

# In-Year Fair Access Protocol

## 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.

## Aims of the 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.

## 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.

### **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
- 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

- Children of service personnel and other crown services

### **In year fair access school application form**

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.

### **Placement Panel**

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.

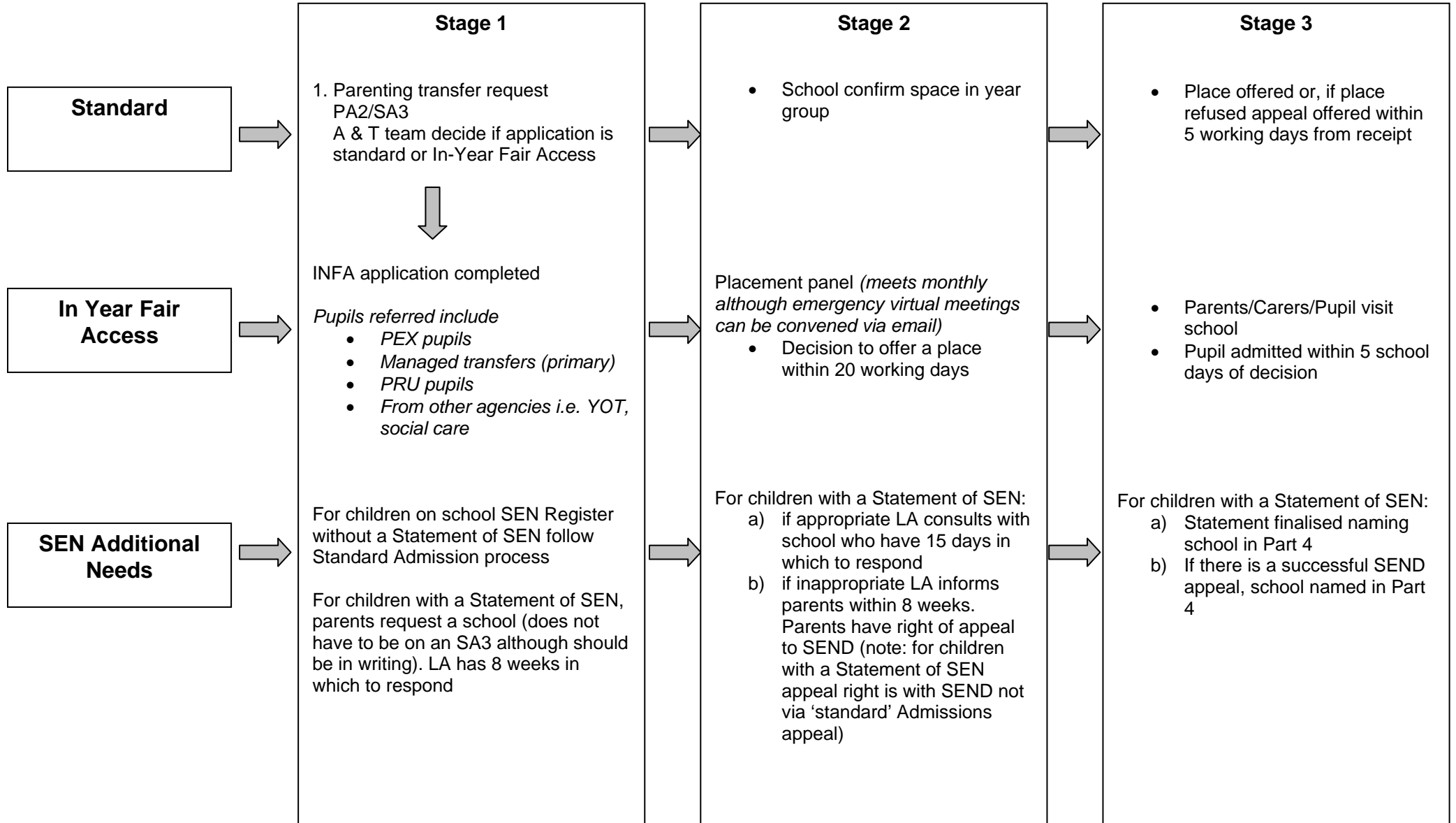
Membership to comprise:

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
6. Choice Advisor or Parent Partnership Service representative

### **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.

# ADMISSIONS PROCESS MAP



Appendix 1

PROCESS MAP FOR CHILDREN NOT RECEIVING SUITABLE EDUCATION

