FAIR ACCESS PROTOCOL - Secondary

1. Purpose

The School Admissions Code 2014 (paras 3.9 – 3.15) requires Reading Borough Council and all admissions authorities within its administrative boundaries to adhere to a Fair Access Protocol, working in partnership to take a shared responsibility for the admission of our vulnerable children and young people.

The purpose of the Fair Access Protocol is to ensure that, outside of the normal admissions round, unplaced children, especially the most vulnerable, are found and offered a place as quickly as possible, so that the amount of time a child is out of school is kept to the minimum.

In agreeing a protocol the Local Authority must ensure that no school – including those with available places – is asked to take a disproportionate number of children who have been excluded from other schools or have challenging behaviour.

2. Principles

In order for this protocol to be successful:

2.1 All in-year admissions will continue to be processed through the current co-ordinated in-year policy of Reading Borough Council. Where schools have places, children and young people should be admitted under the normal admission procedures unless the requested school demonstrates that criteria (see below) have been met. However, if the child already has a school place it is the responsibility of the existing school to exchange information transparently so that a receiving school is aware of potential challenges and resource implications once a pupil has been admitted.

2.2 All schools must be confident that there is a rational and consistent structure for decision-making which is seen as fair and transparent, including the sharing of data on the number of placements to each school.

2.3 All schools will take part, even if they are responsible for their own admissions, admitting a balanced share of pupils with challenging behaviour (includes those permanently excluded or managed moved from other schools).

2.4 Schools cannot cite over-subscription if they are asked to admit a pupil under the Protocol; this includes admitting pupils above the published admission number where the year group is already full.

2.5 Fair Access pupils will be given priority for admission over others awaiting an appeal for admission. LAC pupils are always given priority admission.

2.6 Schools must treat all requests for the admission of a pupil through the Fair Access Protocol as a matter of urgency.
2.7 Schools should not insist on an appeal hearing before admitting a pupil under this Protocol.

2.8 The Pupil Admission Meeting should take account of any genuine concerns about the admission, for example, a previous serious breakdown in the relationship between the school and the family, a strong aversion to or desire for the religious ethos of a school or an admission that would create a significant child protection risk for an existing pupil.

2.9 Parents’ and carers’ views and geographical factors will be taken into consideration, but these will not necessarily override the Protocol; there is no duty for the Authority or admission authorities to comply with parental preference when allocating places through the Protocol.

2.10 If the child is attending another school, within reasonable distance of the child’s home then that child will not need to be placed elsewhere. If parents do not accept the decision of PAM and proceed to appeal, then the Appeal Panel will be provided with evidence that the decision was agreed according to the Fair Access Protocol.

2.11 This protocol will not apply to a Looked After Child, or a child with a statement of Special Educational Needs or Education and Health Care Plan (EHCP) naming the school in question, as these children must be admitted. Governing Bodies must not refuse to admit a child thought to be potentially disruptive, or likely to exhibit challenging behaviour, on the grounds that the child is first to be assessed for special educational needs (School Admissions Code 2014 para 3.13). However, the SEN Team will inform the Admissions Team when schools are asked to take a pupil who has a Statement / EHCP with challenging behaviour. Schools taking these pupils will have the appropriate points added but will not receive the additional funding.

2.12 The protocol recognises that, whilst Reading School and Kendrick School are part of the Fair Access Protocol pupils will need to meet the academic entrance requirements of the schools before they can be admitted.

Role of Cranbury College

The role of Cranbury College is to provide for children and young people who have been permanently excluded from school and those children and young people who have a specific medical need. (Please see Cranbury College Admission Criteria for detailed definitions.) Children and young people with a Statement of Special Educational Need will only be admitted in collaboration with the SEN Assessment Team unless they have been permanently excluded and Cranbury College can meet the child’s needs.

Cranbury College is not a school and is therefore not normally a suitable location for managed moves from mainstream schools. Cranbury College can offer intervention in exceptional circumstances, but cannot offer a permanent solution.

3. Children and young people considered eligible under the Protocol

3.1 The Schools Admission Code requires a Local Authority to include the following list of children who are not on the roll of a school and who may have difficulty in securing a school place to be given priority for admission:

A. Mandatory categories
   a) children from the criminal justice system or from a Pupil Referral Unit who need to be reintegrated into mainstream education;
b) children who have been out of education for two months or more;
c) children of Gypsies, Roma, Travellers, refugees and asylum seekers (extensive disruption to their learning or social, emotional and mental health needs in relation to refuges and asylum seekers);
d) children who are homeless;
e) children with unsupportive family backgrounds for whom a place has not been sought
f) children who are carers;
g) children with special educational needs, disabilities or medical conditions (but without a statement/EHC Plan).

B. Locally agreed categories
h) unplaced children who move into Reading and a school place is not available within three miles (based on a viable walking route),
i) Children who have a history of exclusions / known serious behavioural difficulties including those new to the area / known to police or other agencies
j) Permanently excluded children or young people and those re-integrating from Cranbury College (PRU)
k) Children returning from Elective Home Education particularly when judged to be unsatisfactory
l) Children coming into the LA who have previously been in a PRU
m) Children and young people of UK service personnel (UK armed forces) unable to secure a school place where the family are posted to a particular area
n) New to area pupil or application from Education Welfare Service for a pupil who has serious attendance issues (80% or less)
o) Children in the Care of a Local Authority

Not all these groups of children will automatically be identified with challenging behaviour or have issues that require additional support. We need to agree the categories that may need additional funding support and will be recognised for point allocation purposes

3. New to area Year 11 pupils will be considered at PAM for a mainstream place; consideration will be given as to whether they have subject options that fit into another school’s curriculum offer, and/or were permanently excluded for a one-off offence.

3.3 Where a young person who has a school place wishes to move schools in-year but there is evidence of challenging behaviour or poor attendance, then the LA’s Managed Move process could be requested on completion of the Student Information Form to give a genuine opportunity for a successful managed move. The requesting school will demonstrate this it has put everything in place to support the child to stay in the school and have been unsuccessful

4. The Process: Pupil Admission Meeting
4.1 The operation of the Protocol is outside the arrangements of co-ordination and is triggered when a parent of an eligible child has not secured a school place under in-year admission arrangements and where the pupil meets the criteria of the additional categories.

4.2 Where a Governing Body does not wish to admit a child with challenging behaviour outside the normal admission round, even though places are available, it must refer
the child to the Local Authority for action under the Protocol. This will normally only be appropriate where a school has a particularly high proportion of children with challenging behaviour in that year group. (School Admissions Code 2014 para 3.12) The Governing Body must inform the School Admissions Team if they wish to refuse a place on these grounds and must provide appropriate minutes of meetings of the Governor’s meeting when this was discussed. The case will be considered by the PAM. Only if the majority view of the school’s representatives at that meeting accepts the case submitted by the school and confirms the decision of the Governing Body, can the school refuse to admit the child. If PAM support the Governors’ decision they will need to decide which school will admit the child if the child is unplaced. If the child is attending another school, within reasonable distance of the child’s home then that child will not need to be placed elsewhere. If parents do not accept the decision of PAM and proceed to appeal, then the appeal panel with be provided with evidence that the decision was agreed according to the Fair Access Protocol.

4.3 The Pupil Admission Panel is Reading Borough Council’s arrangement for adhering to the Fair Access Protocol. Schools and the Local Authority will work in partnership to co-design, participate, monitor and evaluate the process.

5. The Process: Membership of Pupil Admission Panel
5.1 A representative from the following areas should attend each meeting:-
- All secondary schools - normally a Deputy Head. The representative must have authority to act on behalf of their school with delegated decision making
- Cranbury College (Pupil Referral Unit)
- Education Welfare Service
- VH - CMoE (Exclusions Officer)
- Admissions Team
- SEN Team

5.2 Dates of meetings will be set before the beginning of the academic year.
5.2.1 Pupil admission Meetings will usually be every three weeks during term time.
5.2.2 For urgent admissions a virtual meeting or phone conversation may suffice.

5.3 A meeting will be deemed quorate if the majority of schools in the local group are represented.

5.4 Whilst it is not preferable or best practice, in exceptional circumstances where a school cannot attend the PAM they may represent their views to RBC Virtual Head - Children Missing Out on Education or the head teacher chairing the meeting. Non-attendance of a school will not however preclude a placement decision being made at that school.

5.5 For pupils coming from outside the LA a best-fit approach will be taken, with consideration given to transport costs.

5.5 All paperwork and preparatory work will be completed in advance by RBC School Admissions Manager who will act to facilitate the process. No decision will be made about a placement until all relevant paperwork has been received. Paperwork should be sent out by the manager 5 working days before the PAM wherever possible.

5.6 The VH - CMOE and Admissions Manager will attend to provide accurate data on admissions, current and past Managed Moves; a representative for Education Welfare Service will minute and record the outcomes in an agreed format.
5.7 The Chair of the Panel will be the representative of the host school rotated between head teachers or their representatives each meeting.

5.8 Representatives from The Bulmershe and Oakbank Schools (Wokingham) also attend as these schools have areas of Reading as part of their designated area and serve Reading children. Although funding can be allocated to these schools when they admit a Reading pupil as part of the Protocol the Hard to Place funding monies does not include any funding from the respective Local Authorities. Other neighbouring schools, with a high proportion of Reading children may wish to join the group. Each request will be considered by the PAM membership.

5.9 The following may be invited for individual pupils:-
- Neighbouring Local Authority
- The Headteacher for Looked After Children
- A representative of Children’s Social Care
- A representative from the Youth Offending Service

6. The Process: Considerations - Placement of Pupils

6.1 Proportionate placements
6.1.1 In any academic year a secondary school would not normally be expected to admit more than 2 per year group (excluding 6th form) through the Protocol.
6.1.2 These figures are meant as a guide to good practice and head teachers (or their representative) would consider individual school circumstances at each PAM to ensure fairness, transparency and responsiveness.
6.1.3 An accurate spreadsheet which records admissions, including those from outside the LA, is essential.

6.2 Information to be provided at PAM aims to be brief but essential and should include:
- An agreement form signed by parents, acknowledging they understand the PAM process and expressing school preferences
- Curriculum information and attainment levels
- Attendance records
- Previous school moves with reason
- Previous Managed Move(s) with reason
- Social Care involvement and status
- Evidence of challenging behaviour, interventions and outcomes
- A record of external support, especially Educational Psychology, CAMHs
- Any useful background information

The majority of this information will be provided on the Student Information Form

6.3 As approximately 37% of Reading resident secondary age children are educated in schools located outside the Borough there may be managed move requests referred to PAM from our neighbouring authorities. As these referrals have already been considered at their relevant local authority panel they should be dealt with without further delay at the next available meeting.
6.4 Conversely, if after serious and full consideration regarding placing in a Reading school, the Reading PAM considers that a child should reasonably be placed in another local authority a referral can be made through Fair Access Protocol of that authority.

6.5 In the event that agreement cannot be reached the Chair will identify the school using the points system.

6.6 Only in cases where the panel agree after full and serious consideration that a child is not able to access a mainstream curriculum without a period of sustained intervention to address deep-seated behavioural issues can the panel agree to place a child in the Pupil Referral Unit. Placements in the PRU will be time limited to two new terms and the child will come back to PAM at the end of their placement to be allocated to a school on trial. These places will be charged to the current school at the full current cost of providing them.

6.3 Criteria for decision making will be transparent and be recorded at the meeting. Each young person will be discussed individually and the decision to place in a school (including trial places for managed moves) or PRU will be based on:

6.3.1 The best interests of the young person to include safeguarding and health concerns
6.3.2 Parental and young person’s views and preferences although these are not binding
6.3.3 Evidence that the young person has a good likelihood of accessing a mainstream school successfully. Alternative provision and/or outreach support could be requested either on a permanent or temporary basis
6.3.4 Numbers on roll and cohort information
6.3.5 Numbers of previous admissions for the year group via the Protocol in the academic year
6.3.6 Numbers of Managed Moves in the year group in the academic year
6.3.7 Consideration of information from schools and PRU on suitability of proposed placement including the matching of examination boards where applicable
6.3.8 Transport and distance from home to school. Usually PAM would wish to name the nearest suitable school. In most cases parents would be expected to arrange transport themselves or comply with RBC’s existing transport policy.

6.4 Communicating decisions: A decision will be made at PAM and recorded. Minutes and records will be checked before being communicated to others. Parents should be informed as soon as possible usually by the LA for straight admissions and by the referring school for Managed Moves. Outcomes will be retained for future reference by the LA and be available for scrutiny by all head teachers.

6.5 Admissions: the young person should be admitted as soon as possible, preferably within one week but with a maximum of 15 working days in exceptional circumstances. An example of good practice could be:

- A meeting between receiving and home school within 1-5 working days
- A meeting with pupil and parents between 5-10 working days to set out expectations and discuss specific needs

It would be expected that remaining AWPU and PPG would be transferred from the home to the receiving school. Exceptions to this should be discussed at PAM.
6. Trial Placement - Managed Moves

6.1 Pupils from Cranbury College or a managed move will be guests (dual roll) at the new school for a minimum of six weeks. However, depending on the needs of each student, flexibility to increase this time can be discussed. An admission interview will be arranged attended by the accepting school deputy head teacher, the pupil, parent(s)/carer(s) and the Re-integration Officer (in the case of the PRU). This will enable clear expectations of the ‘fresh start’ to be set in terms of learning and behaviour, any specific support for the pupil identified, contact between home and school to be agreed including progress review meetings. The Re-integration Officer will support the pupil and the school during the trial period and will set up the level of support provided by Cranbury College during the re-integration period. The pupil will be taken on to the roll on the ‘new’ school at the end of the successful trial period.

6.2 If, following discussions between both schools, it is agreed that the trial placement is not successful the pupil will return to the previous school/Cranbury College immediately. The placement can end at any time during the trial on production of clear evidence of why a trial placement is not meeting the needs of the pupil. An exit interview should be held with the pupil and parent(s) / carer(s) to explain why the trial period has not been successful set against the clear expectations outlined in the admission interview.

7. Allocation of Pupils - Tracker system

The school with the lowest admissions through PAM is normally the school to take the next pupil. 

The principles of this are:-

- school with lowest PAM admissions is normally allocated the pupil
- No school has more than two hard to place pupils in same year group in any 12 week period
- Pupils with no roll must be placed on roll of the receiving school and if PAM agrees they are hard to place funding and points will be awarded
- It may be necessary to skip certain schools if PAM considers the school does not meet the needs of the pupil or it would not be an appropriate placement for the school
- If a school wishes to accept a particular pupil but it is not ‘their turn’ then this will be agreed at PAM and the school awarded the admission
- PAM will agree requests from schools that a particular in-year admission pupil demonstrates child is hard to place and will appear on the Hard to Place Tracker

9. Funding

9.1 PAM manages the agreed budget set by Schools Forum each year, currently £50,000. The budget is to assist with the admission of pupils identified as Hard to Place as outlined in the section above for both primary and secondary admissions.

9.2 Schools will receive a one off payment to support the pupils that are admitted via the protocol or agreed as hard to place for a pupil admitted as an in-year admission. Payment would follow confirmation that the pupil has been taken on roll. The maximum funding per pupil is £1,900. This money is intended to support individual students' re-integration.
Should the pupil be permanently excluded or leave the school within a term of admission the funding may be recovered.

9.3 If a Reading excluded pupil/managed move pupil is admitted to another Local Authority school Reading Borough Council will provide funding up to a maximum £1,900. This is additional to the AWPU, which will automatically follow the pupil. The Cranbury College Re-integration Officer will provide support for re-integrating pupils.

9.4 PAM will hold details of pupils admitted and funding allocated. Where a pupil has been permanently excluded/managed moved the remainder of the age weighted pupil unit (AWPU) should be returned to the LA to be passed to the receiving school. If the pupil is excluded between January and March the AWPU for the following financial year will be returned to the LA as well.

10. Monitoring
10.1 The LA will maintain an accurate summary of the total numbers of in-year admissions on a school by school basis, to be used at PAM to prevent some schools taking a disproportionate number of previously excluded pupils or others considered to be vulnerable.
10.2 This data will be readily available to schools at every meeting.
10.3 To ensure that a complete picture of how schools are working with the LA to share vulnerable pupils is recorded, in-year admissions will include those pupils that could be considered to have been referred to the Panel, but were not, due to admission under the normal admission arrangements. This will assist the Panel when considering cases and ensure admission to schools is equitable.
10.4 There will be an annual PAM review and consultation, open to all, to review the effectiveness of the Protocol.
10.5 Ongoing analysis of why some placements succeed and others fail will be included in the meeting in order to inform any amendments to the Protocol when it is revised at the end of the academic year.
10.6 Reading Borough Council will report the effectiveness of the protocol to the School Adjudicator each year in the annual Local Authority Report. 10.7 The protocol will be reviewed annually taking into account any changes in the School Admissions Code, views of PAM and the Admission Forum.

11. Roles, Responsibilities and Statutory Basis

Role of Schools
School Admission Code 2012 places a statutory duty on all schools and Academies to participate in their local authority area protocol in order to ensure that unplaced children are offered a place at a suitable school in the home local authority as quickly as possible.

Role of the Reading Borough Council
Reading Borough Council is required by the School Admission Code to have a Fair Access Protocol as part of the determined Admission Arrangements each year. It is the Council’s role to ensure that no school in the area is asked to take a greater proportion of children with challenging behaviour including those with places available and to ensure that every child has been allocated a school place.
Under section 96 of the School Standards and Framework Act 1998 a local authority may
direct the governing body of a foundation or voluntary aided school in its area to admit a
child where the child is unplaced and cannot be placed elsewhere or has been
permanently excluded from, every suitable school within a reasonable distance from the
child’s home.
Local authorities may direct other Admission Authorities for any maintained school to
admit a child in their care to the school best suited to his or her needs.

Where a local authority considers that a particular Academy will best meet the needs of
the child, they can ask them to admit that child even when the Academy is full. If the
Academy disagrees with the local authority’s reasoning and refuses to admit the child the
case can be referred to the Secretary of State.

Role of the Schools Adjudicator

The governing body of a voluntary aided or foundation school may, under section 97 of the
School Standards and Framework Act 1998 refer a local authority’s decision to direct the
admission of a child to the School Adjudicator