complete a form SA1 (available from the Local Authority), together with the school's own application form. This form is available from the Local Authority or St. Mary's.

**Oversubscription Criteria**

In the event of over-subscription, applications will be considered in the following order of priority.

1. Baptised Roman Catholic children in the care system.
2. Baptised Roman Catholic children who have a special reason for admission on social or medical grounds. Admission will be at the discretion of the Governing Body. Applicants are required to produce a medical certificate or written evidence from an appropriate professional, such as a social worker, doctor or priest.
3. Baptised Roman Catholic children who are in attendance at one of the three designated Catholic primary schools.
4. Baptised Roman Catholic children in other schools.
5. Children who will have a brother or sister at St Mary's at the time of admission.
6. Children who are in attendance at one of the three designated Catholic primary schools.
7. Children of other Christian denominations in the care system.
8. Children of other Christian denominations who have a special reason for admission on social or medical grounds. Admission will be at the discretion of the Governing Body. Applicants are required to produce a medical certificate or written evidence from an appropriate professional, such as a social worker, doctor or religious minister.
9. Children of other Christian denominations who attend church regularly and whose parents/guardians support the Catholic ethos of the school.
10. Children of other Christian denominations whose parents/guardians support the Catholic ethos of the school and who have the support of a Christian minister.
11. Other children in the care system.
12. Other children who have a special reason for admission e.g. on social, physical or medical grounds. Admission will be at the discretion of the Governing Body. Applicants are required to produce a medical certificate or written evidence from an appropriate professional, such as a social worker, doctor or religious minister.
13. All other children

In the event of any category being oversubscribed the governors will use a 'tie-breaker' of the shortest practical walking route.

**Notes****Roman Catholic Children**

“Baptised Roman Catholic Children” means children who have been baptised in the Roman Catholic Church and children who have been baptised into another Christian denomination and later received into the Catholic Church.

Applications from Roman Catholic children should be accompanied by the school’s application form completed by parents/guardians and verified by the applicant’s Parish Priest or the Priest responsible for the church normally attended by the applicant.

Evidence of baptism or reception into the Catholic Church should be made available to the Priest verifying the application form.

**Other Christian denominations**

“Other Christian denominations” means membership of a ‘Christian Church’, which is an organised body subscribing to the Doctrine of The Trinity.

Applications from children of other Christian denominations should be accompanied by the school’s application form completed by parents/guardians and a recognised Christian minister.

A child will be considered to attend church regularly if he/she has been attending church at least monthly during the 12 months immediately before the date on the application form.

**Incomplete Applications**

Applicants who make incomplete applications to the school will be placed in category 13.

**Designated Catholic Primary Schools**

Our Lady’s Roman Catholic Primary School, Hereford  
 St Francis Xavier Roman Catholic Primary School, Hereford  
 St Joseph’s Roman Catholic Primary School, Ross-on-Wye

**Brother or Sister**

The definition of a brother or sister is:

- A brother or sister sharing the same parents
- Half brother or half sister, where two children share one common parent
- Step brother or step sister where two children are related by a parent’s marriage
- Adopted or fostered children

**Late Applications**

Between 6<sup>th</sup> November 2009 and 12<sup>th</sup> February 2010 (final allocation list) it is likely that late applications will be received. Applications will be accepted on the understanding that the delay was reasonable, for example a family moving into the area. Because the individual circumstances will vary from application to application the Governing Body will decide what is reasonable.

Applications received after 12<sup>th</sup> February 2010 will be placed on a waiting list based on the oversubscription policy.

<b>MEETING:</b>	<b>LOCAL ADMISSIONS FORUM</b>
<b>DATE:</b>	<b>5 NOVEMBER 2009</b>
<b>TITLE OF REPORT:</b>	<b>AMENDMENTS TO SCHOOL PLANNED ADMISSION NUMBERS</b>
<b>ADMISSIONS AND TRANSPORT MANAGER</b>	<b>ANDREW BLACKMAN</b>

**CLASSIFICATION:** Open

### **Wards Affected**

County-wide

### **Purpose**

To consider changes to the Planned Admission Numbers (PAN) at Kingsland CE Primary, Aylestone High School and Fairfield High School.

### **Key Decision**

This is not a Key Decision.

### **Recommendation**

**THAT Local Admissions Forum:**

- (a) **agrees the change in PAN at all three schools**

### **Alternative Options**

- 1 Maintain status quo.

### **Reasons for Recommendations**

- 2 Rationale makes sense.

### **Introduction and Background**

- 3 **Kingsland Church of England Primary School**

The Governors of Kingsland CE Primary School have requested an increase in their PAN from 18 to 20.

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Further information on the subject of this report is available from  
Andrew Blackman – Admissions & Transport Manager (01432) 260927

4 The recent Net Capacity Assessment undertaken for Kingsland CE Primary in October 2009 gives a capacity range between 105 and 150 workplaces. The school therefore does have the physical capacity to operate at a PAN of 20 (i.e. a potential total of 140 pupils across the 7 year groups).

5 For the 2009/2010 Admissions round Kingsland received 20 first preference applications.

### **Aylestone High School**

6 The Governors of Aylestone have requested a decrease in their PAN from 180 to 150.

7 Their detailed proposal is shown in the Appendix.

### **Fairfield High School**

8 The Governors of Fairfield High School have requested an increase in their PAN from 70 to 90.

9 They state:

“The Governors of Fairfield High School would formally like to request an increase in the school’s Published Admission Number.

At present this stands at 70 but the school caters for 79 in Year 11 and 87 in Year 7. The school would like to increase the PAN to 90 so that the school population can rise to 450 over time. This is in line with the Local Authority’s plans for the school as demonstrated in the Building Schools for the Future proposals for Herefordshire. It is also in line with section 2.24, page 65 of the Herefordshire Schools Task Group Interim Report which refers to a minimum size for secondary schools of 450 pupils.

The school would like to grow slowly and hence we would request a PAN of 90 for the Year 7 starting September 2010 and all future intakes but retain a PAN of 70 for other year groups. The school does not have the financial capacity to increase at one time in all year groups owing to funding arriving retrospectively and the necessary increase in staffing being unaffordable for all year groups. The accommodation is already in place as demonstrated by the way in which the school caters for the current Year 7.

It is anticipated that applications for places in Year 7 for the academic year starting September 2010 will support this figure and the Governors believe that this figure would deliver even better value for money than already delivered by the school which is judged by Ofsted to be outstanding.”

## **Key Considerations**

10 Covered above in Introduction and Background.

## **Community Impact**

11 A decision to agree an increase in Fairfield’s PAN will potentially impact upon neighbouring secondary schools.

## **Financial Implications**

12 None identified.

## **Legal Implications**

13 None identified

## **Risk Management**

14 None identified.

## **Consultees**

15 Not applicable.

## **Appendices**

Appendix - Aylestone Business and Enterprise College (ABEC) proposal regarding revision to the school planned admission number

## **Background Papers**

None identified.



**AYLESTONE BUSINESS AND ENTERPRISE COLLEGE (ABEC) PROPOSAL REGARDING REVISION TO THE SCHOOL PLANNED ADMISSION NUMBER, FOR THE SCRUTINY OF THE LOCAL AUTHORITY ADMISSIONS PANEL IN NOVEMBER 2009.**

**PROPOSAL –**

**That with effect from the decision of the panel, ABEC reduces its' Planned Admission Number for each incoming year 7 cohort to 150 students. In addition to this it is proposed that there will be a ceiling of 150 places for each ABEC school year group not currently at or above this figure.**

The Governing Body of ABEC wishes the Local Authority Admission Panel to favourably consider the above proposal. In support of this request the reasons for the proposal are outlined below. Representatives of the Governing Body would be pleased to be available to answer any questions that arise from the documentation should the panel deem this to be necessary.

**Reasons for the request –**

- **Numbers of school age children in Herefordshire have fallen** and will continue to fall, the impact of this will continue to be felt until 2019 (Financial Paper at Forum October 2009).
- **The number of students in years R - 6 from ABEC recognised catchment schools does not rise above 150 for six years.** Customarily ABEC have recruited between 50 – 75% of these students as they leave primary school, in addition to students who wish to travel from outside catchment, and whilst it is recognised that new-builds are likely within the catchment, this may not increase student numbers for the foreseeable future.
- **ABEC has suffered mixed popularity over the last three years**, but following a positive Ofsted inspection in July 09, it is anticipated that popularity of the school will rise. Nevertheless there are insufficient students coming through the system to support a school of 900 students (as suggested by the current PAN of 180). The figure of 900 for the school size was suggested as suitable by the initial school review of 2006
- **In recent years the school roll has fallen in an unplanned way, subjecting the budget to intolerable strain**, as the staffing levels were not modified accordingly. Staffing costs rose to a significantly unsustainable proportion of the annual income. Accumulated surplus monies will be exhausted by the end of the calendar year 2009, bringing a deficit position by the end of the financial year 09-10.
- **In order to bring the school back to financial order, and secure excellent educational opportunities for the students on roll and those to come, compulsory staffing redundancies have been instigated during 08-09**, and will also be implemented during school years 09-10, and 2010-11. This measure will enable the school to meet the requirements of a licensed deficit agreement with the LA within a three year time-frame.
- **In order for the Governing Body to provide an excellent curriculum for students at ABEC, a new curriculum policy has been agreed and implemented, a new staffing structure to support the curriculum agreed, and a pay policy to meet the requirements of the**

**above-mentioned policies drafted.** The redundancies as stated above, bring staffing in line with new agreed policies.

- **The above three policy documents have been constructed to accommodate falling rolls. Each policy meets the requirements of a school for 750 students aged 11-16.** This strategic forward planning will enable ABEC to develop into a mid-size high school well placed to meet the needs of the largely urban population within which it sits, whilst allowing a small margin for growth or accommodation of students from outside catchment.
- **In addition to the above strategies, the Governing Body has embarked on a three year plan for the refurbishment of the current school buildings so that temporary accommodation will be gradually phased out and more permanent accommodation will be refurbished to provide 'fit-for-purpose' teaching space.** This three year plan assuming a school roll of 750, will reduce fixed costs for rates, heating, lighting and repairs/maintenance, thus maximising the amount of income available to spend on intrinsically educational outcomes for students.
- **Creation of a school for 750 students will allow for a school that may be subscribed up to its' PAN, stabilises income and outgoings, and more importantly stabilises and maximises educational outcomes for all students.**

**In the face of the local demographic indicators the above request would seem logical.** The Governing Body of ABEC also strongly urge the panel to consider the importance of addressing the 'bulge' in numbers on roll (year 11 for Sept. 09 has 198 students, year 10 Sept. 09 has 191. Year 7, 8 and 9 for Sept. 09 each has 150 students or less). In order to stabilise staff levels and cost a sustainable curriculum, **it is vital that a sensible ceiling is placed on numbers in each current year group.** In this way numbers of teachers in each subject area and numbers of classrooms needed for the foreseeable future, will be able to be planned for and managed. In the light of this urgent necessity this second part of the admissions proposal is integral to the educational future of all students, and also imperative in reducing the need for constant changes to the school staffing levels.

The Governing Body awaits a decision at the earliest convenience of the Admissions Panel.

**Sue Woodrow**

**Headteacher (on behalf of the Governing Body of Aylestone Business and Enterprise College)**





<b>MEETING:</b>	<b>LOCAL ADMISSIONS FORUM</b>
<b>DATE:</b>	<b>5 NOVEMBER 2009</b>
<b>TITLE OF REPORT:</b>	<b>CO-ORDINATION OF IN YEAR TRANSFERS</b>
<b>ADMISSIONS AND TRANSPORT MANAGER</b>	<b>ANDREW BLACKMAN</b>

**CLASSIFICATION:** Open

### **Wards Affected**

County-wide

### **Purpose**

To consider a scheme that Herefordshire can adopt to meet the government requirement for all Local Authorities to have a “Co-ordinated In Year Transfer” application process in operation from September 2010.

### **Key Decision**

This is not a Key Decision.

### **Recommendation(s)**

**THAT Local Admissions Forum:**

- (a) **agree and submit the In Year Transfer application process to the Department of Children’s Schools and Families for their approval**

### **Key Points Summary**

The intent behind the new responsibility is to significantly improve the experience of parents and children transferring from one school to another, with two main aims:

- To improve fairness – stopping unlawful/covert selection by some schools
- To improve the application/offer process for parents and children

### **Alternative Options**

- 1 There are no alternative options as this is a statutory requirement.

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Further information on the subject of this report is available from  
Andrew Blackman Admissions & Transport Manager (01432) 260927

## Reasons for Recommendations

- 2 This is a statutory requirement

## Introduction and Background

- 3 The current School Admissions Code sets out in section 3.4 the following:

“From the 2010-2011 academic year, local authorities must formulate schemes for co-ordinating applications made during the academic year and applications for admissions to age groups other than the normal year of entry (“in year applications”)

The Code then goes on in section 3.5 to state: “They (LA’s) must formulate schemes for the 2010-2011 academic year by 1<sup>st</sup> January 2010. Such schemes must comply with the requirements set out in paragraphs 3.6 to 3.18 below.”

### *Co-ordination of admissions from 2011-2012 onwards*

3.6 For admissions to schools in the academic year 2011-2012 onwards, local authorities must formulate schemes for co-ordinating all applications to maintained schools and Academies from parents in their area, whenever received, and for whichever age group, under one scheme.

3.7 The following paragraphs reflect the law as it applies to in-year applications for 2010 onwards, and to all applications for admission in 2011 onwards. While it is for each local authority to decide the scheme that best suits its residents and its schools, they must ensure that they:

a) comply with law and regulations, including all the procedural requirements (for example, the scheme must require a common application form to be completed, allowing at least 3 preferences, the scheme must provide for information sharing with other local authorities, and it must ensure, so far as is reasonably practicable, that the local authority sends out not more than one offer to all parents seeking places at its schools); and

b) do not disadvantage families resident in other local authorities who apply for schools in their area (which would be contrary to the rule established by the Greenwich Judgment<sup>52</sup>).

3.8 Co-ordination schemes do not affect the rights and duties of the governing bodies of voluntary aided and foundation schools to set and apply their own admission arrangements and oversubscription criteria nor for Academies to agree their own arrangements with Secretary of State. Admission authorities do not have to determine the same or similar oversubscription criteria, but must ensure that their own admission arrangements are compatible with, and do not undermine, the co-ordination scheme for their area. A summary of how the co-ordination scheme works must be included in the local authority’s composite prospectus.

3.9 Academies are required by their funding agreements to participate in co-ordination schemes and local authorities must consult them, as well as other admission authorities, when required, in order to agree the scheme. Local authorities must also invite City Technology Colleges to participate in the scheme.

### *Formulation and adoption of co-ordination schemes*

3.11 All local authorities must have a scheme in place each year for co-ordinating admission arrangements for all maintained schools and Academies within their area. Local authorities must formulate schemes by 1 January in the determination year. If the local authority decides to continue to use the scheme from the previous year, this will fulfil the legal requirement to formulate a scheme. Local authorities must consult the Admission Forum every year, and

admission authorities for schools affected by the scheme (including Academies) and other local authorities every three years as a minimum. If the Admission Forum advises that the scheme has changed substantially since the previous year, the local authority must consult school governing bodies and other local authorities on it, even if that is less than three years since the last consultation.

3.12 From the academic year 2010-11 onwards local authorities must coordinate all “in-year applications”. In relation to academic year 2010-11 only, the arrangements for co-ordinating these applications must be formulated by 1 January 2010. They must then consult the bodies mentioned in paragraph 3.11.

#### *Schemes imposed by the Secretary of State*

3.13 If a local authority does not notify the Secretary of State by 15 April in the determination year that a scheme has been adopted for the following academic year, the Secretary of State may impose a scheme; or where an imposed scheme was in place for the previous year, he may notify the local authority that the scheme will continue for a further year.

3.14 Where the Secretary of State has imposed a scheme and not revoked it a local authority and its schools may decide to adopt the scheme in a subsequent year. In this case, the duty to formulate is met. If the local authority subsequently adopts a scheme agreed with other admission authorities, in accordance with the Co-ordination Regulations, they must notify the Secretary of State so that the imposed scheme can be revoked. Where a scheme from a previous year is being adopted, or has been imposed in relation to the previous year (and all admissions authorities have agreed to adopt it for a further year), confirmation must be sent to the Secretary of State by 15th April each year. It will not be necessary to send a copy of the scheme.

#### *Main obligations imposed by the Co-ordination Regulations*

3.15 The Co-ordination Regulations prescribe national closing dates for primary and secondary applications and, in the case of primary applications, prescribe the date by which the exchange of information described in sub-paragraphs b) and c) below must be completed. Local authorities must include these dates in their co-ordination schemes. Aside from this, the main requirements of the Co-ordination Regulations with regard to schemes are:

- a) A common application form must be completed, which allows parents to express at least 3 preferences in rank order of preference, which may be for schools within or outside their home local authority area, and to give reasons for their preferences. The common application form must allow parents to provide their name, their address (including documentary evidence in support), and the name, address and date of birth of the child.
- b) Local authorities and admission authorities in the area must exchange information on applications made and potential offers by the dates specified in the scheme.
- c) The home authority must pass information on applications to other local (“maintaining”) authorities about applications to schools in their area. The maintaining authority must determine the application in the normal way, and inform the home local authority if a place is available, by the dates specified in the scheme. The maintaining authority must not tell parents of the offer.
- d) Where a place is available for a child at more than one school, the home local authority must ensure, so far as is reasonably practicable, that the parent is offered a place at whichever of these schools is their highest preference.
- e) For applications made in the course of a normal admission round, offers of secondary places must be sent by the home authority on 1 March, and offers of primary places on a date specified by the local authority (or the next working day if either date is not a working day) in the year during which a child will be admitted to school.

f) Offers of primary and secondary places must be sent by the home local authority. Schools must not contact parents about the outcome of their applications until after these offers have been received. Only the home local authority can make an official offer.

g) Parents who cannot be offered one of their preferred schools must, if there are places available, be offered a place at another school.

3.16 Where admission authorities normally admit children to primary school at two or three points in the academic year, they should make all offers at the same time. Places allocated to children whose parents have deferred their entry until later in the same academic year cannot be offered to another child, unless the parent withdraws acceptance of the place.

#### *Applications to schools with a different age of transfer*

3.17 The Education (Middle Schools) (England) Regulations 2002 define 'middle schools' and whether they are classified as primary or secondary schools which depends on the age range of the pupils. For the purposes of co-ordination, middle schools with an entry age before 11 are to be treated in the same way as primary schools; upper schools (with an entry age after 11) are to be treated as secondary schools.

3.18 For middle deemed secondary schools (not applicable to Herefordshire), the home local authority must make an application form available to any parent in the area who wishes to apply to a school in a neighbouring area which operates a different age of transfer. The home local authority must accept applications in the same way as it would for its own normal admissions round. It must, if preferred schools are in another area, pass forms to neighbouring authorities, who must apply their co-ordinated scheme. The maintaining local authority must inform the home local authority if a place is to be offered in one of its schools. The home local authority must inform the parent of the outcome of the application.

### **Contribution to the Herefordshire CYP Plan**

Has the greatest impact potentially upon the "Enjoy and Achieve" outcome

The scheme will link directly with the local "School attendance strategy" in Appendix 2 of the Herefordshire C & YP Plan. And will benefit those Categories of Vulnerable Groups listed in Appendix 3 of the same C & YP Plan.

### **Key Considerations**

- 4 For a number of years Herefordshire has been running a voluntary scheme where we centrally (within the Admissions & Transport teams) process in year transfer requests generated by parents for most of the community schools but not for any of the VA schools.
- 5 We estimate that we currently process about 70% of all in year transfer requests generated for all the maintained schools in Herefordshire. The new overarching responsibility will lead to the need to deal with 100% of all transfer requests.
- 6 There is a direct interface/link between any In Year Transfer scheme and the proposed "In Year Fair Access" protocol currently being consulted on within Herefordshire. The "In Year Fair Access" is designed to handle, in a professional way, all In Year Transfers that are not straight forward. This will include children who have been permanently excluded, children attending PRU's integrating back into mainstream education, traveller children, children with SEN (but without statements), children who display behavioural difficulties, "serial" movers (children who been transferred at least twice before without an address change reason) etc.
- 7 The In Year Transfer scheme will impact upon all maintained schools within Herefordshire and subsequently upon any parent (from within and outside Herefordshire) seeking an in year

transfer into these schools. All applications will be dealt with in a consistent and fair manner, which may not be the case at the moment for schools who do not participate either fully or partially in the current voluntary arrangements.

- 8 Details of the proposed scheme, a Co-ordination Timeline, In Year Transfers Flow Chart and an In Year Transfer Application Form can be found in the attached Appendix – “Co-ordination of In Year Transfers”

## **Community Impact**

- 9 Not applicable.

## **Financial Implications**

- 10 At the present time the equivalent of 0.7 of a full time employee (fte) occupying a principally administration role at HC4 is required. This will rise to 1.0 fte at a higher level of competency/skill at probably HC5 (the same grading as the two Admissions & Transfers staff who manage the two existing Co-ordinate schemes (Reception class and Transfer from primary to secondary school)).

No additional funding is being made available by DCSF to meet this new additional responsibility. The Access and Capital Commissioning Manager is looking at how to meet these additional requirements, within the current review of Admissions and Transport.

## **Legal Implications**

- 11 Statutory requirement.

## **Risk Management**

- 12 Non compliance with statutory requirement.

## **Consultees**

- 13 Herefordshire Schools.

## **Appendices**

Appendix - Co-ordination of In Year Transfers Consultation

## **Background Papers**

None identified.



September 2009

# **Co-ordination of In Year Transfers**

## **A. Background**

The current School Admissions Code sets out in section 3.4 the following:

“From the 2010-2011 academic year, local authorities must formulate schemes for co-ordinating applications made during the academic year and applications for admissions to age groups other than the normal year of entry (“in year applications”)

The Code then goes on in section 3.5 to state: “They (LA’s) must formulate schemes for the 2010-2011 academic year by 1<sup>st</sup> January 2010. Such schemes must comply with the requirements set out in paragraphs 3.6 to 3.18 below.”

These sections are provided in full in section C and set out the general duties and the expectations of an In Year Transfer process. Please note that amongst these expectations a common application form must be submitted and there are further details on the consideration and processing of this in section 3.15.

## **B. Rationale of the new requirements**

The intent behind the new responsibility is to significantly improve the experience of parents and children transferring from one school to another, with two main aims:

- To improve fairness – stopping unlawful/covert selection by some schools
- To improve the application/offer process for parents and children

## **C. Co-ordination of admissions from 2011-2012 onwards**

3.6 For admissions to schools in the academic year 2011-2012 onwards, local authorities must formulate schemes for co-ordinating all applications to maintained schools and Academies from parents in their area, whenever received, and for whichever age group, under one scheme.

3.7 The following paragraphs reflect the law as it applies to in-year applications for 2010 onwards, and to all applications for admission in 2011 onwards. While it is for each local authority to decide the scheme that best suits its residents and its schools, they must ensure that they:

- a) comply with law and regulations, including all the procedural requirements (for example, the scheme must require a common application form to be completed, allowing at least 3 preferences, the scheme must provide for information sharing with other local authorities, and it must ensure, so far as is reasonably practicable, that the local authority sends out not more than one offer to all parents seeking places at its schools); and
- b) do not disadvantage families resident in other local authorities who apply for schools in their area (which would be contrary to the rule established by the Greenwich Judgment<sup>52</sup>).



- 3.8 Co-ordination schemes do not affect the rights and duties of the governing bodies of voluntary aided and foundation schools to set and apply their own admission arrangements and oversubscription criteria nor for Academies to agree their own arrangements with Secretary of State. Admission authorities do not have to determine the same or similar oversubscription criteria, but must ensure that their own admission arrangements are compatible with, and do not undermine, the co-ordination scheme for their area. A summary of how the co-ordination scheme works must be included in the local authority's composite prospectus.
- 3.9 Academies are required by their funding agreements to participate in co-ordination schemes and local authorities must consult them, as well as other admission authorities, when required, in order to agree the scheme. Local authorities must also invite City Technology Colleges to participate in the scheme.

### **Formulation and adoption of co-ordination schemes**

- 3.11 All local authorities must have a scheme in place each year for co-ordinating admission arrangements for all maintained schools and Academies within their area. Local authorities must formulate schemes by 1 January in the determination year. If the local authority decides to continue to use the scheme from the previous year, this will fulfil the legal requirement to formulate a scheme. Local authorities must consult the Admission Forum every year, and admission authorities for schools affected by the scheme (including Academies) and other local authorities every three years as a minimum. If the Admission Forum advises that the scheme has changed substantially since the previous year, the local authority must consult school governing bodies and other local authorities on it, even if that is less than three years since the last consultation.
- 3.12 From the academic year 2010-11 onwards local authorities must coordinate all "in-year applications". In relation to academic year 2010-11 only, the arrangements for co-ordinating these applications must be formulated by 1 January 2010. They must then consult the bodies mentioned in paragraph 3.11.

### **Schemes imposed by the Secretary of State**

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### **Main obligations imposed by the Co-ordination Regulations**

3.15 The Co-ordination Regulations prescribe national closing dates for primary and secondary applications and, in the case of primary applications, prescribe the date by which the exchange of information described in sub-paragraphs b) and c) below must be completed. Local authorities must include these dates in their co-ordination schemes. Aside from this, the main requirements of the Co-ordination Regulations with regard to schemes are:

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## **D. Current practice in Herefordshire**

For a number of years Herefordshire has been running a voluntary scheme where we centrally (within the Admissions & Transport teams) process in year transfer requests generated by parents for most of the community schools but not for any of the VA schools.

We estimate that we currently process about 70% of all in year transfer requests generated for all the maintained schools in Herefordshire. The new overarching responsibility will lead to the need to deal with 100% of all transfer requests.

## **E. Links to the In Year Fair Access Protocol**

There is a direct interface between any In Year Transfer scheme and the proposed “In Year Fair Access” protocol currently being consulted on within Herefordshire. The “In Year Fair Access” is designed to handle, in a professional way, all In Year Transfers that are not straight forward. This will include children who have been permanently excluded, children attending PRU’s integrating back into mainstream education, traveller children, children with SEN (but without statements), children who display behavioural difficulties, “serial” movers (children who have been transferred at least twice before without an address change reason) etc.

## **F. In Year Transfer summary of procedure**

- Parent / Carer - visits requested school
- Parent / Carer - request form from the School Admissions Team – School Admissions Team issues In Year Application Form on the same day
- Parent and current school - complete application form
- Parent / Carer - returns application to School Admissions Team within 5 school days
- School Admissions Team assesses the application form.
- School Admissions Team informs parent / carer of the outcome within 10 school days from the date the parent / carer first requested the application, provided that the parent / carer returned the form within the 5 school days, if a straight forward application.

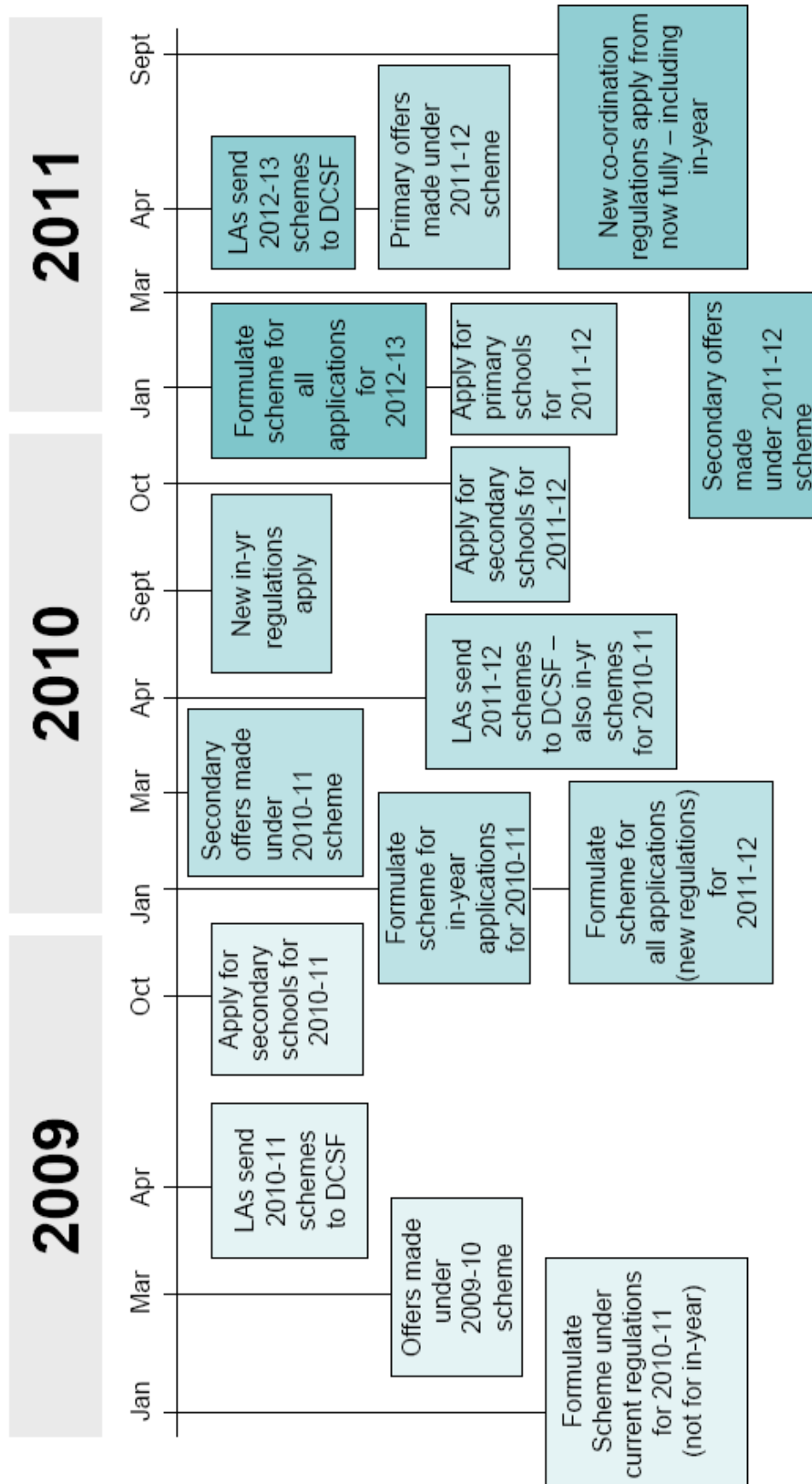
The In Year Transfer scheme will impact upon all maintained schools within Herefordshire and subsequently upon any parent (from within and outside Herefordshire) seeking an in year

transfer into these schools. All applications will be dealt with in a consistent and fair manner. There follows a Coordination Timeline to illustrate the overall expectations under the Schools Admissions Code, and a flow diagram indicating the way in which applications will be dealt with. Also attached is the draft In Year Transfer form.

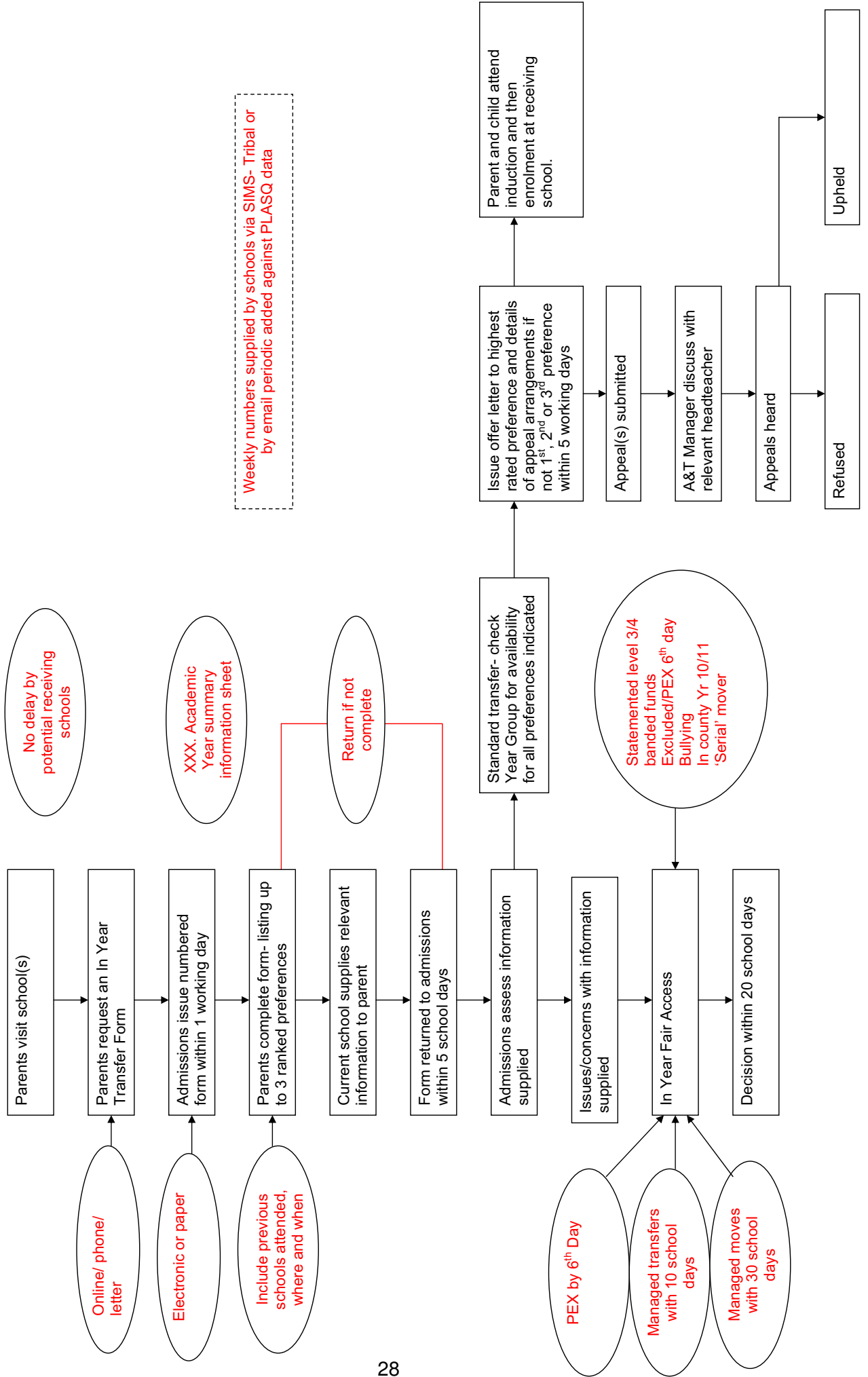
If it is not a straight forward application, the School Admissions Team will forward details to the In Year Fair Access Panel to consider and make a decision within 20 school days, and inform the parent / carer of the outcome.

As noted at the start of this paper, the underlying intention of the new requirements in the national School Admissions Code is that fairness and the experience of parents and children are improved by the requirement for all maintained schools to be covered by this procedure.

## Co-ordination Timeline



# In Year Transfers Flow Chart of Process





## In Year Transfer (IYT) Application Form

Admission to a school within Herefordshire other than at normal age for admission

Please read the attached 'Important notes to be read before filling out the In Year Transfer Application Form notes' before completing the below application form

<b>1 Pupil details</b>		
Surname	Forename	Middle name(s)
Date of birth	Gender (please tick) Male <input type="checkbox"/> Female <input type="checkbox"/>	
Current address		
Post code		
New address (if moving)		
Post code		Date due to move
Telephone number		Mobile number
<b>2 Please state school(s) that child has attended in the last year, starting with current school</b>		
Name of school	Date started	Date left
<b>3 School</b>		
School (please state in order of preference)		Date wishing to start
1		
2		
3		
<b>Please indicate your reason for your request for a transfer to another school (please tick/ fill relevant section)</b>		
<input type="checkbox"/>	Moved/moving into Herefordshire from another county/country, please state what county/country	
<input type="checkbox"/>	Moved/moving within Herefordshire	
<input type="checkbox"/>	Other (please state reason and attach any supporting information relevant to requesting this transfer, if applicable )	



<b>4 Additional information</b>		
Do you have any medical, social or compassionate reasons to support your request? If yes, please attaché supporting information from a third party.	Yes	No
Does your child have a Statement of Special Educational Needs or Banded Funding?	Yes	No
Has your child ever been excluded from school? If yes, was it a fixed or permanent exclusions	Yes	No
	F	P
Is your child looked after by Herefordshire Council or any other Local Authority? If yes, please state which authority.	Yes	No
<b>5 This section is to be completed by the school and signed by the Headteacher that the child is currently attending <u>only</u>. If this is not completed by the school the application will not be submitted to the requesting school</b>		
Are you aware of this transfer request?	Yes	No
Has the parent discussed their reasons for transfer with you?		
Does the child have any school action / +		
Do you support this application?		
If no, please state reason why		
Signed	Printed (capitals only)	
Name	Date	

<b>6 This section is to be completed by the parent/ carer</b>		
Title Mr/ Mrs/ Miss/ Ms/ other	Name	Surname
Relationship to pupil e.g. Mother, Farther, Step-Parent, Social Worker, Foster Parent, or other relative (please state)		
Do you have parental responsibility for this child	Yes	No
<b>Declaration</b> I declare that the information on this form is correct I have read the conditions stated on the Important Notes (page enclosed with this form). I understand that a place maybe lawfully withdrawn if it is proved to have been offered on the basis of fraudulent or misleading application.		
Signed	Printed (capitals only)	
Name	Date	

<b>Office use only</b>		
Application number		
Date sent to parent / carer		
Date received back		
Passed to In Year Fair Access	Yes	No
	Date (if yes)	

Application should be returned to:  
Pupil Admissions Office  
Children & Young People's Directorate  
Herefordshire Council  
Blackfriars  
PO Box 185  
Blackfriars Street  
Hereford  
HR4 9ZR

## **Important notes to be read before filling out the In Year Transfer (IYT) Application Form**

### **Transferring**

Parents wishing to transfer their child to the same age group in another local school must discuss the transfer with the Headteacher of the pupil's present school in the first instance.

Please note that interviews are not part of the admissions process, however for Church place applications to a voluntary aided school, additional information may be requested to establish the denominational qualification. In no circumstances should interviews be held, though it is sensible for parents to visit the school before deciding whether or not to apply, taking into consideration how will you get your child to school.

### **Transport**

#### **For whom is transport provided for?**

Please go to [www.herefordshire.gov.uk](http://www.herefordshire.gov.uk) (transport) here you will find information on who is entitled to transport. If you have not got access to the internet please contact the transport section on 01432 26093 who will help you further.

### **Procedure required from the parent when completing the In Year Transfer Application Form**

If you decide to make a formal request for transfer, please complete the In Year Transfer Application Form over leaf making sure that the Headteacher completes section 5, before returning to:

School Admissions Team  
Children & Young People's Directorate  
Herefordshire Council  
Blackfriars  
PO Box 185  
Blackfriars Street  
Hereford  
HR4 9ZR.

All straight forward applications will be dealt with, within 10 schools days, from when you first requested the application form, provided that all sections are completed and you return the form within 5 schools day. You will be informed in writing of the outcome.

Please remember that you are required to ask your child's current school (Headteacher) to complete section 5, this should be completed within 2 days by the Headteacher, as you need to return the application back to the admissions team within 5 schools days from when you first requested the form. If this section is not completed when returned to the Admissions Office we will not be able to proceed with the application. It will be returned to yourselves for this section to be completed.



<b>MEETING:</b>	<b>LOCAL ADMISSIONS FORUM</b>
<b>DATE:</b>	<b>5 NOVEMBER 2009</b>
<b>TITLE OF REPORT:</b>	<b>IN YEAR FAIR ACCESS PROPOSALS</b>
<b>ADMISSIONS AND TRANSPORT MANAGER</b>	<b>ANDREW BLACKMAN</b>

**CLASSIFICATION:** Open

### **Wards Affected**

County-wide

### **Purpose**

To consider a protocol that Herefordshire can adopt to meet the government requirement for all Local Authorities to have an "In Year Fair Access Protocol" in operation.

### **Key Decision**

This is not a Key Decision.

### **Recommendation**

**THAT Local Admissions Forum:**

- (a) agree and submit to the Department of Children's Schools and Families for their approval.**

### **Key Points Summary**

Main Principles of the Fair Access Protocol

- All children and young people up to their eighteenth birthday have the right to education.
- All schools take part in the Fair Access Protocol and abide by the decisions made by the Placement Panel.
- There is a general expectation that if a child moves into an area, he/she is admitted to the local catchment area school unless there are very exceptional reasons as to why this should not be the case.
- Having reached the admission number is not usually considered to be very exceptional unless other circumstances apply.
- Schools cannot cite oversubscription as a reason for not admitting pupils under the protocol.

Further information on the subject of this report is available from  
Andrew Blackman, Admissions and Transport Manager on (01432) 260927

- Children considered under this protocol have priority for admission over others on a waiting list or awaiting an appeal.
- It is essential that all children are found places quickly. All parts of the Directorate should be prepared to deal with admissions requests as a matter of urgency.
- To reinforce the statutory power available to the Authority/Director to be able to direct a placement when required.

## **Alternative Options**

- 1 No alternative option – statutory requirement.

## **Reasons for Recommendations**

- 2 Statutory requirement.

## **Introduction and Background**

### Why Is an In Year Fair Access Protocol Required?

- 3 All admission authorities (including those schools for whom the Governing Body is the admissions authority) must have Fair Access Protocols in place and all schools must participate in the protocol in order to ensure that unplaced children are offered a place at a suitable school as quickly as possible. This includes admitting children to schools that are already full.
- 4 Admission authorities and Local Admission Forums are tasked to ensure that no school, including those with places available, is asked to take an excessive or unreasonable number of children who have been excluded from other schools or have challenging behaviour. They must also ensure that all children who arrive outside the normal admissions round who may have difficulty securing a place are covered by a protocol.

### Aims of the In Year Fair Access Protocol

- 5 Children and young people out of school include some of the most vulnerable individuals in Herefordshire. It is the duty of the Local Authority and its schools to ensure that these youngsters have access to education as soon as possible.
- 6 Accordingly, the In-Year Fair Access Protocol is designed to:
  - Place a child or young person in school with as little delay as is possible (in line with Article 2 of the Human Rights Act, 1998).
  - To involve schools in a fair and transparent process in order to reduce the time that children spend out of school.
  - Acknowledge the need of young people who are not on the roll of any school to be dealt with quickly and sympathetically.
  - Recognise the success of proactive work already being undertaken cooperatively between schools to prevent exclusion, and to support children, e.g. through managed moves.
  - Ensure that schools admit children with challenging educational needs in a manner, which takes account of the proportion of children they have already admitted through the Placement Panel process.
  - Meet the need to ensure full entitlement for parents.

## Categories of children covered by the Fair Access Protocol

- 7 Any child who cannot obtain a place through the normal admissions process within 5 school days of becoming known to the LA, and those who it is considered, including discussions with Choice Advisors and/or Educational Welfare officers, it will be difficult to place. Which may include:
- Children attending PRU's who need to be reintegrated back into mainstream education
  - Children moving during Years 10 and 11
  - Permanently excluded children or those undergoing a managed transfer
  - Children who have been out of education for longer than one school term
  - Children whose parents have been unable to find them a place after moving to the area, because of a shortage of places
  - Children withdrawn from schools by their family, following fixed term exclusions and unable to find another place.
  - Children of refugees and asylum seekers
  - Homeless Children
  - Children with unsupportive family backgrounds, where a place has not been sought
  - Children known to the police or other agencies
  - Children without a school place and with a history of serious attendance problems
  - Traveller Children
  - Children who are carers
  - Children with SEN (but without statements)
  - Children with disabilities or medical conditions
  - Children who display behavioural difficulties
  - Children who have previously changed school more than once without an address change

### In year fair access school application form

- 8 To be completed when it has been identified that a child, who because of circumstances, may have difficulty in finding a place at a suitable school quickly.

### Placement Panel

- 9 Purpose: to identify which school is appropriate for the child taking into account parental preference. Frequency: The Panel to meet on a monthly basis.
- 10 Process: Consideration of information contained within the In Year Fair Access application form. Further consultation with other officers may be required prior to a final decision being made
- 11 Outcomes: Any decisions made by the panel to lead to a start date within 5 school days.
- 12 Membership to comprise:
1. Admissions & Transport Manager or nominated substitute
  2. Principal EWO or nominated substitute
  3. Manager of Social Inclusion or nominated substitute
  4. Representative from HASH
  5. Representative from Primary School Headteachers Group

### What schools are covered by the protocol?

- 13 All maintained schools and academies in Herefordshire are covered by the protocol, including foundation schools, voluntary aided schools, faith schools and Academies.
- 14 The intent behind the new responsibility is to significantly improve the experience of parents and children transferring from one school to another, with two main aims:
- To improve fairness – stopping unlawful/covert selection by some schools
  - To improve the application/offer process for parents and children
- 15 There is a direct interface/link between any In Year Transfer scheme and the proposed “In Year Fair Access” protocol. The “In Year Fair Access” is designed to handle, in a professional way, all In Year Transfers that are not straight forward. This will include children who have been permanently excluded, children attending PRU’s integrating back into mainstream education, traveller children, children with SEN (but without statements), children who display behavioural difficulties, “serial” movers (children who been transferred at least twice before without an address change reason) etc.
- 16 The In Year Fair Access Protocol will impact upon all maintained schools within Herefordshire and subsequently upon any parent (from within and outside Herefordshire) seeking an in year transfer into these schools.

## **Key Considerations**

- 17 There is a direct interface/link between any In Year Transfer scheme and the proposed “In Year Fair Access” protocol currently being consulted on within Herefordshire. The “In Year Fair Access” is designed to handle, in a professional way, all In Year Transfers that are not straight forward. This will include children who have been permanently excluded, children attending PRU’s integrating back into mainstream education, traveller children, children with SEN (but without statements), children who display behavioural difficulties, “serial” movers (children who been transferred at least twice before without an address change reason) etc.

## **Community Impact**

- 18 Not applicable.

## **Financial Implications**

- 19 None identified.

## **Legal Implications**

- 20 Statutory requirement.

## **Risk Management**

- 21 Non compliance with statutory requirement.

## **Consultees**

- 22 Consultation - A consultation involving Herefordshire schools regarding the proposed closed on Friday 9<sup>th</sup> October 2009.

Three formal responses from schools were received.



John Masefield High school who commented:

“At JMHS we are committed to the implementation of a fair and transparent admissions process. In order to ensure the needs of every child are met it is essential that before any student starts at JMHS we have a full academic and pastoral record in order that we meet the needs of each and every student. We are committed to providing the best possible chance of success for any student who joins us as part of a new intake, or who joins us during term time. There will be rare occasions when information received obliges us to contact external agencies or to raise our concerns that a PRU placement would best meet the needs of the student. Once in receipt of the required information we will strive to ensure that the admitted student starts with us at the earliest available date.”

Weobley High School commented:

“We broadly agree with the draft protocol but it is absolutely vital that the needs of the child are at the heart of any decision. This should include whether the curriculum and support offer is appropriate. Parents may need support in making this decision.”

Whitecross High School commented:

“We broadly agree with the draft protocol but believe those awaiting the outcome of appeals should not be deprived a fair hearing by having others prioritised before them. This does not address the issue of schools being approached by 3 different parts of directorate – SEN caseworkers, inclusion manager and admissions.”

## **Appendices**

Appendix - In Year Fair Access Protocol

## **Background Papers**

None identified.



September 2009

# In-Year Fair Access Protocol

## A. Why Is an In Year Fair Access Protocol Required?

All admission authorities (including those schools for whom the Governing Body is the admissions authority) must have Fair Access Protocols in place and all schools must participate in the protocol in order to ensure that unplaced children are offered a place at a suitable school as quickly as possible. This includes admitting children to schools that are already full.

Admission authorities and Local Admission Forums are tasked to ensure that no school, including those with places available, is asked to take an excessive or unreasonable number of children who have been excluded from other schools or have challenging behaviour. They must also ensure that all children who arrive outside the normal admissions round who may have difficulty securing a place are covered by a protocol.

## B. Aims of the Herefordshire In Year Fair Access Protocol

Children and young people out of school include some of the most vulnerable individuals in Herefordshire. It is the duty of the Local Authority and its schools to ensure that these youngsters have access to education as soon as possible.

Accordingly, the In-Year Fair Access Protocol is designed to:

- Place a child or young person in school with as little delay as is possible (in line with Article 2 of the Human Rights Act, 1998).
- To involve schools in a fair and transparent process in order to reduce the time that children spend out of school.
- Acknowledge the need of young people who are not on the roll of any school to be dealt with quickly and sympathetically.
- Recognise the success of proactive work already being undertaken cooperatively between schools to prevent exclusion, and to support children, e.g. through managed moves.
- Ensure that schools admit children with challenging educational needs in a manner, which takes account of the proportion of children they have already admitted through the Placement Panel process.
- Meet the need to ensure full entitlement for parents.

### **C. Main Principles of the Fair Access Protocol**

- All children and young people up to their eighteenth birthday have the right to education.
- All schools take part in the Fair Access Protocol and abide by the decisions made by the Placement Panel.
- There is a general expectation that if a child moves into an area, he/she is admitted to the local catchment area school unless there are very exceptional reasons as to why this should not be the case.
- Having reached the admission number is not usually considered to be very exceptional unless other circumstances apply.
- Schools cannot cite oversubscription as a reason for not admitting pupils under the protocol.
- Children considered under this protocol have priority for admission over others on a waiting list or awaiting an appeal.
- It is essential that all children are found places quickly. All parts of the Directorate should be prepared to deal with admissions requests as a matter of urgency.
- To reinforce the statutory power available to the Authority/Director to be able to direct a placement when required.

### **D. Categories of children covered by the Fair Access Protocol**

Any child who cannot obtain a place through the normal admissions process within 5 school days of becoming known to the LA, and those who it is considered, including discussions with Choice Advisors and/or Educational Welfare officers, it will be difficult to place. Which may include:

- Children attending PRU's who need to be reintegrated back into mainstream education
- Children moving during Years 10 and 11
- Permanently excluded children or those undergoing a managed transfer (additional detail on the placement of such pupils is set out later in this document)
- Children who have been out of education for longer than one school term
- Children whose parents have been unable to find them a place after moving to the area, because of a shortage of places
- Children withdrawn from schools by their family, following fixed term exclusions and unable to find another place.
- Children of refugees and asylum seekers
- Homeless Children
- Children with unsupportive family backgrounds, where a place has not been sought
- Children known to the police or other agencies
- Children without a school place and with a history of serious attendance problems
- Traveller Children
- Children who are carers
- Children with SEN (but without statements)
- Children with disabilities or medical conditions

- Children who display behavioural difficulties
- Children who have previously changed school more than once without an address change

### **E. In Year Fair Access School Application Form**

This is attached and is to be completed when it has been identified that a child, who because of circumstances, may have difficulty in finding a place at suitable school quickly.

### **F Placement Panel**

It is proposed to convene a placement panel to carry out the following:

Purpose: to identify which school is appropriate for the child taking into account parental preference. Frequency: The Panel to meet on a monthly basis.

Process: Consideration of information contained within the In Year Fair Access application form. Further consultation with other officers may be required prior to a final decision being made

Outcomes: Any decisions made by the panel to lead to a start date within 5 school days.

Membership to comprise:

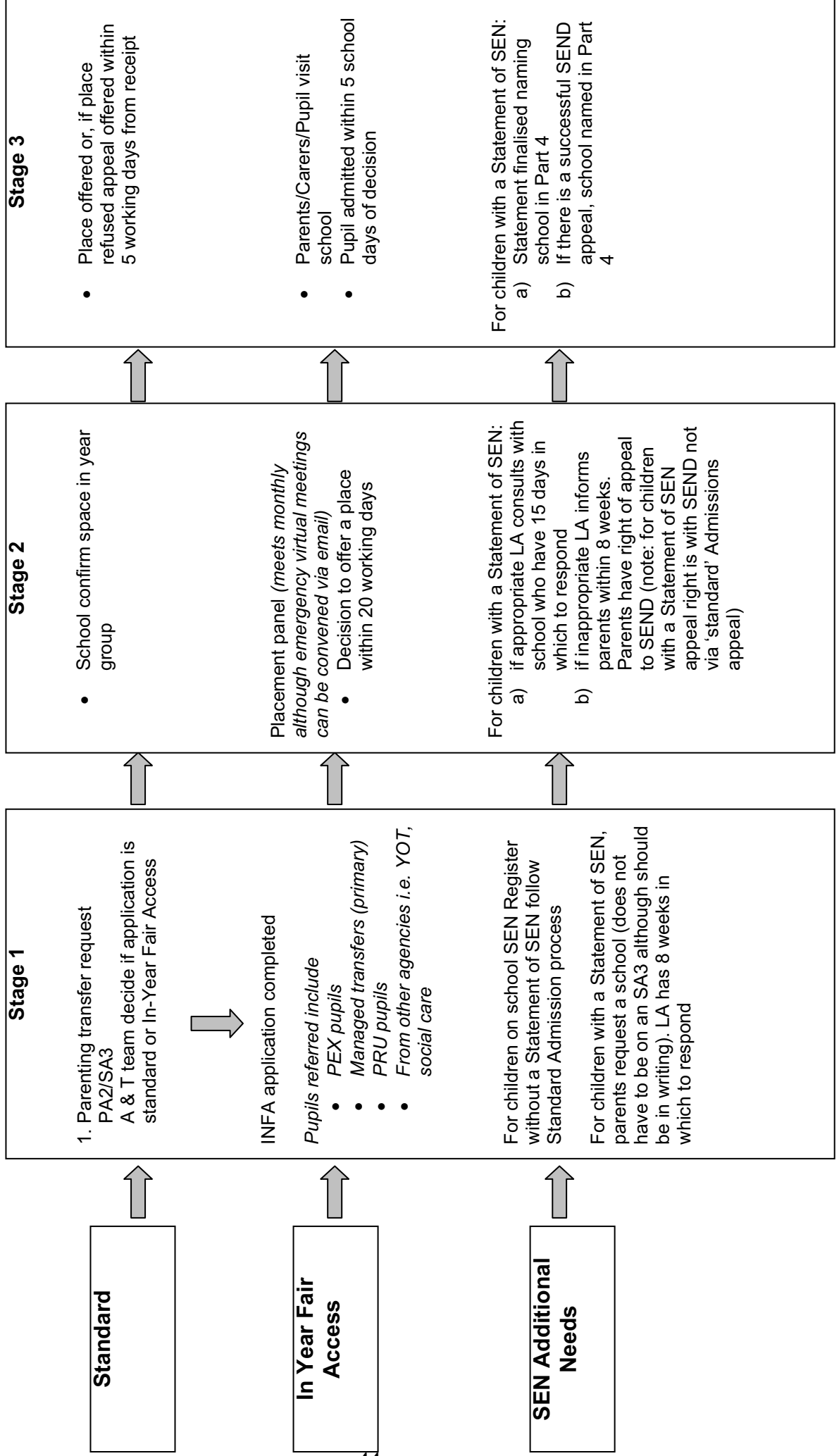
1. Admissions & Transport Manager or nominated substitute
2. Principal EWO or nominated substitute
3. Manager of Social Inclusion or nominated substitute
4. Representative from HASH
5. Representative from Primary School Headteachers Group

### **G. What schools are covered by the protocol?**

All maintained schools and academies in Herefordshire are covered by the protocol, including foundation schools, voluntary aided schools, faith schools and Academies.

The following pages set out the processes involved, further details for permanently excluded pupils, and the proposed In Year Fair Access application form.

# ADMISSIONS PROCESS MAP



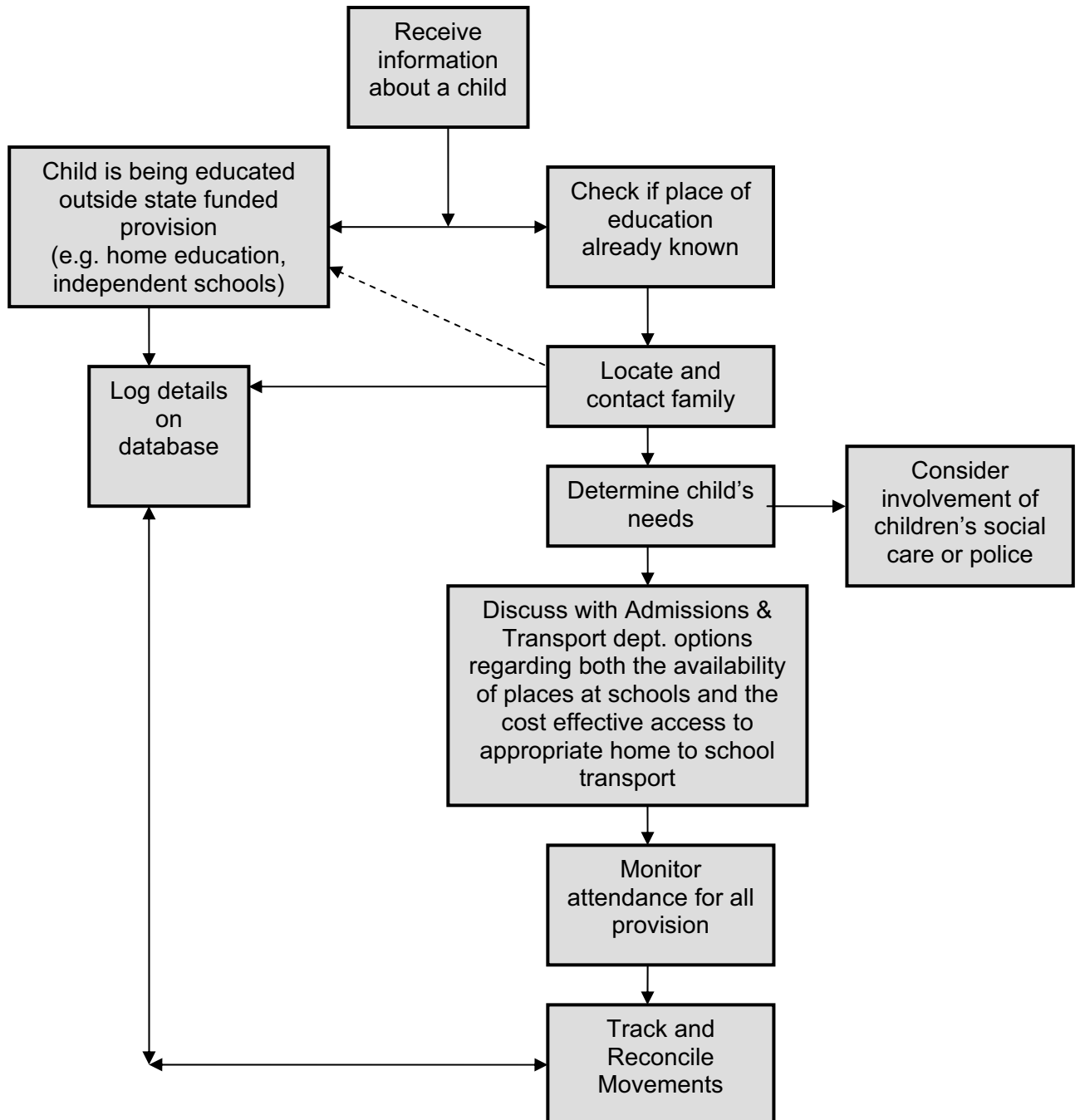
**Standard**

**In Year Fair  
Access**

**SEN Additional  
Needs**

Appendix 1

PROCESS MAP FOR CHILDREN NOT RECEIVING SUITABLE EDUCATION



# Protocol for placing pupils following permanent exclusion

## Introduction

This protocol outlines the procedures followed when pupils are permanently excluded from schools in Herefordshire. Because many schools will see the challenge accommodating such pupils, this protocol aims to clearly set out the process so that it is transparent for all to see. This document sits within the In-Year Fair Access protocol.

Both primary and secondary pupils will receive, from the 6<sup>th</sup> day following their permanent exclusion, full time tuition.

## *Primary*

Following their first permanent exclusion all effort will be made to place the child in another school as soon as possible. In those cases where a mainstream placement is appropriate the school is identified taking the following criteria into account:

- Parental preference;
- Geographical location;
- Places available;
- School and/or class size;
- Local issues, for example number and nature of pupils with SEN.

When a school is identified, there is negotiation with the head teacher and if necessary, the Governors before the place is confirmed. This will include a reintegration plan including any additional support arrangements.

For primary pupils who have been permanently excluded twice a mainstream placement is not usually appropriate.

## *Secondary*

Following their first permanent exclusion, students from year 7 up to the beginning of the second term in year 10 will normally be placed at the Aconbury Centre where education will be provided while a longer-term placement is arranged. In addition, the Aconbury Centre



can carry out assessments of the students to help inform planning for the next stage of their education. Following a stay at the Aconbury Centre students are then placed either in high schools following the agreed cluster system, or transferred to a PRU or special school. Students placed in a school using the cluster system normally follow an agreed reintegration programme (often outlined in a Pastoral Support Programme) involving a gradual build-up of time in school and a programme of support.

The cluster system is a process which aims to distribute permanently excluded secondary students around the county in a fair and manageable way. The system was reviewed in 2003 by a group of secondary head teachers. Factors taken into account when identifying a school include:

- Geographic location;
- Size of school and/or year group;
- Numbers of students excluded from school;
- Date when last excluded student placed;
- Local factors, for example, serious family feuds and so on.

The cluster system does not over-ride the parent's right to state a preferred school. Accordingly, it does become one of the above factors to consider.

The cluster system is a voluntary arrangement agreed with the secondary head teachers. However, the Children & Young People's Directorate reserves the right to direct a school to offer a place to a particular student if it is felt necessary.

For those students permanently excluded beyond their first term in year 10, or having been excluded twice, a mainstream school is not usually appropriate. These students are likely to be placed at a PRU.

Reviewed 2009

# In year fair access application form

1. **The in year fair access protocol deals with the admission of children who because of their circumstances may have difficulty in finding a place at a suitable school quickly.**
2. **The application form should only be used for children who fall into one of the categories below or who cannot obtain a place through the normal admissions process or those who it is considered will be difficult to place:**
  - Children who have been permanently excluded
  - Children attending PRUs who need to be reintegrated back into mainstream education
  - Children who have been out of education for longer than one school term
  - Children whose parents have been unable to find them a place after moving to the area, because of a shortage of places
  - Children withdrawn from schools by their family, following fixed term exclusions and unable to find another place
  - Children of refugees and asylum seekers
  - Homeless children
  - Children with unsupportive family backgrounds, where a place has not been sought
  - Children known to the police or other agencies
  - Children without a school place and with a history of serious attendance problems
  - Traveller children
  - Children who are carers
  - Children with SEN (but without statements)
  - Children with disabilities or medical conditions
  - Children who display behavioural difficulties
  - Children who have previously changed school more than once without an address change
3. **In year fair access protocol application form**  
 Please complete section 1 of the application form if your child falls into one of the categories listed above. The completed application form must be returned to:  
 Admissions and Transport Manager  
 Children & Young People's Directorate  
 Blackfriars  
 P.O. Box 185  
 Blackfriars Street  
 Hereford HR4 9ZR  
 Tel: 01432 260927
4. **Panel decision**  
 The application form will be considered by a panel made up of Headteachers and Council officers. The panel could decide to:
  - Offer admission at a school of your preference or;
  - Offer admission at an alternative school or;
  - Suggest an alternative curriculum of a practical nature
5. **Alternative curriculum**

The panel may decide that your child's educational needs can best be met by attending an alternative curriculum package of a practical nature. Where this

is the case, Council staff will arrange to meet you and your child to discuss this further.

**PART ONE** – Parents/carers to complete (with the assistance of EWO, Choice Advisor etc.)

<b>Personal details</b>		
Name of child	Forename(s)	
Surname	Any other names used	
Date of birth	Male	Female
Home address		
Post Code		
Telephone number (daytime)	Telephone number (evening)	
Mobile	Year Group	
<b>Parent/Carer/Social Worker (Delete as appropriate)</b>		
Relationship to child:		
Is the child looked after by a Local Authority?	Yes	No
If yes, please give name of the Council and details of the social worker		
Does the child act as a young carer for a family member?	Yes	No
Does your child have a statement for special educational needs or an individual resource agreement?	Yes	No
Is the child attending a Pupil Referral Unit?	Yes	No
Has the child been out of school for longer than a term?	Yes	No
If yes, please give details of last school attended, length of time not in school and reasons		

Has the child not been in school following move into the County because there are no places available?	Yes	No
Did you withdraw your child from school after they received fixed period exclusions and have you not managed to find another place?	Yes	No
Are you and / or your child a refugee or asylum seeker not living in an accommodation centre?	Yes	No
Is the child homeless?	Yes	No
Is the child known to police or other agencies?	Yes	No
If yes, please give details		
Is your child without a school place and has he/she a history of serious attendance problems?	Yes	No
Is the child a Traveller?	Yes	No
Has your child been permanently excluded from an independent school?	Yes	No
If yes, please give details of the school, date and reasons for the exclusion		
<b>Schools attended</b> Please list below the schools attended and the reason for leaving		
School attended	Reason for leaving	
1		
2		

3	
4	
<b>If your child has been excluded from the schools listed above, please place a tick in the box below</b>	
Fixed period exclusion	Permanent exclusion
Please give brief details of the exclusions	
<b>Other details</b>	
The information below is required if you are applying for admission to a voluntary aided faith school	
Please give details of the date and address of the church at which your child was baptised	
Please state the Roman Catholic/Church of England parish in which your child is resident	
For parental involvement in the work and worship of the church, please give the name of the church at which you worship	
<b>Any other information you want to tell us?</b>	
Name	Date
Signature	Parent/Carer/Social Worker (delete as appropriate)

**Child/Young person's views? (if appropriate)**

Name

Date

Signature

Please return the completed for to:  
Admissions and Transport Manager  
Children and Young People's Directorate  
Blackfriars  
PO Box 185  
Blackfriars Street  
Hereford  
HR4 9ZR.  
Tel: 01432 260927

**PART TWO** – This section is to be completed by the schools at which a place is required and returned to Admissions and Transport manager, Children and Young People’s Directorate, Blackfriars, PO Box 185, Blackfriars Street, Hereford HR4 9ZR

<b>Schools details</b> (at which a place is requested)
Name Address of the school  Telephone number
Please give details of staff responsible for dealing with admission

For each of the year groups please provide the following information:

Year Group							
Admission number							
Number on roll							
Number of children with a statement for SEN/individual pupil resourcing agreement							
Traveller children							
Looked after children							
Children reintegrated following a permanent exclusion/ Managed Transfer from maintained and private schools							

<b>Admission request</b>	
Does the school support the parent/carers request for admission?	Yes No
Please give reasons if you do not support the transfer request	
Name	Date
Signature	Designation