

Fair Access Protocol

Local Authority Contact:

Admissions team

**Box No: OCT1213, Shire Hall, Castle Hill,
Cambridge CB3 0AP**

Tel: 0345 045 1370

admissions@cambridgeshire.gov.uk

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Background

The Education & Inspections Act 2006 introduced a requirement for each local authority to have in place a Fair Access Protocol (FAP) by September 2007. Further guidance of this requirement is provided in the School Admissions Code, published in February 2012.

As identified in "Every Child Matters" the Government believes that all children should receive a good education to help them fulfil their potential. However for some children that can be harder than for others. Sometimes children can find themselves without a school place, because their personal circumstances are such that they have to move home or they have been excluded from school. The government considers that it is important that, wherever possible and in the best interests of the child, a suitable school place should be found quickly.

Aims of the Protocol

Each local authority **must** have a Fair Access Protocol, agreed with the majority of schools in its area to ensure that – outside the normal admissions round – unplaced children, especially the most vulnerable, are offered a place at a suitable school as quickly as possible.

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 school, or who have challenging behaviour.

The protocol **must** include how the local authority will use provision to ensure that the needs of pupils who are not ready for mainstream schooling are met. (point 3.9 of School Admissions Code 2012). *In Cambridgeshire* as a result of the devolvement of funding for alternative provision, the responsibility for meeting the educational needs of pupils not ready for mainstream schooling rests with schools.

Definition of “Challenging Behaviour”

In consultation with the Cambridgeshire Secondary and Primary Heads Inclusion Groups, a Cambridgeshire definition of Challenging Behaviour has been agreed as follows:

A child with Challenging Behaviour in Cambridgeshire will be identified as such only in the following circumstances:

- A child subject to a managed move; or
- A child previously permanently excluded from school; or
- A child currently attending a Pupil Referral Unit in another local authority area; or
- A child identified at significant risk of permanent exclusion.

Main Principles

All admission authorities **must** participate in the Fair Access Protocol in order to ensure that unplaced children are allocated a school place quickly. There is no duty for local authorities or admission authorities to comply with parental preference when allocating places through the Fair Access Protocol.

Where a governing body does not wish to admit a child with challenging behaviour, as described above, outside the normal admissions round even though places are available, it **must** refer the case to the local authority for action under the Fair Access Protocol. This will normally only be appropriate where a school has a particularly high proportion of children with challenging behaviour, or previously excluded children. (Point 3.12 of the School Admissions Code)

This provision will not apply to a looked after child, a previously looked after child or a child with a statement of special educational needs naming the school in question as these children **must** be admitted. (Point 3.12 of the School Admissions Code)

Admission authorities **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. (Point 3.13 of the School Admissions Code)

A Fair Access Protocol **must not** require a school automatically to take another child with challenging behaviour in the place of a child excluded from the school. (Point 3.14 of the School Admissions Code)

This list of children to be included in a Fair Access Protocol is to be agreed with the majority of schools in the area. The School Admissions Code, point 3.15, includes as minimum the following children of compulsory school age who have difficulty securing a school place:

- children from the criminal justice system or attending a Pupil Referral Unit (PRU) who need to be reintegrated back into mainstream education;
- children who have been out of education for longer than two months, or more;
- children of Gypsies, Roma, Travellers, refugees and asylum seekers;
- children who are homeless;
- children with unsupportive family backgrounds, where a place has not been sought;
- children who are carers; and
- children with special educational needs disabilities or medical conditions (but without a statement);

Cambridgeshire schools have in addition identified the following children of school age who may have difficulty in securing a school place:

- children whose parents have been unable to find them a place after moving to the area, because of a shortage of places;
- children withdrawn from schools by their family, following fixed term exclusions and unable to find another place;
- children known to the police or other agencies;
- children without a school place and with a history of serious attendance problems; and

- children of UK service personnel and other Crown Servants.

An assessment of the effectiveness of Fair Access Protocols and co-ordination in their area, including how many children have been admitted to each school in the area under the protocol, must be included in the Local Authority Annual Report to the Schools Adjudicator. In order to do this it is essential that the admission of unplaced children identified as “vulnerable” from the lists above are managed by the LA Admissions Team.

The protocol will be reviewed annually as part of the annual consultation of admission arrangements for Cambridgeshire.

Process

Local Authority (LA) officers, schools and the LA Admissions Team already work in partnership to manage the process of placing pupils with complex needs in schools and alternative provision. Officers have worked effectively with Headteachers and Governing Bodies and devised a number of protocols and processes that are embedded in our practice for some of those children identified as vulnerable by the School Admissions Code (See In Year Admission Arrangements for all Maintained and Academy Schools 2015 – 2016)

This document brings together the protocol to be followed for those children identified within the protocol, where, in exceptional circumstances, the circumstance of the child, or the circumstances of the preferred school, or both, mean that the **normal admissions process cannot ensure that the child will be admitted.**

These are found as appendices to this document as follows:-

Appendix 1

Managed Move protocol .

LA Contact Officer: Carol Way

Date last reviewed: December 2013

Appendix 2

Protocol to determine placement following Permanent Exclusion

LA Contact Officer: Carol Way

Date last reviewed: December 2013

Appendix 3

Protocol relating to admission of children of, and provision of education, “otherwise than at School” or to pupil referral units and for re-integration into mainstream education

LA Contact Officer: Janet Heathcote

Date last reviewed: December 2013

Appendix 4

Approved Transfer

LA Contact Officer: Mark Joshi

Date last reviewed – December 2013

Appendix 5

Officer Panel – Constitution and terms of reference

LA Contact Officer: Mark Joshi

Date last reviewed: December 2013

The Protocol to be followed for those children, identified as being vulnerable under the School Admissions Code, **not covered** by the above locally agreed protocols, will be as follows:

- Applications will be processed in accordance with the In Year Admission Arrangements for all Maintained and Academy Schools 2014 – 2015)
- Where in exceptional circumstances, the circumstance of the child, or the circumstances of the preferred school, or both meant that the **normal admissions process cannot ensure that a vulnerable child, as identified above, can be offered a place at a suitable school as quickly as possible**, the Admission Officer will determine, in conjunction with the Lead Admissions Officer, whether the information provided on the application form, requires that the application should be considered as an Fair Access case.
- Where the determination of the Lead Admission Officer is that the application should be considered as a Fair Access case, the case will be referred to an Officer Panel. The procedure for referral to Officer Panel, its constitution and terms of reference are found at Appendix 5.
- The Panel will consider the circumstances of the case, the number of admissions made previously in the academic year under this Protocol to the preferred schools and will identify the appropriate school for admission.
- Where the decision of the Panel is that the child should be admitted under the Fair Access Protocol, a letter outlining the decision of the Officer Panel, including the reason why the application was considered as a Fair Access Case, and a copy of the full application form will be sent to the identified school/governing body/admissions sub-committee by the Clerk to the Panel.
- The Lead Admission Officer will issue an offer letter to the applicant confirming that a place is available at the school under the Fair Access Protocol, no later than 3 school days following the decision of the Panel, and advising the applicant to contact the school to discuss the admission of the child.
- The school will arrange, in discussion with the applicant the admission of the child within 5 school days of the date of the admissions meeting.
- It may not be possible in all Fair Access cases to meet parental preference. Where this occurs, parents will be informed of their right of appeal.
- Where the Officer Panel feels that further support is required in ensuring the successful admission of a child to a school, or issues are highlighted through the application process, they may make a referral to the Locality Team.
- The governing body of a maintained school can appeal against the decision of the Panel by notifying the LA of it's decision and reasons for refusal in writing and referring the case to the Schools Adjudicator within 15 calendar days.
- The governing body of an Academy can appeal against the decision of the Panel by notifying the LA of it's decision and reasons for refusal in writing. Where agreement

cannot be reached with the Academy the LA can apply for a direction from the Secretary of State via the Education Funding Agency who acts on his behalf in these cases.

Retrospective Fair Access Admissions

On occasion, following the admission of a child, information subsequently received following the transfer of the file from the previous school, may identify that, had this information been available at the time of admission, the application would have been considered as a Fair Access admission by the LA Admissions Team.

In such cases, the Headteacher of the admitting school may seek a Retrospective Fair Access admission.

The process for such a request is as follows:-

- the headteacher emails the Lead Admissions Officer - In Year Admissions providing full details of the new information received, evidence of issues which have arisen since the child was admitted to the school, and the reasons why it is felt that this child should be considered as “vulnerable” within the context of the School Admissions Code definition described within this protocol.
- the request will be presented and considered by officers at the next available Fair Access Panel Meeting.
- the decision of the Panel will be communicated to the school within 5 working days of the Panel meeting.

Where the Panel feel that the circumstances of the case were such that, at the time of admission, this information would have identified the admission as a “Fair Access” admission, the case will be recorded as such and the management information updated accordingly.

Management Information

Whilst the admission of looked after children, previously looked after children or a child with a statement of special educational needs naming the school must be admitted and are not to be considered as Fair Access Protocol admissions, their admission will be reflected in management information presented to, and considered by the Fair Access Panel when making decisions about the admission of children who are being placed in accordance with the Cambridgeshire Fair Access Protocol.

A termly report will be provided to Cambridgeshire Secondary Heads and to Cambridgeshire Primary Heads (CPH) Inclusion Group & the Cambridgeshire Admissions Forum, on a termly basis.

The information will also be shared with Together for Families.

Managed Move Protocol

Note that this protocol does not apply for students with a statement of special educational needs who are subject to separate guidance.

1. Purpose

The purpose of a Managed Move is to provide a positive alternative to permanent exclusion. A carefully planned transfer to another school, with the agreement and cooperation of all involved provides the opportunity to secure a more positive and creative outcome for everyone. It is important to recognise that this process will not happen over night but that the transfer should not take longer than 6 weeks from initial discussion to beginning at another school. During this period the pupil remains on the roll of the original school and that school retains responsibility for providing appropriate education

Managed Moves will be underpinned by a data collection exercise designed to ensure that, in compliance with the School Admissions Code, there is fairness in the number of approaches made to individual schools. This data will be available to schools on request and will be published on a termly basis via CPH and CSH Inclusion groups. No one school is expected to admit a disproportionate number of students with challenging behaviour over time.

This protocol applies to all Cambridgeshire Schools with the exception of Special Schools. Pupils reintegrating into a mainstream school from an EOTAS school will only be counted against an EOTAS school if they are solely registered there. If the reintegration to a new school is as the result of a failed reintegration to their original school the Managed Move will be logged as a move from the original school.

The process of a managed move and request form can be found later in this document.

2. Definition

A Managed Move is where a student may transfer to another school where the Headteacher believes that the criteria for permanent exclusion have been met, but that at the same time believes that the pupil could succeed in another mainstream setting.

Guidance regarding the Managed Move process and the steps which must be followed before a Managed Move can be agreed can be found in the "Exclusions Guidance – September 2012".

It requires the agreement of the parent/carer of the pupil, the current school, and the Local Authority Inclusion Manager.

A Managed Move involves the pupil remaining on the roll of their original school while trying a time limited fresh start opportunity at another near-by school. This time limit will usually be for a period of up to 15 weeks from the time they are admitted on a full-time basis to the new school. If successful the pupil transfers from the roll of their original school to that of the receiving school. If unsuccessful the pupil returns to their original school where they have remained on roll. Both schools are responsible for the success of the Managed Move and are equally responsible for the Managed Move arrangements alongside the LA.

Prior to a managed move taking place, it is the responsibility of the school and the Inclusion Officer managing the case, to inform the parents of their rights in this process. Parents, the school and the LA are required to agree to the Managed Move before it can take place. This must be confirmed by both the Managed Move Referral Form being completed and signed by all parties, and the letter confirming the Managed Move being issued by the school.

Where a managed move is being considered either grounds for permanent exclusion should already apply, or the Headteacher feels that a Managed Move is the last remaining option in order to avoid this eventuality, and it is felt by the parties concerned that the child can succeed in mainstream education. In all cases a Common Assessment Framework (CAF) should be completed for the child concerned, unless a specialist assessment has already been completed eg. Social Care Assessment.

Where the parent or the LA does not agree to a Managed Move the Headteacher must decide if the permanent exclusion process would apply. Parents should never be pressured into removing their child via a Managed Move from a school under threat of a permanent exclusion. Discussion around a permanent exclusion or Managed Move should not come as a surprise to a parent as they should be involved in any ongoing discussion and planning about their child and his/her behaviour. The exception to this will be where there has been a one off serious incident that may necessitate a move.

3. Situations where a managed move may be appropriate

A Managed Move will normally only be considered when all of the following are in evidence:

- The Headteacher is confident that the school has done all that it can to support the inclusion of the pupil and there are valid grounds for permanent exclusion. This should include exhaustion of all school strategies as outlined in the PSP and the Individual Education Plan (IEP) (with involvement from the In School Support Staff or Specialist Teaching Team), Personal Education Plan (if the child is looked after) and a CAF is in place. DfE guidance suggests that a PSP must have been in place for some time (16 weeks example guide) unless a serious and unexpected breach of the school Discipline Policy occurs. The exception to this is where there has been a serious one-off incident.
- The LA must agree with this position. This will be agreed either by the County Inclusion Manager or the appropriate Managed Move Officer (It may on rare occasions be the case that the LA disagrees with the school's assessment. The LA would not sanction a Managed Move in such circumstances but expect the school to exclude the pupil permanently so that the school's decision could be tested through formal processes);
- The parent/carer of the student has agreed to a managed move. A parent can withdraw their support for a Managed Move at any point if they are unhappy. Should this happen the pupil will return to the referring school;
- Professionals working with the student believe that a change in school may result in improved behaviour;
- There is a consensus that mainstream education is still appropriate.

4. Process for submitting a Managed Move Referral Form for consideration by the Fair Access Panel.

All referrals for Managed Move should be sent to the County Inclusion Manager for authorisation by email.

Once authorised by the County Inclusion Manager this email will be forwarded to the Clerk to the Panel, confirming that this should be processed.

The Clerk to the Panel will check for the completeness of the referral, which includes;

- The fully completed and signed referral form;
- A copy of the CAF for this child;
- A copy of the letter from the referring school confirming that a Managed Move has been agreed; and
- Further information relevant to the case, including full details of the events which have led up to decision to a Managed Move being made.

5. Criteria for selection of receiving school

It is important that all schools are asked to admit a balance of pupils under the Fair Access Protocol (FAP). The Managed Move protocol forms part of this Protocol.

The identification of a possible alternative school will be determined by the Fair Access Panel (Panel), using the preferences expressed by the parent on the Managed Move Referral Form. The process and criteria for determining the appropriate school is shown in Appendix 9 (Officer Panel – Constitution and Terms of Reference).

The identity of the school to be approached will be communicated to the County Inclusion Manager, by the Clerk to the Panel. Coordination and monitoring of the Managed Move will be undertaken by the County Inclusion Manager or a named LA officer, if this is felt to be more appropriate.

The Panel will make a decision on the basis of the following factors and taking account of professional advice from the referring school and “possible” schools, the Managed Move form and appropriate professionals:

- Parental preference;
- Geographical proximity and potential transport costs;
- Frequency of approach to alternative schools.
- The number of inward moves in the relevant year group under FAP
- The number of moves in proportion to the size of the school

A parent does not have a choice of school but parental preference should be taken into account in this process where possible. If a parent is supportive this is more likely to make the placement successful and parents may have relevant reasons for preferring specific schools (e.g. previous relationships between pupils). These considerations should be included on the managed move form that is completed once the move has been agreed. A parent can withdraw their support of a Managed Move at any point. If this happens the child will revert to their original school.

- Transport will be provided where the alternative provision is beyond

statutory walking distance or the walking route to school is deemed unsafe (in accordance with the County Council's Home to School Transport Policy) **and** there is no appropriate provision available within statutory walking distance or via a safe walking route.

- When transfer to the receiving school is agreed by all, the student will be placed on that school's roll from the day they start. Categories of registration are listed below.
- The receiving school should continue, or commence, the PSP and CAF process to ensure a high level of support for the pupil on transfer. Reviewing the PSP and CAF regularly should make up part of agreed transfer meetings to assess how the move is working.

5. Responsibilities, Funding and Registration arrangements during a Managed Move

While a managed move is being arranged the original school retains responsibility for full time education of the child. Education can take place either on or off site. It must be clear where the education is being provided and how it will be provided. Attendance registers will be marked accordingly. Until the Managed Move is complete (i.e. the pupil has fully transferred onto the roll of the new school) only the Headteacher of the referring school is able to exclude the pupil.

An agreement must be drawn up at the beginning of the Managed Move to make clear the roles and responsibilities of all parties, timescales, strategies/sanctions to be used etc. This should be part of the PSP and CAF processes. The In School Support Service (Secondary) and Specialist Teaching Team (Primary) must be involved in this to support the move.

A decision must be agreed in regard to school uniform for the transferring child. This agreement should be part of planning prior to the move.

If a child has had any fixed term exclusions at the original school the number of days exclusion for that academic year must follow the child. It is important that this is clear so that the receiving school are aware of any possible trigger points for calling a Discipline Committee.

During the initial 15 week period the original school maintains the pupil's record with an Enrolment Status of "M" (Main dual-registration).

The receiving school maintains the pupil's record with an Enrolment Status of "S" (Subsidiary dual-registration). The receiving school must liaise with the original school re: provision and attendance so that both rolls can be accurately marked. It is the responsibility of both schools to ensure that the pupil is correctly registered so that it is clear where the student is attending.

Funding in the form of AWPU will follow the pupil at the current agreed rate. When a pupil is placed in another school, through a managed move, the receiving school will invoice the referring school for the appropriate pro-rata amount at the end of the next calendar month after transfer.

If the pupil placement breaks down within the agreed timescales the pupil will return to the original referring school. If the move is successful the pupil should fully transfer to the roll of the receiving school at the end of the initial 15 week period, or earlier if everyone is in agreement with this. If both schools agree to continue the dual registration arrangement

beyond 15 weeks this is also acceptable. Schools must make sure that their roll is updated accordingly.

6. Other school responsibilities

- Schools **must not** suggest to parents that they should seek another school via an In Year Application to avoid permanent exclusion or Managed Move. It is the responsibility of the Headteacher to ensure that this does not happen.
- Schools are expected to respond positively to requests to accept students on managed moves.
- When an exit strategy is thought necessary the Headteacher must discuss this with the County Inclusion Manager before any action is taken in this regard

7. Monitoring and quality assurance arrangements

The LA will collect and publish information termly on the number of managed moves made and accepted on a school by school basis.

The LA will collect and publish termly the number of transfers being made on a school by school basis where the address of the student has not changed.

Whilst the principles set out above will continue to apply, the LA will from time to time review the detailed arrangements in consultation with Headteachers.

8. Responsibility for the coordination of Managed Moves

LA Responsible Officer: Carol Way
Managed Move process

MANAGED MOVE REQUEST FORM

<u>Type of Move:</u>					
1. This section should be completed and passed to Admissions before any school is approached as a possible receiver					
<u>Part A – To be filled in by referring school</u>					
Date of Request					
LA Managed Move Officer		Headteacher			
Name of Pupil		DOB			
Ethnicity		Sex			
Name of Parent/Carer		Relationship to child			
Address of Parent/Carer					
Contact Numbers: Home: Mobile: Work:					
Current School		School Year			
School Contact Person		Contact Details			
Pupil's SEN Status		Statement			
Is the Pupil Looked After?					
Does the Pupil receive free school meals?					
Date of CAF		Lead Professional:			
Date of PSP					
Number of Reviews		Most Recent Review to Date			
Previous schools attended (including those outside of Cambridgeshire) if known:					
Name		To		From	
Name		To		From	
Name		To		From	
<u>Concerns</u>					
Incidents in school that have given rise to concern:					
Other (Please Specify):					

Total Number of Exclusions this Academic Year:		
Strategies		
Please briefly outline what positive strategies have been used to support the inclusion of this pupil prior to Managed Move request and any sanctions that have been used:		
Any issues that may affect the success of a Managed Move at any school. Please give reasons:		
Academic Ability – Teacher Assessments		
Please comment upon the pupil's progress in the following subjects with reference to National Curriculum attainment levels. Please also give a general comment.		
KS 1/2/3 (See KS 4 separately)		
Key Stage Level		
Subject	NC Level	Teacher Assessment/comment
English		
Maths		
Science		
ICT		
Overall Estimate and other appropriate information		
KS4 Only		
GSCE etc currently being undertaken by the pupil. Please list subjects and include details of examination board/syllabus etc		
Current assessment of performance – please indicate most recent assessment results, for example modular tests and portfolio assessments		
Agency Involvement		
Please indicate if the following agencies are involved with the pupil		
Social Care	<input type="checkbox"/>	Contact:
CAMHS	<input type="checkbox"/>	Contact:
YOS	<input type="checkbox"/>	Contact:
Locality Team	<input type="checkbox"/>	Contact:
Health	<input type="checkbox"/>	Contact:
Other (please specify)	<input type="checkbox"/>	Contact:

Headteacher Signature			
Print Name		Date	
County Inclusion Manager Signature			
Print Name		Date	

Part B – To be filled in by the Pupil’s parent/carer			
I have attended a review meeting of my child’s progress and agree that a Managed Move to an alternative school is my preferred option. I would like to express a preference for the following school. I understand that my preference will not necessary be able to be met.			
Preferred alternative school:			
Parent/Carer Signature		Date	
Parent/Carer Signature		Date	
Pupil Signature		Date	

2. This section should be completed by the Admissions Team with assistance from Education Transport and passed back to Lead Admissions Officer				
Admissions Officer				
Contact Number				
Possible Receiver Schools				
School	Distance from home (miles)	Place available?	Method of transport	Cost – per annum & for planned time at that school

3. This section should be completed by the Lead Admissions Officer			
Part A – to be filled in by Admissions			
Identified School/Schools			
Please give reasons as to why this school has been identified to be able to accept this child and any reasons as to why any other possible receiver schools should not take this child.			
Signature of Lead Admissions Officer:		Date	
Part B- to be filled in by Admissions			
Date of contact with proposed school by Admissions			
Date transfer to proposed school is agreed in principal			
Date Information passed to Managed Move Officer to			

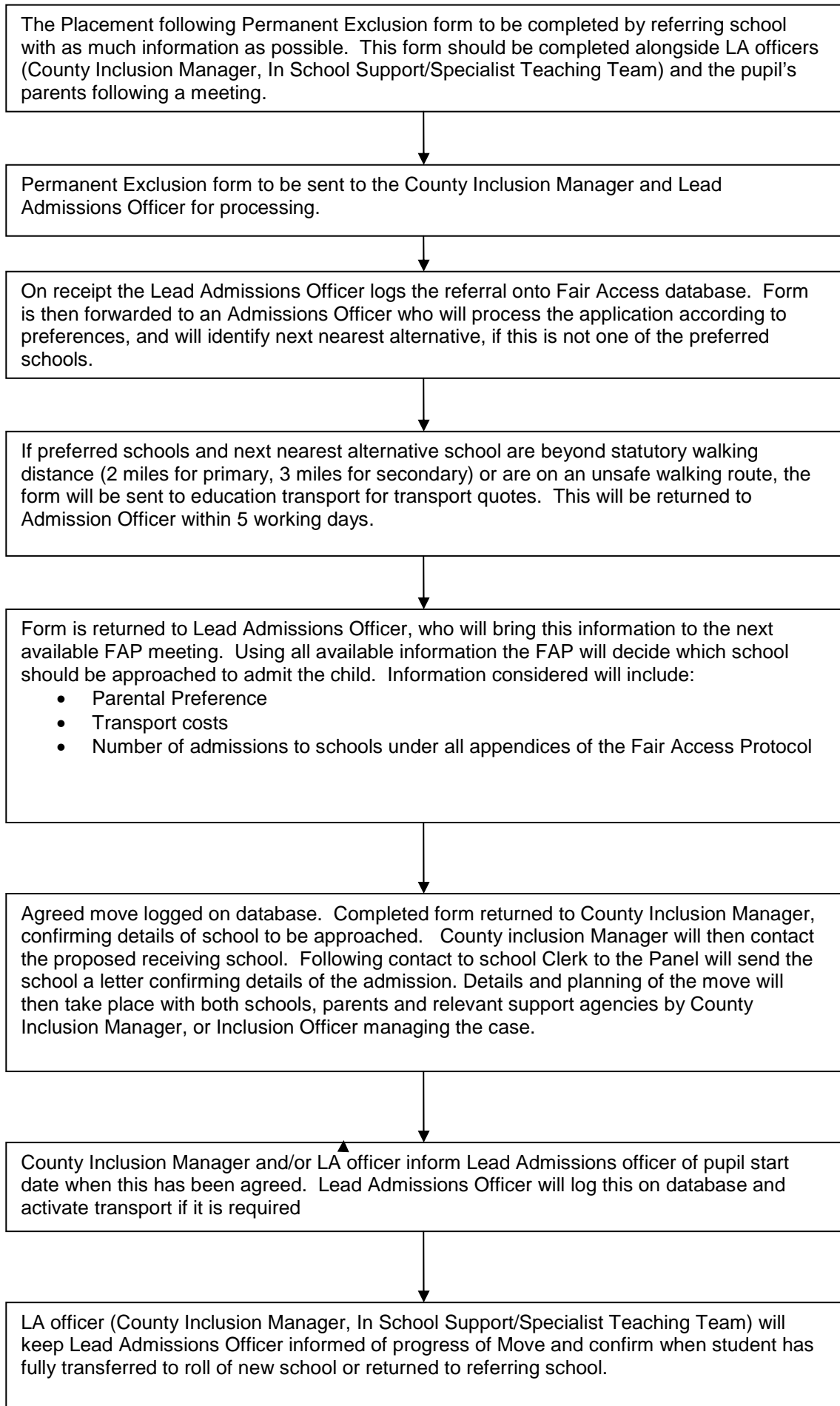
take forward	
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4.This section to be completed by Managed Move Officer and Headteacher of receiving school			
Name of Receiving School			
Headteacher			
School Contact Person		Contact Details	
Date of Meeting to agree planning and start date for Managed Move		Agreed Start Date for pupil	
Headteacher's Signature		Date	
Managed Move Officer Signature		Date	

Protocol to Determine Placement of a Child following Permanent Exclusion

For information and advice on the exclusion process please refer to “Exclusion Guidance September 2012” available on the Education Portal or contact County Inclusion Manager on 01480 376302.

Following the first permanent exclusion of a child the following process should be followed:



REQUEST FOR PLACEMENT FOLLOWING PERMANENT EXCLUSION FORM

<u>Type of Move:</u>					
1. This section should be completed and passed to Admissions before any school is approached as a possible receiver					
<u>Part A – To be filled in by referring school</u>					
Date of Request					
LA Inclusion Officer		Headteacher			
Name of Pupil		DOB			
Ethnicity		Sex			
Name of Parent/Carer		Relationship to child			
Address of Parent/Carer					
Contact Numbers: Home: Mobile: Work:					
Current School		School Year			
School Contact Person		Contact Details			
Pupil's SEN Status		Statement			
Is the Pupil Looked After?					
Does the Pupil receive free school meals?					
Date of CAF		Lead Professional:			
Date of PSP					
Number of Reviews		Most Recent Review to Date			
<u>Previous schools attended (including those outside of Cambridgeshire) if known:</u>					
Name		To		From	
Name		To		From	
Name		To		From	
<u>Concerns</u>					
Incidents in school that have given rise to concern:					
Other (Please Specify):					
Total Number of Exclusions this Academic Year:					

Strategies			
Please briefly outline what positive strategies have been used to support the inclusion of this pupil prior to Managed Move request and any sanctions that have been used:			
Any issues that may affect the success of a Managed Move at any school. Please give reasons:			
Academic Ability – Teacher Assessments			
Please comment upon the pupil's progress in the following subjects with reference to National Curriculum attainment levels. Please also give a general comment.			
KS 1/2/3 (See KS 4 separately)			
Key Stage Level			
Subject	NC Level	Teacher Assessment/comment	
English			
Maths			
Science			
ICT			
Overall Estimate and other appropriate information			
KS4 Only			
GSCE etc currently being undertaken by the pupil. Please list subjects and include details of examination board/syllabus etc			
Current assessment of performance – please indicate most recent assessment results, for example modular tests and portfolio assessments			
Agency Involvement			
Please indicate if the following agencies are involved with the pupil			
Social Care	<input type="checkbox"/>	Contact:	
CAMHS	<input type="checkbox"/>	Contact:	
YOS	<input type="checkbox"/>	Contact:	
Locality Team	<input type="checkbox"/>	Contact:	
Health	<input type="checkbox"/>	Contact:	
Other (please specify)	<input type="checkbox"/>	Contact:	
Headteacher Signature			
Print Name		Date	
County Inclusion Manager Signature			
Print Name		Date	

Part B – To be filled in by the Pupil’s parent/carer			
I have been advised fully of my rights as a parent in relation to the permanent exclusion of my child and would like to express a preference for the following school. I understand that my preference will not necessary be able to be met.			
Preferred alternative school:			
Parent/Carer Signature		Date	
Parent/Carer Signature		Date	
Pupil Signature		Date	

2. This section should be completed by the Admissions Team with assistance from Education Transport and passed back to Lead Admissions Officer				
Admissions Officer				
Contact Number				
Possible Receiver Schools				
School	Distance from home (miles)	Place available?	Method of transport	Cost – per annum & for planned time at that school

4. This section should be completed by the Lead Admissions Officer			
<u>Part A – to be filled in by Admissions</u>			
Identified School/Schools			
Please give reasons as to why this school has been identified to be able to accept this child and any reasons as to why any other possible receiver schools should not take this child.			
Signature of Lead Admissions Officer:		Date	
<u>Part B- to be filled in by Admissions</u>			
Date of contact with proposed school by Admissions			
Date transfer to proposed school is agreed in principal			
Date Information passed to Managed Move Officer to take forward			

4.This section to be completed by Managed Move Officer and Headteacher of receiving school

Name of Receiving School			
Headteacher			
School Contact Person		Contact Details	
Date of Meeting to agree planning and start date for Managed Move		Agreed Start Date for pupil	
Headteacher's Signature		Date	
Managed Move Officer Signature		Date	

Reintegration from The County School

It is acknowledged that some students may be referred to alternative provision sometime during their school career. These referrals will be made according to the local BAIP arrangements. If a child is referred to The County School the following is assumed:

Students will remain on the roll of their mainstream school unless they are Year 11 students who attended the County School in Year 10 and are notified by their referring school that they should be single registered at the County School

School, parents, student and alternative provider will meet regularly to review provision etc

Key Stage 3 students will be expected to return to their mainstream school (or another school where it is agreed that the referring school is not a suitable placement for reintegration) at an appropriate point. Key Stage 4 students may or may not return. This will be agreed at point of referral by the referring school, the parent, the student and the County School representative (usually the Head of the Learning Base) and will be defined in a Short Term Provision Plan (STPP).

Parents are supportive of the engagement with the County School and the strategy being used to maintain their child's education and are involved in the process

The aim should be for the student to return to mainstream school if all concerned agree – as defined in the planned strategy..

For these reasons Admissions would not expect to see an application from parents for an In Year Transfer while their child is in alternative provision.

There may be occasions following a period of time in alternative provision when all parties agree that a transfer to a different mainstream provider would offer a better chance of successful ongoing education. In these rare circumstances it would be appropriate for the alternative provider to complete a 'Reintegration from EOTAS Referral Form' (at the end of this appendix). This should be forwarded to the Lead Admissions Officer and the County Inclusion Manager. The form will then be processed in the same way as a Managed Move form. A student entering a school in these circumstances would be counted as a Fair Access admission.

Fair Access Protocol – students engaged in EOTAS

Students referred to The County School will fall into the following categories in terms of the provision made for them:

KS3 provision at The County School (with a STPP to define the provision)

KS4 provision at The County School (may or may not be defined by a STPP)

All students retain right of access to mainstream education. However, students who have been subject to two permanent exclusions or managed moves (the latter can only take place in Cambridgeshire when there are tested grounds for permanent exclusion), or who have a statement of special educational need that stipulates that their needs are best met 'other than through a mainstream school', a mainstream placement is extremely unlikely.

County School students

The County School is the PRU for Cambridgeshire and is involved with the education of KS3 and KS4 students who have Social Emotional and Behavioural issues. The Pilgrim PRU based on the Ida Darwin and Addenbrooke's sites accepts referral for medical reasons (students referred here will always return to school once medical advice indicates that they are able so to do). At the point of referral (or exclusion) an Individual Action Plan/Programme will be drawn up between the PRU and the referring (or excluding) school.

This plan/programme will identify the educational needs of the student and the provision to be made to meet those needs. Such provision may be made with a view to return to the referring school or as a full time alternative to school throughout the remainder of the student's KS4 provision. Equally the plan may involve shared provision with the referring school. It is the joint responsibility of The County School Heads of Learning Bases and the

referring (excluding) schools, in liaison with Locality Young People's Workers to ensure that every student has access to appropriate advice and support in accessing Post 16 education, employment or training

Where KS3 students are *referred* out of a school for a period at The County School, it is expected that the school will agree with the provider:

- a review date
- the nature of the programme to be followed.

The responsibility for ensuring a return to school lies between the Head and the appointed member of senior staff in the mainstream school.

Medical support and tuition:

Education (other than in hospital) for students with medical needs that prevent them from attending school is provided by the students' current school in liaison with the medical practitioners involved with the individual student.

Schools will only provide education for students who are medically certified to be unable to attend school on receipt of information confirming illness/absence from a medical specialist, e.g. community paediatrician or secondary specialist (e.g. Psychiatrist, Cardiologist, Orthopaedic Surgeon).

Medical needs students should have their needs re-assessed at a minimum of six monthly intervals. At each review a decision will be taken as to what is in the best interest of the young person. Whenever medical colleagues are of the opinion that a full return to mainstream provision is in the student's best interests, then this should be negotiated with the school.

At all stages the advice of medical practitioners must be sought and heeded in terms of the nature of provision made.

REINTEGRATION FROM EOTAS REQUEST FORM

<u>Type of Move:</u>					
1. This section should be completed and passed to Admissions before any school is approached as a possible receiver					
<u>Part A – To be filled in by referring school</u>					
Date of Request					
Named LA Officer		Headteacher			
Name of Pupil		DOB			
Ethnicity		Sex			
Name of Parent/Carer		Relationship to child			
Address of Parent/Carer					
Contact Numbers: Home: Mobile: Work:					
Current School		Year Group			
School Contact Person		Contact Details			
Pupil's SEN Status		Statement			
Is the Pupil Looked After?					
Does the Pupil receive free school meals?					
Date of CAF		Lead Professional:			
Date of PSP					
Number of Reviews		Most Recent Review to Date			
<u>Previous schools attended (including those outside of Cambridgeshire) if known:</u>					
Name		To		From	
Name		To		From	
Name		To		From	
<u>Concerns – Please provide full details</u>					
Incidents in school that have given rise to concern:					
Other (Please Specify):					

Total Number of Exclusions this Academic Year:		
Strategies		
Please briefly outline what positive strategies have been used to support the inclusion of this pupil prior to the reintegration request and any sanctions that have been used:		
Any issues that may affect the success of a reintegration to any school. Please give reasons:		
Academic Ability – Teacher Assessments		
Please comment upon the pupil's progress in the following subjects with reference to National Curriculum attainment levels. Please also give a general comment.		
KS 1/2/3 (See KS 4 separately)		
Key Stage Level		
Subject	NC Level	Teacher Assessment/comment
English		
Maths		
Science		
ICT		
Overall Estimate and other appropriate information		
KS4 Only		
GSCE etc currently being undertaken by the pupil. Please list subjects and include details of examination board/syllabus etc		
Current assessment of performance – please indicate most recent assessment results, for example modular tests and portfolio assessments		
Agency Involvement		
Please indicate if the following agencies are involved with the pupil		
Social Care	<input type="checkbox"/>	Contact:
CAMHS	<input type="checkbox"/>	Contact:
YOS	<input type="checkbox"/>	Contact:
Locality Team	<input type="checkbox"/>	Contact:
Health	<input type="checkbox"/>	Contact:
Other (please specify)	<input type="checkbox"/>	Contact:

Headteacher Signature			
Print Name		Date	
County Inclusion Manager Signature			
Print Name		Date	

Part B – To be filled in by the Pupil’s parent/carer			
I have attended a review meeting of my child’s progress and agree that reintegration to an alternative school is my preferred option. I would like to express a preference for the following school. I understand that my preference will not necessary be able to be met.			
Preferred alternative school:			
Parent/Carer Signature		Date	
Parent/Carer Signature		Date	
Pupil Signature		Date	
NB a copy of the CAF and standard letter K from County Exclusion Guidance must be attached before the move can be processed			

2. This section should be completed by the Admissions Team with assistance from Education Transport and passed back to Lead Admissions Officer				
Admissions Officer				
Contact Number				
Possible Receiver Schools				
School	Distance from home (miles)	Place available?	Method of transport	Cost – per annum & for planned time at that school

3. This section should be completed by the Lead Admissions Officer	
Part A – to be filled in by Admissions	
Identified School/Schools	
Please give reasons as to why this school has been identified to be able to accept this child and any reasons as to why any other possible receiver schools should not take this	

child.			
Signature of Lead Admissions Officer:		Date	
<u>Part B- to be filled in by Admissions</u>			
Date of contact with proposed school by Admissions			
Date transfer to proposed school is agreed in principal			
Date Information passed to Managed Move Officer to take forward			

4.This section to be completed by Named LA Officer and Headteacher of receiving school			
Name of Receiving School			
Headteacher			
School Contact Person		Contact Details	
Date of Meeting to agree planning and start date for Managed Move		Agreed Start Date for pupil	
Headteacher's Signature		Date	
Managed Move Officer Signature		Date	

APPROVED TRANSFER

An Approved Transfer is a move between schools agreed by the relevant services within the LA as being the only appropriate course of action for a child, given the exceptional circumstances of the situation.

The request for an in-year transfer to be treated as an Approved Transfer can be requested by the school, the Locality Team (LT) officer involved with the child/family, the admission officer managing the application or the parent/carer.

For any request for the in-year transfer to be deemed an Approved Transfer, the following criteria should all be met and evidence provided by the officer/party making the referral request:

- parents/carers and school staff have exhausted the strategies available to resolve any difficulties the child is experiencing in the current school;
- support from the LT has been sought and strategies available have been exhausted;
- the child would benefit from a move to another school, i.e. the child is unlikely to encounter the same difficulties in the new school; and
- the child has not been permanently excluded, is not at risk of permanent exclusion and has not been the subject of a Managed Move.

The final decision as to whether an application for Mid-Phase Transfer should be treated as an Approved Transfer and, therefore, free transport provided, where appropriate, will rest with an Officer Panel, constituted as per Appendix 9 of the protocol.

The case will be presented to the Officer Panel by the Admissions Officer handling the application.

If the outcome is 'Approved Transfer' and a place is available the place will be offered at the preferred school.

If it is not possible to meet the parent's preference, a place will be offered at the next nearest school with places and the parent informed of their right of appeal for a place at the preferred school.

Where an Approved Transfer is agreed, support with home to school transport will be given, where the school is beyond the statutory walking distance. Such cases are expected to be rare and will not include parental preference moves.

APPROVED TRANSFERS IN CASES OF ALLEGED BULLYING

When a parent/carer alleges that their child has been bullied at school, it may be because they feel that the school has not dealt with the matter to their satisfaction and may refuse to send their child to the school, whilst seeking a place at an alternative school.

A deadlock situation can occur when the parent feels that the school has not done enough to deal with the alleged bullying, and therefore will keep the child out of school, whilst the

school feels that it has done all that is reasonable to address the issue. In this situation the school will decline to authorise the absence and should at this stage (if they have not already done so) refer the case to the Education Welfare Service (EWS).

The Education Welfare Officer (EWO) will carefully review the case. The EWO can make 3 recommendations following the conclusion of the review:

- the parents have behaved unreasonably and that they are using the pretext of the alleged bullying as an unacceptable reason for not ensuring the child's attendance, and therefore the case against the parents should continue to be pursued by the EWO in the normal way;
- an element of doubt exists as to whether the parents have behaved reasonably and that attempts should be made to renew dialogue between the school and the parents to bring about the child's return to regular attendance; or
- all reasonable steps have been taken by both parties, and the situation cannot be resolved successfully at the school, and therefore a change of school is required.

Where the EWO determines that the situation can only be resolved as an Approved Transfer assistance with transport will be offered as appropriate.

Officer Panel - Constitution and terms of reference

1.0 Title

1.1 The title of the Panel shall be "Fair Access Panel", herein after referred to as the "Panel".

2.0 Role

2.1 The Panel is a body established by Cambridgeshire County Council in accordance with the Fair Access Protocol.

2.2 The role of the Panel is to:-

- (i) have regard to the aims and principles of the Fair Access Protocol
- (ii) consider and identify for each case referred:

- The appropriate state funded school or where required, refer the case to the Head of the BAIP for the area in which the child resides for identification of alternative provision, and funding for that provision from within that BAIP's resources;
- Transport implications and identify funding for any transport required;
- Where additional multi-agency support is required to meet the needs of the child and to support their integration into the school;
- Any other additional resources considered appropriate to support this child.

(iii) strike a balance between finding a place quickly and finding a place that is appropriate for the child

(iv) ensure that no school is asked to take an excessive or unreasonable number of pupils in relation to the nature of the pupils concerned¹

3.0 Constitution

3.1 The Panel will be made up of 3 officers from:

- County Inclusion Manager
- Manager Admissions, Transport and Education Welfare Benefit Officer
- 1 of the 3 Education Officers, Policy, Planning and Review – who will act as Chair
- Assistant Education Officer
- Lead Admission Officer

And where able to attend:

- A Cambridgeshire Primary School Headteacher
- A Cambridgeshire Secondary School Headteacher

3.2 The role of the headteachers will be to provide opinion and insight from a school perspective in respect of each case heard. However, the headteachers present will not be part of the decision making process for each case.

¹ Pupils in this case are those defined as children with Challenging Behaviour as described above.

- 3.3 Any Headteacher can make a request to attend the Panel Meeting. For information about times and dates of meeting please contact the Lead Admissions Officer – In Year Admissions
- 3.4 Any LA officer/professional working with a family can make a request, or be requested, to attend, or provide representation for, the Panel Meeting To provide background and information to support the admission of the child to the most appropriate provision and to identify the additional support required to ensure the successful admission of the child. For information about times and dates of meeting please contact the Lead Admissions Officer – In Year Admissions.
- 3.4 The Lead Admissions Officer – In Year Admissions, will act as Clerk to the Panel and will record, in note form, the discussions and decisions of the Panel.
- 3.5 Appointments to the pool of Panel members will be made by the Head of Infrastructure.

4.0 Meetings

- 4.1 Meetings shall proceed in accordance with the Council’s Code of Conduct.
- 4.2 The Panel shall meet usually weekly and at such other times as shall be deemed necessary.

5.0 Conduct of Members

- 5.1 Members should act in accordance with the seven principles of public life: selflessness, integrity, objectivity, accountability, openness, honesty and leadership.
- 5.2 Panel members will necessarily acquire information that has not been made public. Panel members should never disclose or use confidential information for the personal advantage of themselves or of anyone known to them, or to the disadvantage of the Panel or anyone else.

6.0 Declaration of Interests

- 6.1 Members of the Panel shall declare an interest in any individually referred case.
- 6.2 In considering the declaration of any interest a Panel member should apply the following test: would a member of the public, knowing the facts of the situation, reasonably think that the member might be influenced by the interest?
- 6.3 Any member with an interest shall withdraw from any discussion of the proposal concerned and should not be present in any room where discussion and decisions are taking place, on request of the remaining Panel members. Any member remaining is expected to take a neutral role in discussions and decision making.

7.0 Quorum

- 7.1 For meetings to be valid there shall be present at least 3 of the listed officers.

8.0 Decisions of the Panel

- 8.1 The Panel shall determine the school to be asked to admit the child, the “named” or “identified” school, in the following cases:

- Managed Moves (Appendix 1 of FA Protocol);
- Permanently excluded children (Appendix 2 of FA Protocol);
- Reintegration of children from EOTAS (Appendix 3 of FA Protocol);
- Approved Transfer cases (Appendix 4 of FA Protocol)
- Fair Access cases and Retrospective Fair Access cases for children not covered by the above appendices

8.2 Managed Move Cases – Cases will only be heard by the Panel where the following has been received by the Lead Admissions Officer:-

- A fully completed Managed Move form;
- A copy of the completed Common Assessment Framework(CAF);
- A copy of the letter issued to parents (as per CCC Exclusion Guidance – April 2010);
-

8.3 Permanently excluded children – Cases will only be heard by the Panel where the following has been received by the Lead Admissions Officer:-

- A fully completed Permanent Exclusion form:
- A copy of the completed CAF;
- A copy of the letter issued to parents (as per CCC Exclusion Guidance – April 2010)

8.4 Fair Access cases - Cases will only be heard by the Panel where the following has been received by the Lead Admissions Officer:-

- Information obtained in discussion with the child, where appropriate;
- Information obtained in discussion with the family;
- Information from the current school;
- Information obtained in discussion with officers from the locality team, where they have been working with this family;
- Information from the preferred school/governing body as to why it is not appropriate to admit the child to the school;
- Suitable alternative provisions and transport costing in preparation for the Panel Hearing.

8.5 Retrospective Fair Access cases – Cases will only be heard by the Panel where the following has been received by the Lead Admissions Officer:-

- An email from the Headteacher requesting consideration as a retrospective fair access case;
- Full details of the new information received which would require the admission to be considered under the Cambridgeshire Fair Access Protocol;
- Evidence of issues which have arisen since the child was admitted to the school which would have required the child to be considered as a child with “challenging behaviour” had this information been available at the time of admission.

8.6 Decision of the Panel will be reached by a simple majority of votes cast. Where the votes are equally divided the panel chair has a second or casting vote.

8.7 The decisions of the Panel will be discussed with the “identified” school by the County Inclusion Manager, or a named LA Officer.

8.8 The County Inclusion Manager will advise the Clerk to the Panel following the discussion with the school. The Clerk will then write to the school to confirm the decision of the Panel. The letter will confirm to the school

- the decision to admit the child;
- the appropriate section of the Fair Access Protocol under which the admission has been made;
- expected action regarding admission to the school; and
- the name of the officer managing the case, where this is not the County Inclusion Manager.

9.0 Admission to School

9.1 Admission to identified provision is expected within 2 weeks, and the child is to be placed on roll within 5 school days of the date of the letter from the Clerk to the Panel.

9.2 If a Cambridgeshire County Community or Voluntary Controlled school is identified as the one to admit refuses to do so, the Council will refer the matter to the Secretary of State, if agreement cannot be reached locally.

9.3 If a Voluntary Aided, Foundation or non-Cambridgeshire County Community school identified as the one to admit refuses to do so, the Council will direct the school to admit the pupil.

9.4 If an Academy is identified as the one to admit, and refuses to do so the Council will refer the matter to the Secretary of State for a decision.

10.0 Right of Appeal

10.1 Should any decision be in conflict with the preferences of parents the Council will inform parents of their right of appeal. Any decisions made by the Panel shall be made available for the admission authority when establishing their case for refusal.