

# Reading Borough Council Fair Access Protocol

## Secondary Schools

2016 - 2017

### 1. Purpose and Scope of the Protocol

Every Local Authority must have a Fair Access Protocol, agreed with the majority of schools in its area. All head teachers, governing bodies of community schools and own Admission Authority schools must participate in their Local Authority Fair Access Protocol. (School Admissions Code 2014 paras 3.9 - 3.15). The protocol is to ensure that outside the normal admission round unplaced children, especially the most vulnerable, are offered a place at a suitable school as quickly as possible. No school, including those with places available, shall take disproportionate number of children who have been excluded from other schools, or who have challenging behaviour.

Reading Borough Council has set up the Pupil Admission Meeting (PAM) to administer the Fair Access Protocol.

All in year admissions will continue to be processed through the current co-ordinated in year admissions policy of Reading Borough Council. Therefore, where a parent requests a school place and the school has vacancies in the relevant year group the placement of the pupil would not normally be considered under the Fair Access Protocol. However, where a governing body does not wish to admit a child with challenging behaviour, even though places are available, it must refer the case to the local authority for action under the Fair Access Protocol (School Admissions Code 2014 para 3.12). This will normally only be appropriate where a school can provide evidence that it has a particularly high proportion of children with challenging behaviour or the school has admitted a high number of children with challenging issues as accepted by PAM (Pupil Admission Meeting). 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 that 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 will be provided with evidence that the decision was agreed according to the Fair Access Protocol. This provision 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).

## **2 Aims**

The aims of the protocol are to:-

- be fair and transparent and have the confidence of all schools
- ensure that unplaced pupils living in Reading are offered a place at a suitable school as quickly as possible (4 school weeks maximum)
- ensure pupils with one permanent exclusion and ready to move on from Cranbury College are given the opportunity to be re-admitted to a mainstream school as soon as possible
- provide schools with a mechanism to consider pupils for a managed move directly into another mainstream school
- ensure that all schools in the area, including those with places available, admit a balanced share of pupils with challenging behaviour including those who have been excluded/managed moved from other schools.

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.

## **3. 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.

## **4. Pupils to be considered Under the Protocol**

The School Admission Code 2012 requires that some categories of statutory age pupils must be considered as part of the Fair Access protocol to ensure they are admitted to school as soon as possible, and given priority for admission. Not all these groups of children will automatically be identified with challenging behaviour or have issues that require additional support. The categories have been split into two groups. Group A are categories of hard to place pupils that Reading protocol has identified that may need additional funding support and will be recognised for point allocation purposes. Group B must be given priority for admission but may not qualify for hard to place funding or point allocation. The categories covered by the Admission Code have been highlighted.

### **Group A**

- Managed moves from school to school - pupils who have a record of challenging behaviour and are at risk of permanent exclusion, and with

the agreement of parents (there is no manage move process to Cranbury College)

- New to area pupils with known serious behaviour difficulties (i.e. on School Support for Social, Emotional and Mental Health reasons), or has incurred at least two fixed-term exclusions (or one fixed-term exclusion exceeding 15 days) for behaviour problems within the last full year
- New to area pupil or application from EWO Service for a pupil who has serious attendance problems (i.e. 80% or less, or with a worrying pattern of attendance) over at least one term, and which is not explained by a specific issue such as family breakdown
- Pupils who have had one permanent exclusion
- Traveller pupil with extensive disruption of their learning through multiple moves of school
- Pupils attending alternative education - normally Cranbury College requiring re-integration to mainstream provision
- **Children returning from the criminal justice system or Pupil Referral Unit without a school place (A school place must be identified before the child is discharged from custody (Apprenticeships, Skills and Children & Learning Act 2009))**
- Children known to the police or other agencies
- ESL students Y9 - Y11 who are new to the country and have identified additional social or educational needs - evidence to support this will need to be presented to PAM.
- **Children who have been out of education for two months or more including children who have a record of Elective Home Education judged to be unsatisfactory**
- **Children refused a place by a school on grounds of challenging behaviour and agreed by PAM**

### Group B

The following group of children will be given priority for placement as part of the protocol but unless they also have a known history of behaviour, attendance issues or need language support they will not normally be part of the hard to place group.

- Children whose parents/carers have been unable to find them a place after moving to the area because of shortage of school places
- Children who are homeless
- **Children with unsupportive family backgrounds, where a place has not been sought**
- **Children who are carers**
- Children of UK service personnel and other Crown Servants
- **Children with special needs, disabilities, or medical conditions - (but without a Statement of SEN / EHCP)**
- **Children of Gypsies, Roma, Travellers, refugees and asylum seekers**
- **Children in Care of a Local Authority (LAC)**

Responsibility for placing pupils with a Statement of Special Needs remains with the Special Needs Team. Pupils are placed following the SEN Code of Practice procedures, which involve consultation with schools and parents before statements are amended, naming the new school. However, the SEN Team will inform the Admission Team when schools are asked to take a statemented pupil with challenging behaviour. Schools taking these pupils will have the appropriate points added but will not receive the additional funding.

## **5. Mechanism for Placement of Pupils**

PAM will meet every 3 weeks. The meeting will:-

- Agree school to be allocated for unplaced pupils identified by Admissions Team and placement agreed. Decision will only be postponed to a subsequent meeting in exceptional circumstances
- Agree placement for pupils re-integration from Cranbury College
- Agree managed move requests and receiving school. Meeting only agree to manage a move where the school has completed a Student Information Form and provided the required paperwork as outlined in the managed move pack
- Identify school to which pupil will go initially on trial basis. This will take into account parental preference but there is no duty to comply with parental preference
- Agree requests from schools that a particular in-year admission pupil demonstrates child is hard to place
- Agree decisions of Governing Body to refuse admission of pupil with challenging behaviour

As approximately 40% of Reading resident secondary age children are educated in schools located outside the Borough for reasons of history and geography there may be managed move requests cases 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.

Conversely, if after serious and full consideration regarding placing in a Reading school, the Reading PAM (Pupil Admissions Meeting) considers that a child should reasonably be placed in another local authority a referral can be made through Fair Access Protocol of that authority.

All paper work and named students identified on the agenda must be distributed before the meeting. Detailed papers regarding managed move requests and re-integration must be made available at the meeting.

The meeting will:-

- Consider the evidence for each child from the presenting school, the Pupil Referral Unit or the admissions team and agree:-

- That the evidence is sufficient and demonstrates that the child is hard to place and if that is defined as challenging behaviour
- That the school has put everything in place to support the child to stay in the school and have been unsuccessful
- That the child is demonstrating the behaviour and ability to access the curriculum successfully in a mainstream setting in respect of the pupil from Cranbury College
- That the school has presented sufficient evidence to demonstrate that the school has high proportion of children with challenging behaviour

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

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. Trial Placement**

Pupils from Cranbury College or a managed move will be guests 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.

If, following a meeting 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. PAM Membership**

A representative from the following should attend each meeting:-

- All secondary schools - normally a Deputy Head. The representative must have authority to act on behalf of their school
- Cranbury College

- Education Welfare Service
- Admissions Team
- SEN Team

Representatives from The Bulmershe School, Oakbank Schools (Wokingham) and Chiltern Edge School (Oxfordshire) also attend as these schools have areas of Reading a 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.

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

Experience has shown the benefit of good attendance. It is understood that pressures in schools will mean that it is not always possible for the normal representative to attend. In these circumstances schools will always send an alternative representative.

Chair of the meeting will normally be the representative of the host school.

## **8. Allocation of Pupils - Points system**

The school with the lowest 'points' is normally the school to take the next pupil. The principles of this are:-

- Subtract points for every exclusion/managed move
- Add points for every pupil admitted to the school through the Protocol as agreed by PAM
- Lowest points school 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 on roll of Cranbury College for that period will be admitted as guest pupils for period of at least six weeks to include one complete term and will remain on the roll of Cranbury College until placement is agreed
- Managed move pupils will be admitted as guest pupils as above but will remain on the roll of the previous school until the move is agreed
- 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.
- Grammar schools included if a pupil meets the admission criteria of Reading or Kendrick schools
- 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 and the school awarded points

- The circumstances of the individual pupil, in terms of what is best for them and which school will meet their needs will be taken into account as will parental preference. However parents will be advised that it may not be possible to offer their preferred school(s).

If the parents/carers are unhappy to accept the school allocated they will still have the right to appeal for a place at their preferred school(s).

The appeal panel will be informed that places have been allocated according to the criteria of the Fair Access Protocol and that will be taken into account.

## Points

The following points will be added or subtracted for each pupil admitted as allocated by PAM or where the pupil is excluded or a managed move is arranged.

Permanent exclusions deduct 100 points

Managed move instead of permanent exclusion deduct 75 points

Pupils admitted through PAM allocation add 100 points

Pupils admitted as in year admissions with challenging behaviour and approved by PAM add 100 points

## 9. Funding

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

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.

If a Reading excluded pupil/managed move pupil is admitted to another Local Authority school Reading Borough Council will provide support for the pupil through the Re-integration Officer and up to a maximum £1,900. This is additional to the AWPU, which will automatically follow the pupil.

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. 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

### **Monitoring**

Reading Borough Council will monitor the effectiveness of the protocol and will report to the School Adjudicator each year in the annual Local Authority Report. The protocol will be reviewed annually taking into account any changes in the School Admissions Code, views of PAM and the Admission Forum.