

Secondary Behaviour & Attendance Partnership
Secondary In-Year Fair Access Protocol
Updated Feb. 2016
To be effective from Sept. 2016



Background

A Hard to Place Protocol was first agreed by Hartlepool Secondary Head Teachers and implemented in May 2006.

The Schools Admissions Code (Feb 10) outlined guidance in relation to In-Year Fair Access Protocols (formally referred to as hard to place protocols) to ensure that access to education is secured quickly for children who have no school place, and to ensure that all schools in an area admit their fair share of children with challenging behaviour.

Responsibility for reviewing the protocol now lies with the B&A Partnership. Any changes/amendments need to be approved by the Admissions Forum. The protocol was last updated by the Partnership and agreed by the Admissions Forum in March 2013.

In November 2012 the DfE issued new departmental advice entitled, Fair Access Protocols: Principles and Process. This protocol has been updated to reflect this advice and good practice in Hartlepool.

Aims of the Protocol

The Protocol has been designed to:

- Acknowledge the real need of vulnerable young people at Key Stages 3 & 4 who are not on a school roll, and those who have been permanently excluded from any school, to be dealt with quickly and sympathetically;
- Reduce the time that these vulnerable pupils spend out of school;
- Ensure that schools admit pupils with challenging educational needs on a fair and equitable basis through an objective and transparent process.

Definition of Vulnerable Pupils in the Hartlepool Context

The following categories are covered by the scope of this Protocol from Sept 2016:

- Children from the criminal justice system or Pupil Referral Units who need to be reintegrated into mainstream education
- Children who have been out of education for two months or more
- Children of Gypsies, Roma, Travellers, refugees and asylum seekers
- Children who are homeless
- Children from out of the borough with a history of serious attendance problems; to be agreed on an individual basis by the partnership board.
- Children with unsupportive family backgrounds for whom a place has not been sought
- Children who are carers
- Children with special educational needs, disabilities or medical conditions (but without a statement of Education, Health and Care Plan); to be agreed on an individual basis by a panel of officers (see Education in Hartlepool Booklet for definition)

Key Principles of this Protocol

The following principles are agreed in order to ensure the successful implementation of the Protocol:

- All children are unique and of equal worth. This Protocol will focus on the needs of some of the most disadvantaged children and young people in our community.
- The Authority's Admission Team shall be fully involved in the process of admitting Fair Access pupils to schools
- Normal admissions processes and procedures shall be used wherever possible to admit vulnerable pupils. The protocol shall only be used when normal processes and procedures have failed to secure a placement.
- The Authority's Admissions Team will maintain a database of all pupils placed under this protocol.
- This Protocol shall be implemented in a manner that is fair and equitable to all schools and that has at its core the key principles of objectivity and transparency.
- No school shall ever be asked to take an excessive or unreasonable number of pupils who have been excluded from other schools.
- The maximum number of previously permanently excluded pupils that an individual school will be asked to admit in any year group shall be 2.
- Special arrangements will aim to ensure successful reintegration of excluded pupils from the Pupil Referral Unit (PRU).
- All secondary schools agree to abide by this Protocol. The position of all schools is accepted and it is acknowledged that the Governing Body is the final arbiter on admissions. However, the Headteachers of all schools must abide by this protocol in principle as agreed by the Area Admissions Forum.
- Where it is not possible to secure voluntary agreement on the placement of a Fair Access pupil, a Placement Panel, consisting of headteachers and Child and Adult Services officers, will make the final decision on placements; any such decisions will be binding on all parties. The Child and Adult Services Department will appoint a Convenor for the panel, who will also be responsible for the co-ordination of support for pupils placed by the panel where that is appropriate.
- The Placement Panel will take careful note of any genuine reasons for concern about the admission of an individual pupil to a particular school – for example where there is a known history of serious relationship breakdown between the school and the family.
- Schools will not be able to cite over-subscription for not admitting a pupil who is to be admitted under the terms of this Protocol.
- Fair Access pupils will be given priority over others on waiting lists or awaiting appeal.
- Appropriate support will be made available to individual pupils and to schools, from within the Child and Adult Services Directorate.
- For schools where the governing body is the admission authority, governing bodies are asked to agree procedures whereby the headteacher, in consultation with the Chair of Governors, is empowered to make immediate decisions about the admission of a Fair Access pupil.
- The existing Managed Moves Protocol will run concurrently with this Protocol (attached as Appendix 1).

Procedure

Wherever possible, pupils will be admitted to a school using the normal admissions policies and procedures. Where this proves not to be possible, the following procedure will apply:

- 1) A verbal agreement is made between the school, LA representative on the B&A Partnership and the LA Admissions Team in the Child and Adult Services Department that the protocol should be applied. Officers of the Admissions Team log the referral in the central database.
- 2) All subsequent communications (telephone, email, letter, meetings) are recorded and logged.
- 3) Officers of the Admissions Team apply the agreed prioritisation system. Schools are ranked in order of next to admit a hard to place pupil.
- 4) Headteacher of the first school in ranking will be contacted by the Admissions Team via email. Agreement will be sought on the admission of the pupil.
- 5) If placement is agreed, admission will be formalised and induction organised.
- 6) If placement not agreed, the case will be referred to the Placement Panel.
- 7) Placement Panel meets within 10 school days.
- 8) Placement Panel considers implementation of steps 1 – 6 above and decides on the most appropriate placement for pupil.

Prioritisation System

The prioritisation system which was introduced in May 06 remains in place and is used to identify the next school to take a Fair Access Pupil. The school with the fewest points is invited to admit the pupil. When a school admits a pupil it gains points and moves down the list. Points are taken from the following table:

Permanently Excluded Pupil	5
Children from the criminal justice system	5
Child who have been out of education for two months or more	3
Children of Gypsies, Roma, Travellers, refugees and asylum seekers	2
Children who are homeless	2
Child from out of the borough with a history of serious attendance problems; to be agreed on an individual basis by the partnership board.	2
Children with unsupportive family backgrounds for whom a place has not been sought	1
Children who are carers	1
Children with special educational needs, disabilities or medical conditions (but without a statement of Education, Health and Care Plan); to be agreed on an individual basis by a panel of officers (see Education in Hartlepool Booklet for definition)	1