

# Fair Access Protocol

# Content

<b>Chapter</b>	<b>Content</b>	<b>Page</b>
<b>1</b>	<b>Introduction</b>	<b>3</b>
<b>2</b>	<b>In Year Admissions</b>	<b>5</b>
	2.1 Context	
	2.2 Arrangements for In Year Admission – Non Island Resident	
	2.3 Arrangements for in Year Admission – Island Resident	
<b>3</b>	<b>Supporting hard to place pupils</b>	<b>8</b>
	3.1 Protocol for Managed Moves	
	3.2 Protocol for re-integration of permanently excluded pupils	
<b>4</b>	<b>Bibliography</b>	<b>13</b>

## 1.0 Introduction

- 1.1 The importance of a good education for the individual and for society has been understood for a long time. This is underpinned by the need to safeguard the well being of children and young people. As part of that requirement, all schools must publish a discipline/behaviour policy, setting out their requirements. The policy must be reviewed and publicised to parents/carers on an annual basis.
- 1.2 The Isle of Wight Local Authority and the Island schools are committed to enabling every child and young person to access their entitlement to suitable provision in mainstream or special school wherever possible. Where this is not possible for some part of their educational journey, appropriate alternative provision should be made that supports their needs and enables them to re-engage with and enjoy learning and gain the skills and confidence to achieve economic well-being as adults. This policy explains how the Local Authority and schools will work together to discharge their duty to secure a school place for all children and young people living on the Isle of Wight in the shortest possible time.
- 1.3 This protocol applies to arrangements for school admissions of children outside the annual admissions process covered by the Isle of Wight Council Coordinated Scheme for School Admissions. The end date for completion of the annual admissions round should be no later than September in any year and this protocol comes into practice once that round has been completed.
- 1.4 The protocol sets out the management arrangements which apply to in-year admissions and mid-year transfers, including criteria and protocols for specific elements such as managed moves and re-integration into mainstream of permanently excluded or hard-to-place students.
- 1.5 The aims are to ensure that:
  - a) suitable places are allocated as quickly as possible to children whose parents have failed to secure a school place within the annual transfer round;
  - b) suitable places are allocated as quickly as possible to children moving to the Island;
  - c) the most vulnerable children and young people are admitted as quickly as possible into suitable educational provision;
  - d) no school has to take a disproportionate number of pupils who have been excluded from other schools or have challenging behaviour and
  - e) the process is objective and transparent.

### Hard to Place Pupils

- 1.6 The Local Authority is required to have a protocol for the admission of children under the Fair Access arrangements, which acknowledges the additional needs of some of its most vulnerable youngsters.

1.7 All admission authorities must participate in the Fair Access admission arrangements, in order to ensure that unplaced children are allocated a place quickly.  
Whilst the position of Aided Schools, Foundation Schools, Academies and Trusts with regard to admissions is acknowledged, this protocol overrides such considerations.

1.8 Within the scope of this protocol the following children are considered as vulnerable:

- children in care who are looked after by the Local Authority; young carers; children attending Pupil Referral Units, including permanently excluded pupils, who need to be re-integrated back into mainstream education;
- children previously withdrawn from school by their family returning to mainstream education;
- young offenders returning from secure accommodation needing a mainstream place;
- children moving from mainland placements needing a mainstream place: children from Gypsy, Roma or Traveller backgrounds;
- refugee and asylum-seeker children;
- homeless children;
- any child found to be missing a suitable education:
- children out of school for more than two months;
- children from unsupportive family backgrounds for whom a school place has not been sought;
- children with special educational needs and/or disability without a statement;
- children of serving armed forces personnel.

Children with SEN Statements/ Education Health Care Plans are not included on the above list given that, under legislation, the school named in the statement is required to admit the pupil.

1.9 Pupils admitted to schools via this protocol will receive priority above other young people seeking admission to schools that are at or above their admission number.

This protocol will be reviewed in partnership with the Local Authority on an annual basis through the Primary Heads' and Secondary Heads' Forums.

## 2.0 In Year Admissions

This section applies to pupils who:

- (a) move to the island after the start of the school year; OR
- (b) are resident on the island, attending an island school but wanting to move schools.

The policies for admissions to schools on the Isle of Wight can be found in the 'Educating your child' booklets and also on [www.iwight.com/schooladmissions](http://www.iwight.com/schooladmissions). These booklets also give details of Isle of Wight schools together with contact details and admission numbers. Any queries regarding admissions should be directed to:

School Admissions  
Education and Inclusion Directorate  
Children's Services  
County Hall  
Newport  
Isle of Wight  
PO30 1UD  
Telephone: 01983 823455  
Fax: 01983 826099  
Email: [school.admissions@iow.gov.uk](mailto:school.admissions@iow.gov.uk)

### 2.1 The Annual Process

- 2.11 Places are allocated across all primary and secondary schools for children registered for admission to primary and/or transfer to secondary schools.
- 2.12 Waiting lists are compiled for oversubscribed schools. Any places which become available at schools as a result of families moving out are allocated immediately.
- 2.13 At that point there is normally overall Local Authority (LA) capacity for families moving to the Isle of Wight after the beginning of the school year in most year groups. This is because the LA assesses the position of each year group in the context of the whole school and estimates the likely demand during the next school year and in partnership with schools, agrees their capacity.

### 2.2 Arrangements for In Year Admissions – Non-Island Residents

- 2.21 Families planning to move to the Isle of Wight contact their current Local Authority Admissions Team (LAAT) for a transfer form.

- 2.22 Their current LAAT applies for admission in to an Island school on their behalf. Island schools should ensure that parents/guardians arriving at a school without having made an application are directed to the LAAT.
- 2.23 Parents/guardians advised if there are vacancies at their local school, (based on the parents'/guardians' home address), and at any other school they parent/guardian requests information about.
- 2.24 Once the application form for the parents'/guardians' preferred school and any evidence required is received, if places are available, the LAAT will offer the parent/guardian a place and an admissions date will be set. A copy of the offer letter to the parent/guardian will be sent to the admitting school.
- 2.25 The admissions date will be within 10 school days from the offer of a place being made. This allows for liaison with the school, other local authority services and mainland local authorities to ensure that information on the needs of the pupil is known and any safeguarding issues identified.
- 2.26 If the 'preferred' school cannot provide a place, then the LAAT will direct parents/guardians to the nearest school with available places who will then admit. This includes admissions to Y11.
- 2.27 Parents/guardians will be advised of any eligibility for free home to school transport when they receive the letter offering a school place.

### **2.3 Arrangements for In Year Admissions – Island Residents**

- 2.31 In all cases, parents/guardians must notify the Local Authority's Admissions Team (LAAT) if they wish to move their child from his/her current school to another Island school.
- 2.32 Parents/guardians are asked to complete an admissions form. Parents will be encouraged to complete all sections of the form in order that all relevant information is known and to expedite the admission process as quickly as possible.
- 2.32 On receiving a completed request for a in-year transfer from a family, the Local Authority Admissions Team will notify the proposed receiving school and ask for a response within 5 working days.
- 2.33 Telephone consultation between senior staff should take place between both schools within 3 working days, to ensure the issues and the needs of the child are shared and understood. Key information will be provided orally and in writing before the admissions meeting. (See checklist below).
- 2.34 The LAAT will set an admissions date for the requested school, assuming it has places available in the correct year group and advise the parents/carers.

- 2.35 If the requested school does not have places available, the LAAT will advise of the nearest school with available places. The LAAT will copy the letter to the parent/guardian offering a place to both the receiving school and the school the pupil is leaving.
- 2.36 The specified admission date, when the pupil will be entered on the new school roll and removed from the previous school roll, will be within a maximum of fifteen school days from the day after the date on the letter.

#### Admission meeting

- 2.37 Following the telephone conversation between schools when an in-year application has been made, a dialogue needs then to be undertaken between the parent/carer and the school to which the application has been made. This is to ensure that the pupil's needs and difficulties are fully understood in order to determine the support that will be required to ensure the transfer is a success. This dialogue should begin by setting up an admissions meeting.
- 2.38 It is not permitted under DfE Admissions Guidance to interview children or parents/carers regarding admission to school. Neither is it appropriate for proposed receiving schools to offer taster days before the formal request for a transfer has been made. Whilst this is not a breach of the Admissions Code it is not part of the Isle of Wight admissions policy for community and voluntary controlled schools, to which academies have also agreed. This practice should not therefore be used.
- 2.39 However it is good practice for the receiving school to hold an admission meeting with the parent/guardian and pupil during the ten-day period before the proposed admission date.
- 2.40 The meeting should cover all the issues shared during the telephone consultation between senior school staff and will be supported by an information pack provided by the leaving school. The information pack will be based on the telephone consultation checklist. As well as the parent/carer, a representative from the leaving school may be invited to attend as well as any other relevant parties to the admission meeting, including:

#### **If pupil is a Looked-After Child (Child in Care):**

- Social Worker
- LAC Virtual Head Teacher / Social Care Education Professional (SCEP)
- Representative of Private Fostering agency (if applicable).

#### **If there are attendance issues (including current court orders):**

- Team Leader, Education Welfare Service.

#### **If Youth Offending Team (YOT) is involved:**

- YOT representative

- 2.41 The leaving school and receiving school must openly share information with each other and the parent/guardian at the admissions meeting. Issues around matching curriculum choices (especially in secondary schools) should also be discussed at the admissions meeting before the move takes place.
- 2.42 The admissions meeting provides the family with one last opportunity to identify any perceived problems or difficulties with the leaving school whilst providing the receiving school with a clear view of the curriculum package and support that will be required for the transfer to be a success for the pupil. It may be that as a result of this meeting the parent/guardian and pupil decide not to proceed with the application.
- 2.43 A checklist of the information to be provided by the leaving school is given in the table below.

Checklist and information required to build profile of the needs of the pupil/student
Name
Year group
SEN
Attendance rate
Number of exclusions
Behaviour log
Attainment – current operating levels
Option Choices
Support received/required
Is the leaving school aware of issues?

## **3.0 Supporting hard to place pupils**

### **3.1 Protocols for Managed Moves**

- 3.10 A managed move is a move initiated by a pupil's current school. It is an agreed arrangement between the pupil, parent/guardian, school and Local Authority.
- 3.11 The main reason for a managed move is that the current school believes that the pupil will benefit from a fresh start at a new school.
- 3.12 On the Isle of Wight, managed moves are intended to be permanent and usually occur to avoid a pupil being permanently excluded, where it is clear that the current school has exhausted all the support mechanisms to improve behaviour that it would be expected to have at its disposal. It is regarded as a last opportunity for the young person to remain in mainstream education.
- 3.13 To support a request for a managed move, the current school is expected to provide, on the managed move application form, evidence of:
- multiple exclusions of increasing length;
  - records of the range of strategies employed and external support sought to improve a pupil's behaviour;
  - a common assessment (CAF) and/or a comprehensive multi-agency assessment and
  - multi-agency meetings.
- 3.14 A managed move will be arranged through the Commissioner for Alternative Provision, supported as appropriate by the Behaviour Support Team, using a rota system that ensures the equitable allocation of pupils between schools.
- 3.15 In identifying an appropriate alternative school in the secondary phase, account will be taken of any supported trials have been arranged through the Secondary Behaviour Partnership.

#### **Principle of Proportionality**

- 3.16 The DfE is clear that there should be a proper balance in pupil movements, with no school being requested to admit a disproportionate number of managed move pupils.
- 3.17 However, schools that have managed moved pupils out of the school will be expected to admit at least a similar number of managed move pupils from other schools on the island. This will prevent schools that never/rarely move pupils on from having to admit large numbers of pupils who have been excluded or have very challenging behaviour.

- 3.18 Managed moves will be either directly to another mainstream school or more usually involve an initial assessment at the Pupil Referral Unit followed by a move to a mainstream school.
- 3.19 Managed moves will be monitored and evaluated to inform future Local Authority policy and procedures. They are a key part of the Local Authority strategy to reduce permanent exclusions. The statistics regarding Managed Moves will be published annually for all schools in the autumn term.

### **Procedure for Managed Moves**

- 3.20 When a Head Teacher wishes to initiate a managed move to avoid permanent exclusion, s/he must first discuss this with the Executive Head of Alternative Provision and the pupils' parents/guardians. The Executive Head of Alternative Provision will review the strategies and actions employed by the school to improve the pupils' behaviour.
- 3.22 In the case of child with a SEN Statement/Education Care and Health Plan, no managed move should take place without the school convening an emergency / Interim Review of the Statement/EHCP.
- 3.23 In the case of a pupil with a known disability, no managed move should take place unless the behaviour(s) involved can be clearly demonstrated to be unrelated to the disability or the school can clearly demonstrate that they have made all reasonable adjustments to include the pupil and prevent the exclusion.
- 3.24 Where there is agreement that a managed move is the way forward, and no immediate receiving school is identified, the pupil will be dual registered at the Pupil Referral Unit within 5 days of the agreement. The pupil will attend the PRU full time as part of the initial assessment and re-integration process and complete a period of up to six weeks at the Pupil Referral Unit. The managed move to another school will be completed within twelve weeks from the agreement to the move.
- 3.25 The pupil will remain on the roll and register of the school he/she is leaving until a start date at an alternative school has been set. The Pupil Referral Unit will coordinate the programme and support, including supplying the pupil's school with weekly attendance data.
- 3.26 In order to fund the placement at the PRU, the referring school will contribute the AWPU plus an element of educational support funding, which will be calculated by dividing the total phase budget (secondary / primary) allocation for SEN and Personalised Learning by the total number of pupils reported on PLASC as being at School action and School action Plus or equivalent. .The

amount will be pro-rata'd from the date of referral to the end of the financial year. The Local Authority will provide any necessary top-up funding for the placement from the SEN contingency. When the pupil is re-integrated into a mainstream school, the remaining proportion of the funding will be transferred from the PRU to the receiving school.

- 3.27 The decision about which alternative school to name will be determined through the Commissioner for Alternative Provision. Managed moves will be considered alongside the rota for the placement of permanently excluded pupils. For a child in care, the pupil's social worker and LAC Virtual Head Teacher will also be consulted.
- 3.28 Once the receiving school has been agreed, this will be confirmed in writing by the Local Authority. A meeting will be arranged between the receiving and leaving schools, the parents/carers, the pupil, a Local Authority Officer and other agencies as appropriate to the individual case.
- 3.29 A Managed Move Application Form will be signed by all parties during the meeting to confirm agreement to the proposed move and specify a start date at the receiving school. The start date will be within 4 school weeks of the agreement to the managed move. Parents/guardians will be asked to enter into a parenting contract to support their child's integration into the receiving school. The completed form should be sent to local authority within 2 working days, for consideration by the Commissioner for Alternative Provision.
- 3.30 Where it is considered that assessment or support at the Pupil Referral Unit is not needed, particularly where supported trials have been arranged within the secondary behaviour partnership, the Commissioner for Alternative Provision will identify an alternative school using the rota of receiving schools. The procedure outlined above will be carried out by the receiving school on confirmation that a managed move will take place.
- 3.31 If following a managed move a pupil's behaviour does not improve, another managed move is unlikely to be appropriate. In these circumstances, schools are required to contact the Commissioner for Alternative Provision at the Local Authority and request alternative provision.

### **3.3 Re-integration of Permanently Excluded Pupils.**

- 3.32 The Isle of Wight Local Authority is committed to reducing the number of permanently excluded pupils from its schools. The managed move protocol, described above, by providing a positive opportunity for pupils at risk of permanent exclusion is, key to securing the reduction.

- 3.33 Since 1 September 2002 the Local Authority has had a statutory responsibility to provide 25 hours of education for permanently excluded pupils. With effect from 3 September 2007 provision must be in place from the 6<sup>th</sup> school day following exclusion. The Local Authority also has a responsibility to monitor exclusions and secure re-admission to school as soon as possible.
- 3.34 Pupils currently attending Pupil Referral Units as a result of permanent exclusion will be considered as part of the re-integration protocol outlined below.
- 3.35 In order to fund the placement at the PRU, the referring school will contribute the AWPU plus an element of educational support funding, which will be calculated by dividing the total phase budget (secondary / primary) allocation for SEN and Personalised Learning by the total number of pupils reported on PLASC as being at School action and School action Plus. The amount will be pro-rata'd from the date of referral to the end of the financial year. The Local Authority will provide any necessary top-up funding for the placement from the SEN contingency.
- 3.36 When the pupil is re-integrated into a mainstream school, the remaining proportion of the funding will be transferred from the PRU to the receiving school. These arrangements are in line with those that will be in place from 2013 when the education funding reforms recently published by DfE have been implemented, although the rate will be considerably higher at that point.
- 3.37 It is in the interests of all parties that the re-admission of pupils into an alternative school is managed in partnership with 'receiving schools' and the process, as set out below will enable this to proceed in a structured and supportive manner.
- 3.38 Schools and the Local Authority should be mindful of their particular responsibilities as 'corporate parents' for children in public care.
- 3.39 In the case of child with a SEN Statement/Education Health Care Plan, no permanent exclusion should take place without the school convening an emergency / Interim Review of the Statement/EHCP.
- 3.40 In the case of a pupil with a known disability, no permanent exclusion should take place unless the behaviour(s) involved can be clearly demonstrated to be unrelated to the disability or the school can clearly demonstrate that they have made all reasonable adjustments to include the pupil and prevent the exclusion.
- 3.41 The maximum time for a pupil being outside of mainstream education should not exceed 12 weeks; and should normally be no more than 6 weeks.

- 3.42 It is necessary to ensure there is a proper balance in the distribution of young people with no school being requested to admit a disproportionate number of permanently excluded pupils. In order to ensure such balance, the statistics regarding permanent exclusion and re-integration placements will be published annually for all schools in the autumn term.

#### Procedure

- 3.43 On the day of a permanent exclusion the school must telephone AND email the LA via [SandLBusinessSupport@iow.gov.uk](mailto:SandLBusinessSupport@iow.gov.uk) to advise of the permanent exclusion. A completed exclusion form must be emailed to this same email address within 3 days of the exclusion (do not send to individual officers).
- 3.44 Additionally, the Head Teacher must immediately take reasonable steps, by 'phone and then in writing, to inform the parent/carer about the exclusion.
- 3.45 Within 6 school days (or one school day if the child is in care), subject to notification by the school,** a place will be agreed at one of the tuition centres in order for the pupil to re-engage with education. An assessment, including the Common Assessment Framework if this has not previously been undertaken, will be completed to identify the young person's needs.
- 3.46 An admission meeting will be held at the Tuition Centre, convened by the Headteacher at the Island Learning Centre, within 6 days of the decision to permanently exclude. Parents/guardians and a member of staff from the excluding school will be invited. If the child is in public care, the social worker for the child and the Virtual Head Teacher for LAC or SCEP will also be invited.
- 3.47 School records must be transferred at this point. Parents'/guardians' views of alternative schools will be noted. The date of the first review meeting, which acts also as the re-integration panel meeting for admission to the new school, will be set at the admission meeting and will take place within six weeks of the admission meeting.
- 3.48 The Commissioner for Alternative Provision will identify the school which will be the receiving school before the review meeting is held, using a rota system. Schools that have permanently excluded pupils will be expected to take a similar number of excluded pupils. Permanent exclusion from one school within a Federation or Trust does not preclude the pupil from being admitted to another site within the Federation or Trust. If necessary, the local authority will apply to the Secretary of State for Education for permission to use statutory powers of direction.

### Re-Integration and Review Panel

- 3.49 A letter will be sent to the Head Teacher of the receiving school notifying them of the new pupil and informing of the date of the re-integration/review panel meeting. A synopsis of the background of the pupil will also be forwarded to the receiving school, before the re-integration/review panel meeting takes place.
- 3.50 In the circumstances where a pupil is permanently excluded for a second time, the LA will consider parental views carefully and will assess the available evidence to determine whether or not a mainstream school place is likely to be appropriate. The timescales in these exceptional circumstances may vary from those set out above. However the statutory admissions rights of the parents/guardians are unaffected and the changed procedures and timescales are subject to their agreement.
- 3.51 The re-integration/review panel meeting will begin with the re-integration panel, (consisting of the Head Teacher of the receiving school and the Headteacher of the Island Learning Centre-inand) meeting to consider the needs of the pupil and to set out the circumstances for admission to the receiving school.
- 3.52 The parent/guardian and pupil will then be invited to join the remainder of the meeting, where the plans agreed by the re-integration panel will be shared.
- 3.53 In order to ensure a successful return to mainstream school other professionals may be invited to the second part of the meeting, for example:
- Educational Psychologist,
  - The Education Welfare Service,
  - Behaviour manager / SENCO from receiving school,
  - Social Worker,
  - Virtual Head LAC
  - YOT Worker
  - Police representative
  - CAMHS worker.
- 3.54 The principle of admission to the receiving school will be established; even if it is felt that the pupil is not yet ready to successfully be admitted. In these circumstances the pupil will remain at the tuition centre for a further six weeks.

### Admission Meeting

- 3.56 If the pupil is ready to be re-integrated then a date for the parent/carer and pupil to attend an Admission Meeting at the receiving school will be agreed. That admissions meeting should take place within 5 school days of the

re-integration/review panel meeting. The actual admission date that the pupil will go on the receiving school's roll will be 10 school days from the date of re-integration/review panel meeting.

- 3.57 This admission meeting will take place at the receiving school, where parents/guardians, pupil, the Head of the Island Learning Centre, and relevant personnel from the school will attend. If the pupil is in public care, the social worker will also be invited. The Head Teacher or his /her representative should convene this meeting.
- 3.58 The purpose of this meeting is to set out short and long-term objectives; identify any support available from the Tuition Centre in the short term; identify any learning or other support needs.
- 3.59 It may be that the pupil will be dual registered for a period of time, whilst the Tuition Centre supports their re-integration into school.
- 3.60 These objectives should be set out in a Pastoral Support Plan, which is subject to review. In the case of a child in public care, this may take the form of a Personal Education Plan.
- 3.61 Parents/guardians are entitled to make an application for admission to any school regardless of the above protocol. In these circumstances, the normal admission procedures would apply.
- 3.62 In order to ensure transparency in the use of The Fair Access Protocol and the equitable allocation of pupils within it the statistics regarding permanent exclusions and managed moves for all schools will be published annually in the autumn term.

## Bibliography

Improving Behaviour & Attendance : Guidance on exclusion from schools and pupil referral units (September 2008 –DCSF).

The School Discipline (Pupil Exclusions and Reviews) (England) Regulations (2012)  
**(No. 1033)**

Schools Admissions Code (2012)

Back on Track – A Strategy for Modernising Alternative Provision

Guidance on Hard to Place Protocols (2004)

Disability Discrimination Act (2005)