

## Determined In-Year Fair Access Protocol for Haringey Schools March 2020

### Introduction

1. The School Admissions Code requires local authorities to have in place a fair access protocol which all local schools and Academies must adhere to.
2. Its aims are to:
  - acknowledge the real needs of vulnerable young people who are not on the roll of a school and to ensure that an appropriate placement is identified quickly and pupils are on roll within 15 days of the panel
  - seek to find an alternative placement or support for those on roll of a school where it can be demonstrated that they are at risk of permanent exclusion
  - fairly share the admission of vulnerable students across all schools and Academies (where the panel agree that another mainstream school place should be identified)
  - arrange such admissions openly through a process which has the confidence of all
  - record the progress and successes of the young people placed through this panel

**This protocol reflects the LA's responsibility for safeguarding and promoting the welfare of children and young people as well as educational attainment**

3. It is essential to the success of IYFAP that all Head teachers and governing bodies agree to the aims, principles and procedures and give their fullest support.
4. All schools recognise their collective responsibility for all pupils and accountability for some and will work collaboratively to manage pupils with challenging behaviour, involving multi-agency support, accessed where appropriate. All members will work together to secure commitment to the inclusion agenda and to reduce exclusions from schools.

### Students within the scope of this scheme

5. The admission to school of the following students falls within the scope of this scheme:
  - 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 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 or education, health and care plan);
  - those permanently excluded;
  - where children who are out of school where there is evidence that they were at risk of exclusion prior to leaving their last school;
  - children removed from school and unable to find a place after a number of fixed term exclusions;
  - pupils ready for reintegration from the Pupil Support Centre or secure units;
  - those who are at risk of permanent exclusion.
  - children in year 6 who are out of school following the October school census.
6. The Fair Access Panel will also administer the process for managed moves.
  7. Schools must inform the School Admissions Service of any pupil who they are going to refer for a managed move. Subject to paragraph 8, the receiving school will be agreed and recorded at the meeting and progress reports be taken to every panel until the pupil is on roll at the new school or it is determined that they should remain at their original school.
  8. Schools may refer a child at risk of permanent exclusion for the panel to consider a managed move. However, if it is agreed that a managed move is in the best interests of the young person, the placement must be agreed between the substantive and receiving school and the family. This may happen outside the panel meeting. In every case, the Admissions Service must be informed,
  9. There are dedicated arrangements for children with statements of Special Educational Needs (SEN) or Education, Health and Care plans and this protocol does not override those arrangements. However, it has been agreed that pupils who are placed through those arrangements will be noted by the IYFAP panel (see later section).

## **Composition and frequency of the panel**

### **Secondary**

10. A panel, consisting of a minimum of 3 secondary Head teachers (or their designated representative), will meet once a month (or as necessary) to ensure prompt and fair allocation of young people to schools. Heads will be notified of their designated meetings at the beginning of the academic year,
11. The Head of Education Services or another designated LA Officer will chair the panel.
12. In the event that the placement decision is not unanimous, the designated Head teachers will decide.
13. Where a young person is known to a particular service or agency, an officer with knowledge of that young person will be invited to the panel, or a short written statement may be submitted.
14. The membership of the panel can include as necessary, a representative of children's social care, educational psychology service, youth offending service, children missing education, children in care, the police and any other relevant professional supporting a case.

### **Primary**

15. A panel, consisting of no less than three primary Head teachers (or their designated representative), will meet once a half term, (or as necessary) to ensure prompt and fair allocation of young people to schools.
16. The Head of Education Services or another designated LA Officer will chair the panel.
17. Where a young person is known to a particular service or agency, an officer with knowledge of that young person will be invited to the panel, or a short written statement may be submitted.

### **The decision-making process**

18. Cases will be brought to the panel by the Haringey Admissions Service which will be the point of referral. The cases must be submitted under one of the categories given in paragraph 5 above and the child must be without a school place.
19. The Panel will be administered by the Haringey Admissions Service which will provide data for the current and previous school year (figures to be based on actual figures where IYFAP pupils have been admitted).
20. The following data will be provided at each panel:
  - The number of pupils on roll at each school in each year group
  - The number of vacancies at each school in each year group

- The number of pupils that have been admitted to each school in each year group through the 'normal' in year admissions process since the last panel
  - The number of pupils that have been admitted to each school in each year group through the Fair Access admissions process since the last panel
  - The total number of pupils that have been admitted to each school in each year group through the Fair Access admissions process in the last academic year and the number of schools or Academies (if any) that have failed to admit
  - Background/ pupil history/ information, where available and where consent has been confirmed
  - The number of students with statements of Special Educational Need allocated over number through the SEN procedures.
21. The placement panel for Children in care will continue to determine the most appropriate placement for each young person and their case will be presented for the panel to ratify. In order to ensure that CIC are admitted to school quickly, they will be placed before the panel and it will not be possible for these cases to be brought back to the panel for reconsideration.
22. When making the decision as to appropriate school placement for the child, the panel will take into account:
- preferences made and views of parents/carers and the view of the pupil (including religious affiliation)
  - the admissions criteria
  - the published admission number and number of forms, of entry so placements can be made proportional to the number of forms of entry
  - the number of students admitted through IYFAP in the previous and current academic year
  - the needs of the student, where this is known
  - any capacity/capability reasons why the school may not be able to respond to the needs of the student
  - the individual context of a school in relation to recently excluded students
  - whether the applicant has previously attended a Haringey school.
  - it will be the presumption that wherever possible pupils will return to a school if they have previously been on roll there.

23. In addition to the factors above each child will be allocated a set number of points under the below system, based on the likely complexity of support which the admitting school will need to put in place. The combined points of the children admitted to each school via IYFAP will be monitored, and when considering the equitable allocation of children the panel will take into account the proportion of complex cases which each school has already admitted.

IYFAP Points System	
Weighting	Case Factors
3 points	Permanent exclusion and/or Youth Offending Service involvement
2 points	More than one fixed term exclusion, a managed move, or other significant concerns (as agreed by panel)
1 points	All other allocations

24. In cases where a child does not return to their previous Haringey school, that school will have the value of one child debited from their comparative IYFAP statistics, to reflect the loss of that child from the school's roll.
- This debit will apply regardless of whether the child was originally admitted to that school via the IYFAP protocol.
  - In cases where the child is being re-integrated into mainstream school from an alternative provision, and the child was previously permanently excluded or it is otherwise considered to be in the best interests of the child not to return to their previous school, this debit will not be applied.
  - In cases where the child previously attended more than one Haringey school the debit will be applied solely to the school which the child most recently attended.
25. **Note:** Where a school has admitted pupils above its admission number in error, these additional pupils will not count and cannot be off-set against IYFAP referrals.
26. Where an alternative educational placement is determined most suitable to meet the needs of a young person, this provision will be identified in principle by the Inclusion Service, following assessment, and ratified by the panel.
27. Decisions will be reached by consensus, whenever possible, with the chair mandated to take appropriate action where this has not proved possible.

**Implementation of the decisions**

28. Decisions regarding placement of students under the Fair Access protocol will be made by the panel, and will be final.
29. *Admission must take place within 15 school days of the school receiving notification of the decision.*

30. In exceptional circumstances, the allocated school may request that the panel reconsider their decision at the next meeting. This will only be possible where the school has prior knowledge of the specific young person which was not known to the panel at the time of decision, which makes the placement inappropriate. This request must be made in writing to the Chair within 5 school days of the school receiving notification of the decision. The formal offer letter will be sent on the 6<sup>th</sup> day.
31. The Department for Education recognises that admission of a young person through the Fair Access Panel could potentially take the school above the planned admission number for that year group.
32. It is recognised that there is usually little available information about the young people who are being admitted in-year to school. The Admissions Service will try to acquire as much educational information as practical to accompany in-year admissions to assist smooth integration to the school.

### **Risk assessments**

33. Risk assessments will be undertaken as necessary by the referring body.

### **Relationship with appeals**

34. Where young people are admitted to a school above the planned admission number in any year group under the protocol, this should not prejudice the provision of efficient education or the efficient use of resources of the school.
35. Appeal panels will be made aware of the conditions of the scheme, and that the admission of an additional student under this scheme is different from a school voluntarily exceeding its admission limit. Panels will also be made aware that any decision made to allow appeals will place further pressure on the school's resources.
36. A school placement made through IYFAP shall not remove a parent/carer's right to appeal for a school place elsewhere.

### **Monitoring the operation of the Protocol**

37. The Admissions Service will undertake scheduled checks and monitor admission dates and pupil days.
38. The anonymised details of all decisions will be made available to the Director and Lead Member to demonstrate that the Protocol is being effective.
39. This will include any school or Academy that has not taken a pupil on roll within 15 days of the decision being notified.
40. Details of any school or Academy who has not taken a pupil on roll within 15 days of the decision will also be available at the next IYFAP meeting.

41. On the 16<sup>th</sup> day the Head of Education Services will contact in writing the Headteacher of any school or Academy that has failed to admit within the agreed timeframe to request an on roll date.
42. If the school or Academy fails to provide an on roll date, within agreed timescales, then the direction process will apply as set out in the School Admissions Code and in accordance to the Department for Education advice: “Fair Access Protocols: Principles and Process”.
43. The protocol will be reviewed on an annual basis by the Local Authority, in conjunction with Head teachers/ principals, in order to assess its effectiveness in ensuring that unplaced children are being allocated places at schools/ academies or in alternative educational provision on an equitable basis.