



**Hull City Council**

## **Children & Young People's Services Inclusion and Access**

### **In Year Fair Access Protocol**

#### **Background**

The National Admission Code 2010 requires all local authorities to establish and co-ordinate a Fair Access Protocol.

The code requires that all schools, new and existing academies agree a fair access protocol that ensures the most vulnerable pupils have access to schools or academies that can best meet their needs.

#### **What does this protocol cover?**

In the vast majority of cases pupils are placed in accordance with agreed admission procedures. Pupils covered by this protocol are those who are hard to place in a school and the protocol aims to balance the circumstances of the pupil and the circumstances and profile of the school or academy. All mainstream schools and academies in Hull are covered by this protocol.

The protocol covers all pupils who may be deemed 'Hard to Place'. Pupils with statements of SEN are not included in these arrangements as statutory requirements already apply to them. However, there may be occasions when a pupil with a statement for ESBID may be considered under this protocol.

#### **The protocol is designed to:**

- Be fair and transparent and to have the confidence of all schools and academies.
- Acknowledge the real need of vulnerable young people who are not on the roll of any school.
- Deal with cases quickly and sympathetically.
- Ensure that schools admit pupils on an equitable basis and take a fair share of pupils.
- Ensure that no school will be asked to take an excessive number of pupils who have been excluded from other schools.
- Reduce the time that 'hard to place' pupils spend out of school to a maximum of 10 school days

#### **Support for Vulnerable Pupils agreed by all parties**

In Hull C&YPS, Pupil referral Units (PRUs), schools, academies and other agencies are committed to meeting the needs of vulnerable pupils. The focus is on empowering schools, academies and partnerships to meet local solutions through devolved funding and by the provision of support for vulnerable groups including:

- Children looked after by the Local Authority.
- Permanently excluded pupils.
- Children attending a PRU who need to be re-integrated back into mainstream education.
- Children without a school place with a history of serious absence problems; a history of behavioural difficulties that have resulted in multiple internal isolations, or fixed term exclusion; a history of frequent school transfers.
- Children referred by their home school and require a fresh start to avoid permanent exclusion due to a history of behavioural difficulties that have resulted in multiple internal isolations, or fixed term exclusion; a history of frequent school transfers.
- Children returning from elective home education
- Key Stage 4 pupils without a school place

### **General Principles**

In order for the scheme to be successful the following principles will apply:

- All schools and academies should take part in the scheme and it is expected that their involvement will be positive, accepting and demonstrate a shared ownership of excluded and vulnerable pupils.
- Schools and academies will continue to admit local pupils who apply for an available place, under normal admission arrangements.
- Schools and academies will not cite oversubscription as a reason for not admitting a pupil under the protocol, whilst there will be a recognition that particular year groups may be so heavily over-subscribed that there could be a threat to pupil safety.
- Schools and academies will respond immediately to a request for admission so that the admission of the child is not delayed.
- Schools and academies will not insist on an appeal being heard before admitting a child.
- Wherever possible the views of parents and pupils will be considered but will not override the protocol.
- All schools and academies are expected to abide by the decision of the panel.

### **Panels**

The panel will meet every month for approximately one and a half hours to allocate vulnerable pupils,

- Pupils re-integrating into mainstream from PRU / ESB provision
- Pupils referred to the panel, with a completed information passport and the story behind the reason for a fresh start
- Permanently excluded pupils

The panel and allocations should be prepared by the Choice Adviser and monitored by the partnership lead for C&YPS.

- One LBAP or Head Teacher/Principal from each school or academy
- PRU head teachers

- LA representative (chair)
- Social Care rep
- EWS (CME)
- SEN manager
- 14-19 provider
- Youth Justice Team rep
- EPS
- Safer Schools representative from NPT
- Other agencies as necessary

## **Procedure**

### **School transfers**

The Admissions Team receive notification from a parent that they wish to move their child from one school in the city to another as they are moving home from one part of the city to another, or they wish to secure a school place within the city as they are moving into Hull from outside the LA, or their child has previously been home educated.

The Admission Team will contact the child's school and request information about current attainment, exclusions and attendance.

Most transfers will follow normal admission arrangements. However, if the pupil falls into the vulnerable categories:

- Multiple fixed period exclusions (FPE),
- multiple internal isolations,
- a history of frequent school transfers
- irreconcilable differences between the school and the parent
- Key Stage 4 pupil without a school place

These will be referred to the next available panel.

All transfers deemed to be vulnerable will be considered for a managed move to the school of the parent's first preference. The Admissions Team will contact parents to inform them of this and that the **Choice Adviser** will be contacting them in the near future to discuss with them what will happen next.

During this time the Admissions Team & EWS must work with the school to ensure that the pupil is attending school.

### **School referrals**

If a school or academy wishes to refer a pupil to the panel they must complete an information passport and indicate the category of support they would prefer:

- PRU placement
- PRU assessment
- Managed move to another school
- Alternative arrangements for the pupil so that they can remain on roll but be educated off site

### The Information Passport

This is a mandatory requirement; pupils cannot be considered unless this is completed within one week of the next panel date and submitted to the Choice Adviser.

The passport will include:

- Attainment & progress records. Include all/any interventions to aid improvement and the impact of these.
- The curriculum followed & any adjustments or alternatives including any alternative provision. Again details of interventions to aid improvement and the impact of these.
- Attendance records along with interventions and support and their impact.
- Behaviour record including any interventions and sanctions to aid improvement and their impact.
- Involvement of external agencies, including support offered, interventions made and the impact of these. If it is relevant/ appropriate the school might ask Social Care, EWS, Smart Moves, LAC Team, YJT, Traveller Ed, Ed Psychs, PRU, health agencies and/or voluntary agencies to present a detailed report of their involvement, interventions and impact.

The **Choice Adviser** will contact parents and explain the Fair Access process. Parent's/ carer's views will be sought and school preferences obtained although the panel is not required to adhere to their order of preference.

If the parents want to proceed to go to the FAP, they will be asked to sign a form showing that they understand that by going to FAP they have must abide by the decision of the panel.

### **Permanent Exclusions**

All permanently excluded pupils will be considered by the panel. They will only be considered when the date for appeal has expired or an appeal against the decision to permanently exclude has been heard.

Information about the pupil and details of the exclusion will be forwarded to panel members one week before the panel.

The Education Welfare Officer (CME), will collate three school preferences of the parent. The information is taken to the panel and allocated, taking parent's/carer's preferences into consideration, to the school or academy the panel feels can best meet the needs of the individual

All pupils will be allocated to the school as a managed move from the PRU. In cases were this re-integration is unsuccessful the school can refer as in stage 2.

A pupil 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.

## **Managed Move Protocol**

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

### **Principles**

- Managed moves protocol will apply for years 7 to 10.
- Managed moves should take place with the agreement of the pupil and parents and be agreed at the fair access panel every month.
- Managed move period should be for a time-limited period of a maximum of 12 weeks with an initial period of six weeks, the trial period. After the trial period 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.
- For the twelve week period prior to the managed move the home school can exclude the pupil for a fixed period of time, at the request of the home school, and will contact parents / carers accordingly.
- During the managed move the pupil's behaviour will be monitored under the policy of the receiving school or academy. The receiving school has the right to exclude the pupil, after consultation with the home school. The receiving school will contact parents/ carers accordingly, and the home school will generate to 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 for further consideration.

### **Procedures**

- 1 When the Lead Behaviour Professional wishes to initiate a managed move they must first discuss this with the parents. For a child in public care the pupil's social worker and carer should be consulted
- 2 The Choice Adviser meets with parents and carers and explains their rights of appeal. Parents/carers sign to abide by the decision of the panel.

- 3 At the fair access panel a receiving school from the partnership will be agreed taking parental choice into consideration. Any other agencies involved should attend the panel meeting. The home school should provide the Choice Adviser with detailed information about the pupil, their progress, attainment, behaviour, attendance and any special needs arrangements, three weeks before the panel meeting.
- 4 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 pupil should be registered on SIMs as dual registration.
- 5 If the receiving school is considering ending the move at any time, the Lead Behaviour Professional should hold an urgent review meeting.

Any 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.

- 6 After 12 weeks the school or academy must either admit the pupil to the 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 pupil 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.