

Introduction

The Department for Education School Admissions Code 2014 advises that all local authorities must have a Fair Access Protocol to ensure that, outside the normal admissions round, unplaced children, especially the most vulnerable, are offered a school place at a suitable school as quickly as possible. To-date, the admission of vulnerable children has always been managed at an informal level without recourse to a “formal” in year fair access protocol, with the admission of these children being agreed between the Local Authority and individual primary schools. However, the numbers of children being deemed vulnerable is increasing across the primary sector, and there is a need for a fair and formal approach between primary schools and the Local Authority.

The School Admissions Code 2014 states that all admission authorities (the Local Authority for community and voluntary controlled schools, and the governing board/trust for voluntary aided, academy, and free schools) **must** participate in the Fair Access Protocol in order to ensure that unplaced children are allocated a school place, quickly.

Following consultation with all primary schools in Halton during Autumn 2019, the following will apply to all primary schools from January 2020 onwards.

Key Principles of the Protocol:

- recognises that the majority of applications will likely be normal in year admission requests and that referral under the protocol will not be required (i.e. where a place is available the child will be admitted) and also recognises that schools can proceed with admission prior to referring eligible cases to Panel should they not believe that the admission of the child would cause prejudice;
- recognises the vulnerability and needs of unplaced children and the duty of the LA to ensure suitable educational provision for all children and young people resident in the borough;
- aims to support safeguarding of children and young people by admitting to school, as quickly as possible and without delay, those children identified as being an unplaced child;
- quickly identifies children eligible for referral under the protocol and ensures they are referred in a timely manner, for consideration by the Primary In-Year Fair Access Panel;
- ensures that no school, including those with places available, is asked to take a disproportionate number of children eligible for referral to the scheme under the agreed criteria;
- promotes an ethos of collective responsibility, with all schools and the LA working together effectively, as a community, to place and support vulnerable pupils in our borough; and
- recognises that parents and carers are entitled to seek a new school place for their child, at any time, but, where possible, reduces the amount of pupil movement across schools within the borough, to assist with delivering the best outcomes for every child.

1.0 Eligibility for consideration under the Protocol

- 1.1 In line with the School Admissions Code 2014 the following list of **unplaced*** children of compulsory school age will be identified as being eligible for referral under the In-Year Fair Access Protocol:
- a) children from the criminal justice system seeking re-integration into mainstream education;
 - b) children who have been out of mainstream education for two months or more;
 - c) children of Gypsies, Roma, Travellers, refugees and asylum seekers;
 - d) children who are homeless;
 - e) children with unsupportive family backgrounds for whom a place has not been sought (this will be identified by professional making the application);
 - f) children who are carers;
 - g) children with special educational needs, disabilities or medical conditions (those children subject to agreed discretionary top-up funding or Undergoing Statutory Assessment, not children with an Education, Health and Care Plan (EHCP)); and
 - h) children for whom this application is being made as a result of permanent exclusion.
- 1.2 The admission of children in the care of a Local Authority (LA) and those previously in the care of an LA, and children with an EHCP naming the school within the plan, follow separate processes and are therefore not covered by this policy.
- 1.3 To assist with the collection of this information and in order to help to identify eligible applications, all parents and carers, when submitting an application, will be required to complete a revised *Primary In-Year Common Application Form*, ensuring that the *Fair Access Information* section is completed by their current school before sending the completed application to their preferred school (s).

*For the purposes of this protocol, an *unplaced* child refers to a child:

- moving into the borough for whom a school place is being sought;
- a Halton resident child, seeking re-integration to mainstream education, following a period of elective home education or having been formally off the roll of a Halton School for two months or more; or
- a Halton resident child for whom an alternative school place is sought, due to their current school being an unreasonable distance from their new home address.

2.0 Composition and mechanism of the Primary In-Year Fair Access Panel

- 2.1 The Local Authority, on behalf of the HAPH Executive, will identify the IYFA Panel for each half-term period, comprising four Headteachers (1 from Widnes East, 1 from Widnes West, 1 from Runcorn East and 1 from Runcorn West planning areas) and a reserve Headteacher should the referral be from one of those schools.
- 2.2 Upon receipt of a referral the Panel will be contacted by email with the relevant details as indicated in Section 3. Panel members will be asked to confirm the placement decision by an identified date (usually within 5 school days) and to email that decision to schooladmissions@gov.uk.
- 2.3 Whilst the Panel is not obliged to offer a place at the parent/carer's preferred school, where it is fair and proportionate to do so, there is an expectation that parental preference would be met.

- 2.4 Where a majority placement decision cannot be reached, the case will be referred to an identified member of HAPH Executive, to confirm the final decision for placement.

3.0 Referral to the Primary In-Year Fair Access Panel

- 3.1 Upon receipt of an in-year application that meets the eligibility criteria for referral under the protocol, the Headteacher of the preference school must arrange for the *Initial Referral Details* section of the *Primary IYFAP Referral Form (Appendix A)* to be completed in full and then emailed, along with a copy of the original application form, to the School Admissions Team at schooladmissions@halton.gov.uk.
- 3.2 The preference school must write to the parent to advise that their application has been referred to Panel under the agreed protocol and advising that they will normally be notified of the Panel decision within ten school days of the referral. A *Primary IYFAP Referral Letter (Appendix B)* template will be provided to ensure consistency and transparency.
- 3.2 The School Admissions Team will verify the request and complete the *Admissions Information* section of the form. The completed form and any supporting documents will then be emailed to the designated members of the Primary In-Year Fair Access Panel for a placement decision to be made.
- 3.3 The Panel will consider the following factors in coming to their placement decision for the child:
- information within the *Primary IYFAP Referral Form* and the *Primary In Year Application Form (Appendix C)*;
 - placements to date, ensuring a fair and transparent distribution of children placed under the Protocol, across all schools (this will be updated after each placement and emailed to Panel with the new referral);
 - where a child has been permanently excluded, the information provided within the 'Evidence of action for pupils with SEMH' document;
 - reasons for why the parent requested a new school and for their preference (taken from the application form); and
 - the child's current offer of a school place (where the application has been made due to a house move and the current school therefore being deemed to be an unreasonable distance from the new home address).

4.0 Notification of Panel outcomes

- 4.1 The placement school will be notified of the Panel decision and will be asked to arrange a start date, ensuring the child is placed within ten school days.
- 4.2 The placement decision of the Panel does not override the parent/carer's right to appeal, and where preference has not been met, the Local Authority will advise the parent of their right of appeal in writing within the placement decision letter that is sent. This includes where the Panel has not found in favour of a school move, for children already on roll at a Halton School.

Appendix A: Halton Primary In-Year Fair Access Protocol (IYFAP) Referral Form

SECTION A: Initial Referral Details To be completed by school making the referral			
Referring School Name:			
Child Name:		Child Date of Birth:	
Siblings on roll/offered:		Previously on roll at school:	
Date Application received:		Date IYFAP Letter sent to family:	
PAN for requested year:		Number on roll in requested year:	
Eligibility criteria under which referral is being made: (Please place 'X' in last column for all that apply)		Child from the criminal justice system seeking re-integration to mainstream education	
		Child has been out of mainstream education for two or more months	
		Child of Gypsies, Roma, Travellers, refugees and asylum seekers	
		Child is homeless	
		Child identified as being from unsupportive family background for whom a place has not been sought	
		Child is a carer	
		Child with agreed discretionary top-up funding or Undergoing Statutory Assessment for SEND but not EHCP	
		Application being made for child due to <u>permanent</u> exclusion	
Please ensure that a copy of the original application form and IYFAP referral letter are sent along with this form to schooladmissions@halton.gov.uk			

SECTION B: Initial Referral Details To be completed by the School Admissions Team					
Information for referral school and 3 nearest schools to child's application address					
School	Distance to school (metres)	PAN for requested year	On roll in requested year	IYFAP placed in requested year	Total IYFAP placed in school
Distance to current school where application has been made for child already on roll at a Halton primary school:					
List of previous Halton primary schools (including dates) attended, where appropriate:					
Additional relevant information received by School Admissions Team:					

APPENDIX B: Primary IYFAP Referral Letter Template

Dear (Insert parent name),

IN YEAR ADMISSION TO PRIMARY EDUCATION

In accordance with paragraph 3.9 of the School Admissions Code 2014, Halton Local Authority operates a Fair Access Protocol in partnership with all of the primary schools in the borough.

I refer to the above and I write to inform you that the admissions authority of (insert school name) has considered your application and **cannot agree to your request due to the application being eligible for referral under the locally agreed *Halton Primary In Year Fair Access Protocol* (IYFAP), and the prejudice that the admission of your child would cause to the efficient use of resources and the efficient education of other children already on roll at the school (replace with other suitable reason for refusing request where required).**

Your application has been referred on (insert date of referral). The nominated IYFAP Panel will consider the referral within the next **ten school days** and the Panel will write to you to advise of their placement decision as soon as this has been made. The School Admissions Team may need to contact you for further information and will do so shortly, if required.

For further information regarding *Halton's Primary IYFAP* please visit www.halton.gov.uk/schooladmissions and follow the 'Change of School' link on this webpage.

When an application is referred to the IYFAP Panel, **this does not override your right to appeal** against the decision not to offer a place to your child at your preferred school. It is likely that you will receive a response from the IYFAP Panel prior to registering an appeal; however, if you wish to make a formal appeal, you will need to contact the School Admissions Team by emailing schooladmissions@halton.gov.uk, to request an electronic appeals form, or by calling 0151 511 7338 / 7271, to request a paper copy. These forms can also be collected from any of our Halton Direct Link Offices.

Yours sincerely,

APPENDIX C: HALTON IN-YEAR SCHOOL APPLICATION

PRIMARY SCHOOL IN YEAR ADMISSIONS

In Halton requests to move from one primary school to another, also known as an in-year transfer application, are received and responded to by the preferred school, therefore **please return this form directly to your preferred school**. This guide aims to assist you with the completion of the following form and to give you a summary of what to expect during the application process.

THINGS TO CONSIDER BEFORE MAKING A REQUEST:

Before submitting an application we highly recommend that you meet with your child's current school to discuss your reasons for seeking a transfer for your child, which will prepare them for any subsequent contact they then receive from your preferred school(s). It may also give the school an opportunity to consider your position and it may become unnecessary to continue with the application. Points that we recommend you consider are:

- Is your child comfortable with change? Will they cope well with learning new rules, new learning styles, making new friends and being asked to do things differently?
- If you are moving your child because of a specific issue, have you followed the appropriate lines of communication with their current school to afford them an opportunity to consider this? Could the issue repeat itself at the new school?
- If you are not moving to a new house or area, how will the transfer affect your normal routine? Will the journey to the new school affect your child's punctuality or attendance? Have you checked that the same before and after school care is available at your preferred school(s) if you require this type of service?
- If the child has another parent/carer are they in agreement with the transfer? Disputes cannot be resolved by the school or local authority and your application may be delayed until agreement is reached, legally or informally.
- Remember that **there is no guarantee that you will be offered a place at your preferred school(s)**. If you are moving into the area and are without a school place the School Admissions Team can help to identify an alternative school place. You will be offered the right to appeal to an independent School Admissions Appeals Panel when you are refused a place at any mainstream school in Halton, but please note that the appeals process can take up to 30 school days from receipt of the appeal and **there is no guarantee that your appeal will be successful**.
- If the child is a child currently in the care of a local authority, the application should be submitted by the local authority who care for the child to ensure that they are satisfied that the transfer is suitable for the child. You should speak with the child's allocated Social Worker in the first instance.
- If your child has an Education, Health and Care Plan (EHCP) it is important that you discuss your application before submitting it with the SEND Assessment Team. If you do not have the contact details for your child's SEND Assessment Coordinator you can email SENAT@halton.gov.uk and your query will be passed to the appropriate team member. For impartial and confidential support and information you may like to contact Halton SEND Information, Advice and Support Service (SENDIASS) on 0151 5117733.

APPLICATION OUTCOMES:

Some applications can take longer than others but you should typically expect a response to your request within ten school days of formally submitting your application. There are three outcomes for your application:

- Your preferred school can offer a place to your child and will write to confirm this and to make arrangements for a start date (which should be within 4 weeks or at the start of next half-term at latest).
- Your preferred school cannot offer a place to your child and will write to explain the reasons for refusing your request and to formally offer you the right of appeal.
- Your preferred school refers your child's application to the In-Year Fair Access Protocol (IYFAP) Panel for a placement decision to be made (you should read the document *Halton Primary In-Year Fair Access Protocol* for further information regarding this).

If you are left without a school place following receipt of your decision and have been unable to secure a school place at another local school, please contact the School Admissions Team by emailing schooladmissions@halton.gov.uk or calling 0151 511 7338/7271.

APPENDIX C: HALTON IN-YEAR SCHOOL APPLICATION

PRIMARY SCHOOL IN YEAR ADMISSIONS

YOUR CHILD'S DETAILS:			
Surname:	<input type="text"/>	Forename:	<input type="text"/>
Date of Birth:	<input type="text"/>	Gender:	<input type="text"/>
CHILD'S HOME ADDRESS AT TIME OF APPLICATION:			
House Name/Number:	<input type="text"/>	Street:	<input type="text"/>
Town:	<input type="text"/>	Postcode:	<input type="text"/>
NEW ADDRESS IF MOVING DURING OR WITHIN FOUR WEEKS OF THIS APPLICATION:			
House Name/Number:	<input type="text"/>	Street:	<input type="text"/>
Town:	<input type="text"/>	Postcode:	<input type="text"/>
Expected Date of proposed move:	<input type="text"/>		
CURRENT/PREVIOUS SCHOOL INFORMATION:			
Name of current/previous school:	<input type="text"/>		
Contact name and number at school:	<input type="text"/>		
Is your child still attending?	<input type="text"/>	<input type="text"/>	<input type="text"/>
	YES		NO
Date of last attendance:	<input type="text"/>		
Is your child unable to attend due to a house move making it unreasonable to continue to travel to this school?	<input type="text"/>	<input type="text"/>	<input type="text"/>
	YES		NO
FURTHER IMPORTANT DETAILS:			
<i>Please circle/delete as appropriate</i>			
Is your child currently, or have they ever been, in the care of a Local Authority? (Please give dates and Authority details if yes):	<input type="text"/>	<input type="text"/>	<input type="text"/>
	YES		NO
Does your child have an Education, Health and Care Plan?	<input type="text"/>	<input type="text"/>	<input type="text"/>
	YES		NO
PREFERENCE SCHOOL AND REASONS FOR REQUESTING A PLACE:			
<i>Please state below the name of the school where you are requesting a place for your child.</i>			
School name:	<input type="text"/>		
Year Group required:	<input type="text"/>	Date required:	<input type="text"/>
In as few words as possible, please let us know why you are making this application:	<input type="text"/>		

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PRIMARY SCHOOL IN YEAR ADMISSIONS

BROTHERS AND SISTERS OF SCHOOL AGE:

Please list below details of the youngest sibling if they will be attending the requested school and living at the same address as this child:

Sibling Name:	Date of Birth:	School:

ADDITIONAL INFORMATION REGARDING YOUR CHILD:

Please circle/delete as appropriate:

Is your child seeking re-integration to mainstream education following a period of time within the criminal justice system?	YES	NO
Has your child been out of mainstream education for two months or more (not including holiday periods)?	YES	NO
Is your child a member of the Gypsy, Roma or Traveller community or are they a refugee or asylum seeker?	YES	NO
Is your child currently identified as being homeless?	YES	NO
Are you applying on behalf of the child due to them being from an unsupportive family background where no place has been sought?	YES	NO
Is your child a carer?	YES	NO
Does your child receive discretionary top-up funding for special educational needs, disabilities or medical conditions or are they Undergoing Statutory Assessment, but they do not currently have an Education, Health and Care Plan (EHCP)?	YES	NO
Has your child been permanently excluded from a school? If yes, please provide:	YES	NO
Date of permanent exclusion:		
School permanently excluded from:		

This information, in addition to that already provided, may make your application eligible to be referred to Halton's In-Year Fair Access Protocol (IYFAP) Panel. If this is required, your preference school will inform you by letter and the IYFAP Panel will notify you of their placement decision at the earliest opportunity. For more information please read the *Halton In-Year Fair Access Protocol* document.

APPLICATIONS FOR VOLUNTARY AIDED (CATHOLIC AND/OR CHURCH OF ENGLAND) ONLY

Please circle/delete as appropriate:

Is your child baptised Catholic?	YES	NO
If yes, in which Catholic Parish where they baptised and when?		
Is your child baptised Church of England?	YES	NO
If your child belongs to another faith, please state which:		

You may be required by the school to submit additional documentation to support your application. These documents may include, but are not limited to, baptismal certificates or letters signed by the relevant religious leader as proof of attendance at the place of worship. Some church schools may require a supplementary form to be completed, which will be provided by the school at the time of application.

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PRIMARY SCHOOL IN YEAR ADMISSIONS

PARENT/CARER DETAILS:			
Parent/Carer Name:		Relationship to child:	
Parent/Carer address: (If different from child)			
Daytime Phone Number:		Mobile number:	
Email Address:			
Do all people with Parental Responsibility agree with this request?	YES	NO	

DATA PRIVACY, DECLARATION AND CONSENT:

Halton Borough Council is the Data Controller for the personal information you provide. We collect and hold information about you in order to process your application regarding your child's admission to school as the Local Authority and schools will need this information to ensure the application is assessed appropriately.

You can view the full privacy notice at www.halton.gov.uk/privacynotices

Details of Halton school admissions policies are given in the Halton Coordinated Admissions Scheme and in the Halton Primary and Secondary composite prospectuses, available online at www.halton.gov.uk/schooladmissions

I declare that all the information provided is true. I confirm that I have parental responsibility for this child. I understand that any school place offered on the basis of fraudulent or intentionally misleading information may be withdrawn. I confirm that I have read and understood the guidance notes contained within this document before submitting this application.

Signed:		Date:	
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PLEASE ENSURE YOU HAVE COMPLETED ALL RELEVANT SECTIONS OF THIS FORM

- Please ensure you return this form **DIRECTLY TO THE PREFERENCE SCHOOL**
- You will receive a written response from the school, usually within ten school days where possible
- If you cannot be offered a place, you will be advised of your right of appeal and how to access it.