

# Fair Access Protocol

2017-18

## SUMMARY

The purpose of Fair Access Protocols is to ensure that, outside the normal admissions round, unplaced children, especially the most vulnerable, are found and offered a place quickly, so that the amount of time any child is out of school is kept to the minimum. This is why every local authority is required to have in place a Fair Access Protocol, developed in partnership with local schools.

## START DATE

September 2017

## REVIEW DATE

September 2018

## RELATED LEGISLATION

- School Admissions and Appeals Codes, 2014
- School Standards and Framework Act, 1998
- Section 436A of the Education Act 1996 (as amended by section 4 of the Education and Inspection Act 2006)
- Section 19 of the Education Act 1996 (as amended by section 3 of the Children, Schools and Families Act 2010)
- The Education (Pupil Information) (England) Regulations 2005
- The Education (Pupil Registration) (England) Regulations 2006

## WHO DOES THE PROTOCOL APPLY TO?

- Islington Council
- Community Schools
- Foundation Schools
- Voluntary Aided Schools
- Academies
- Parents

## SCOPE

- Statutory categories of unplaced children with specified additional needs only.

## OPERATION

- The protocol will be administered by the Primary and Secondary Securing Education Boards.

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## LEGAL DUTIES AND RESPONSIBILITIES

### ➤ LOCAL AUTHORITIES

1. Local authorities have a legal duty to ensure all children of compulsory school age, regardless of their circumstances and needs, are in receipt of full-time suitable education provision (Section 19, Education Act 1996) unless reasons that relate to their medical condition mean that this would not be in their best interests (Section 3 of the Children, Schools and Families Act 2010).
2. Every local authority must have a Fair Access Protocol, agreed with the majority of its schools to ensure that outside the normal admissions round, unplaced children are allocated a suitable school place quickly (Paragraph 3.9 School Admissions Code 2014).
3. Fair Access Protocols must describe how the local authority will use provision to ensure that the needs of pupils who are not ready for mainstream schooling are met (Paragraph 3.9 School Admissions Code 2014).
4. 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 schools, or who have challenging behaviour (Paragraph 3.9 School Admissions Code 2014).

### ➤ SCHOOLS

5. All admission authorities must participate in the local authority's Fair Access Protocol which is binding on all schools and academies in the area (Paragraph 3.11 School Admissions Code 2014).
6. 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 (Paragraph 3.13 School Admissions Code 2014).
7. Admission authorities must tell the local authority within 7 days whether they are willing to admit a child allocated under the local authority's Fair Access Protocol arrangements (Paragraph 3.20 School Admissions Code 2012).
8. Where a governing body does not wish to admit a child with challenging behaviour outside the normal admissions round, even though there are places available, it must refer the case to the local authority for action under the Fair Access Protocol (Paragraph 3.12 School Admissions Code 2014).
9. There is a statutory requirement for educational records and common transfer files to be transferred to the new school no later than 15 school days after a pupil is removed from the school's roll (Regulation 9, The Education (Pupil Information) (England) Regulations 2005).
10. Pupils must not be removed from the school's roll until it is confirmed by the local authority that they have started at a new school (The Education (Pupil Registration) (England) Regulations 2006).

## ➤ PARENTS

11. Parents have a legal responsibility to ensure that all their children of compulsory school age are receiving a suitable education (Section 7, Education Act 1996).
12. It is expected that parents will work collaboratively with schools and the local authority to ensure the most suitable provision is identified for their child, sharing relevant information in order to secure good attendance and behaviour at the allocated provision.
13. Parents can express a preference for the schools they wish their child to be considered but if their child is allocated a place under the Fair Access Protocol, there is no duty to comply with parental preference (Paragraph 3.11, School Admissions Code 2014)

## PRINCIPLES IN ACHIEVING FAIR ACCESS

14. Islington's Fair Access Protocol is based on meeting the statutory requirements of the School Admissions Code and no longer includes the central coordination of managed moves for secondary-age pupils. With parental agreement, managed moves for secondary-age pupils are still available by private arrangement between individual head teachers or groups of schools. Managed moves for primary-aged pupils will continue to be centrally coordinated via the Primary Securing Education Board.
15. In line with mandatory requirements, Islington's Fair Access Protocol will only come into operation for unplaced children (i.e. children who are not on the roll of a school or being educated otherwise than at school).
16. Schools will work together collaboratively, sharing information honestly in order to secure the best possible outcome for children.
17. The local authority will ensure that no school is asked to admit a disproportionate number of unplaced children with challenging behaviour and will not expect a school automatically to take another child with challenging behaviour in the place of a child excluded from the school (Paragraph 3.14 School Admissions Code 2014).
18. Pupils will be allocated to both under and oversubscribed schools on a fair, equitable and consistent basis. Allocations will be overseen by an independent chair for the Secondary Securing Education Board and by head teacher representatives for the Primary Securing Education Board.
19. Oversubscribed schools can be asked to admit three additional pupils in each year group at Key Stages 3 and 4, and one additional pupil at Key Stage 2. Key Stage 1 is exempt however due to Infant Class Size legislation.
20. There is no duty to comply with parental preference when allocating places through the Fair Access Protocol but the wishes of parents are taken into account. A parent can

apply for a place as an in-year admission at any point and is entitled to an appeal when a place is not offered.

21. All partners will work together to ensure that Islington's Fair Access Protocol is not used as a means to circumvent the normal in-year admissions process.
22. It is expected that all parties will act with a sense of urgency to identify a school place for any child eligible for admission under Islington's Fair Access Protocol.
23. Schools and are expected to respond to requests for admission under Islington's Fair Access Protocol within 7 calendar days as required in law.

## SCOPE

24. Islington's Fair Access Protocol will only be applied in the case of **unplaced** children for whom one or more of the following statutory categories also applies:
  - a. children from the criminal justice system or Pupil Referral Units who need to be reintegrated into mainstream education;
  - b. children who have been out of 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;
  - f. children who are carers; and
  - g. children with special educational needs, disabilities or medical conditions (but without a statement).
25. All other children applying in-year will be admitted to the highest preferred school with a vacancy. This process will be administered directly by schools in line with Islington's agreed in-year protocol from September 2014. A copy of the protocol is attached as Appendix 3.
26. Children looked after and children with statements of special educational needs or Education, Health and Care plans must be admitted to the allocated/named school and do not form part of Fair Access admission arrangements as required by law (Paragraph 3.12 School Admissions Code 2014).
27. Criteria for each of the Fair Access categories listed above are attached as **Appendix 1**.

## OPERATION

28. All admissions made under Islington's Fair Access Protocol are administered via the Primary or Secondary Securing Education Boards. The Primary Securing Education Board will be chaired by a head teacher representative and the Secondary Securing Education Board by an Independent Chair.

29. A Pupil Summary, Risk Assessment and Strengths and Difficulties Questionnaire will be provided for children attending one of the New River College Pupil Referral Units (Primary, Secondary, Medical), and for those returning from the criminal justice system who need to be reintegrated into mainstream education to assist the Securing Education Boards in making a decision about whether mainstream schooling is a suitable option.
30. Allocations under Islington's Fair Access Protocol are made on a fair share basis to ensure no school is asked to admit a disproportionate number of pupils with challenging behaviour.
31. Where a governing body refers a case back to the local authority for consideration under Islington's Fair Access Protocol, the Securing Education Boards will take into account the needs of the child and those of the school in deciding whether the admission of an additional pupil would prejudice the provision of efficient education or the efficient use of resources, on a case by case basis.

## PROVISION FOR PUPILS NOT READY FOR MAINSTREAM

32. Fair Access Protocols 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 (Paragraph 3.9, School Admissions Code 2014).
33. In Islington, alternative provision, pupil referral units and on occasions individual tuition are all used to assess a pupil's readiness for a return to mainstream where there are concerns that the pupil's needs cannot be met in mainstream schooling or where there is insufficient evidence to allow the Securing Education Boards to make an informed decision on suitable provision.

## APPEALS AND DISPUTES

34. The allocation of a place in accordance with a Fair access Protocol does not override a parent's right of appeal against refusal of a place at any school for which they have applied (Paragraph 3.24 School Admissions Appeal Code, 2012).
35. Where a governing body refers a case back to the local authority for consideration under Islington's Fair Access Protocol, the Securing Education Boards will take into account the needs of the child and school in deciding whether the admission of an additional pupil would prejudice the provision of efficient education or the efficient use of resources, on a case by case basis.
36. If an application has been refused despite there being places available, the governing body must present their case for refusal, demonstrating how admission of the child would prejudice the provision of efficient education or efficient use of resources. This provision will normally only be appropriate where a school has a particularly high proportion of children with challenging behaviour or previously excluded children.

- 37 The governing body's case will first be considered by the appropriate Securing Education Board which will decide whether the local authority should support the school's case at admission appeal or direct the governing body to admit the pupil. In coming to a view, the Board will take into account the following contextual information:
- The child's needs and the school's curriculum offer;
  - The total number of pupils on roll and total pupil capacity;
  - Size of year groups;
  - The total number of pupils previously admitted via the Fair Access Protocol and the breakdown by year group;
  - The total number of pupils with identified SEN (statement, school action plus, school action);
  - The total number of pupils with a statement of SEN for behaviour, emotional & social difficulties and the breakdown by year group;
  - Average attendance across the school and by year group;
  - For mixed schools, how the proposed admission will impact on the gender balance in the relevant year group/class;
  - How all of the above compares with other Islington schools.
- 38 If the local authority agrees to support the governing body's refusal to admit the pupil, the parent will be offered the right of appeal.
- 39 In line with the School Admissions Code, the case will be considered by an independent appeal panel whose decision is binding on the school, local authority and parent.
- 40 When considering such an appeal, in addition to considering the appellant's arguments for their child to be admitted, the independent appeal panel must take account of the requirements set out in the local authority's Fair Access Protocol. The panel must carefully consider whether the presenting officer has clearly proven that admission of the child would be prejudicial to the school or other children (Paragraph 3.24 School Admissions Appeal Code, 2012).
- 41 In the case where a governing body does not wish to admit a child that has been allocated to the school under Islington's Fair Access Protocol, it **must** refer the case back to the local authority for review. In such cases, the application will be reconsidered by the appropriate Securing Education Board at the next available meeting.
- 42 Islington Council will put in place interim education provision from Day 20, for any child who is without a school place until a new school/provision is allocated.
- 43 Looked after children/previously looked after children and children with a statement of special educational needs **must** be admitted to the allocated/named school. The local authority will seek a direction from the Schools Adjudicator (maintained schools) or Secretary of State (Academies) if a school refuses to admit such pupils.



- 44 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.
- 45 The Director of Children's Services has ultimate responsibility for ensuring children are placed in appropriate provision and that schools comply with the terms of Islington's Fair Access Protocol.
- 46 Where the appropriate Securing Education Board decides to pursue admission to the allocated school the matter will be referred to the Director of Children's Services.
- 47 If it is agreed to seek a direction, the local authority must inform the governing body and head teacher of the school in writing via a 'minded to direct' letter.
- 48 The school has 15 days from the local authority's 'minded to direct' letter to appeal to the Schools Adjudicator whose decision is binding on all parties.
- 49 **Appendix 2** includes further details regarding these processes.

## ADDITIONAL RESOURCES

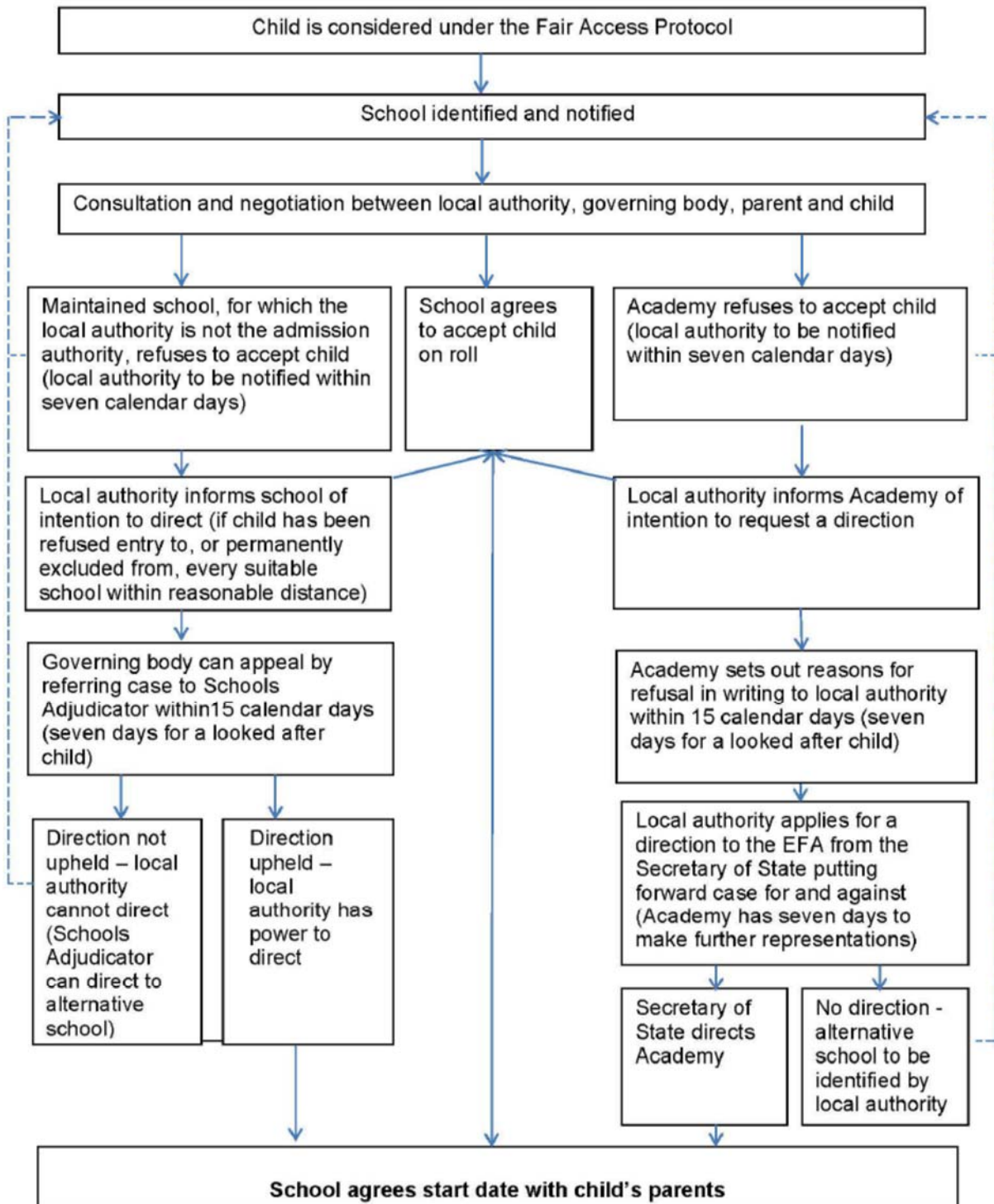
- 50 Schools are expected to use their funds for pupils with additional needs including their pupil premium allocation to support the needs of children admitted under Islington's Fair Access Protocol. In addition, Islington's Schools Forum has agreed to top slice school's budgets to create a 'funding pot' to support the integration of pupils admitted under the Fair Access Protocol (please see Appendix 1 for details).
- 51 Where an unplaced pupil is admitted by a school through the normal in-year process and the school considers the pupil should have been admitted under Islington's Fair Access Protocol, an application can be made to the Securing Education Board for **retrospective consideration**. Where the admission is agreed retrospectively, the pupil will count as a Fair Access admission, and the school will receive additional resources as outlined in Appendix 1 to support the pupil's placement at the school.

### FAIR ACCESS CRITERIA & SUPPORT

- Islington’s Fair Access Protocol will be applied to the admission of UNPLACED children with additional needs from one or more of the following categories.
- Only one bursary will follow the child (i.e. if more than one category applies, a single amount will be paid to the school) once the pupil is placed on the school’s roll

Fair Access Category	Criteria	Support available
A. Children from the criminal justice system or Pupil Referral Units who need to be reintegrated into mainstream education	<ul style="list-style-type: none"> <li>• Evidence of release date and name of YOI</li> <li>• Evidence that pupil is/was on the roll of a PRU and date of last attendance</li> <li>• Supporting evidence of the pupil’s mainstream readiness</li> </ul>	<ul style="list-style-type: none"> <li>• £3,000</li> <li>• 6 week PRU reintegration package or YOS support</li> <li>• Dual registration during 6 week period</li> </ul>
B. Children who have been out of education for two months or more	<ul style="list-style-type: none"> <li>• Evidence that the pupil is not on roll at any school (or registered as EHE), and where applicable, date of last attendance of previous school</li> </ul>	<ul style="list-style-type: none"> <li>• £1,000</li> <li>• Early Help Support Service</li> </ul>
C. Children of Gypsies, Roma, Travellers, refugees and asylum seekers	<ul style="list-style-type: none"> <li>• Home Office documentation or supporting letter from Children’s Social Care or community support organisation</li> </ul>	<ul style="list-style-type: none"> <li>• £1,000</li> </ul>
D. Children who are homeless	<ul style="list-style-type: none"> <li>• Assessment and decision from Housing or CSC</li> </ul>	<ul style="list-style-type: none"> <li>• £1,000</li> <li>• Early Help Support Service or Children’s Social Care</li> </ul>
E. Children with unsupportive family backgrounds for whom a place has not been sought	<ul style="list-style-type: none"> <li>• Known to Children’s Social Care as a Child in Need</li> <li>• School Attendance Order (AES)</li> </ul>	<ul style="list-style-type: none"> <li>• £1,000</li> <li>• CSC</li> <li>• Access and Engagement Service</li> </ul>
F. Children who are carers	<ul style="list-style-type: none"> <li>• Supporting letter from health or social care professional</li> <li>• CAF evidence of parent involved with treatment services- child/young person attending young person carers’ group/s</li> </ul>	<ul style="list-style-type: none"> <li>• £1,000</li> <li>• Early Help Support Service or Children’s Social Care</li> <li>• CYP carer’s groups</li> </ul>
G. Children with special educational needs, disabilities or medical conditions (but without a statement)	<ul style="list-style-type: none"> <li>• Evidence of medical or mental health diagnosis and/or disability</li> </ul>	<ul style="list-style-type: none"> <li>• £1,000</li> <li>• CAMHS</li> <li>• Early Help Support Service or Children’s Social Care</li> </ul>

Directions flow chart (overview of process)



\* Note: A community or voluntary controlled school cannot refuse to admit a pupil if requested by its own admissions authority.

## The process for requesting that the Secretary of State direct an Academy to admit a child



### INFORMATION REQUIRED BY EDUCATION FUNDING AGENCY TO CONSIDER A REQUEST TO DIRECT ADMISSION TO AN ACADEMY

#### The process for requesting that the Secretary of State direct an Academy to admit a child

- Local authorities and Academies are expected to reach agreement between themselves rather than the LA needing to request the Secretary of State to direct an Academy to admit a child.
- Where local resolution cannot be found, it is the responsibility of the local authority and the Academy to document the case for and against admission.
- When reviewing an Academy direction case the Education Funding Agency will act on behalf of the Secretary of State in considering whether due process has been followed in applying the provisions of the Fair Access Protocol.
- In requesting a direction from the Secretary of State, the local authority must provide evidence that the provisions of the Fair Access Protocol have been applied in a fair and appropriate manner. It must set out the Academy's reasons for refusal and the local authority's response.
- The local authority should make a request for a direction by the Secretary of State to the Education Funding Agency using this template. On receipt of a request to direct, the Education Funding Agency will inform the Academy that it has received a request for a direction. The letter will ask the Academy to provide any evidence in addition to that which has already been supplied to the EFA that the process has not been properly applied. The Academy will have seven calendar days to respond.
- Where the Secretary of State is asked to consider a direction he will make a decision on the basis of the papers provided, taking into account:
  - whether the local Fair Access Protocol has been applied appropriately;
  - the arguments of the Academy and local authority, whether the local authority has considered the arguments for refusal and why it still considers the Academy to be the appropriate place for the child;
  - whether the Academy has been asked to accept a disproportionate number of children under the Fair Access Protocol compared to other local schools.

## Section A – Background Information

Child's full name, date of birth and local authority they are resident in:

Name:

D.o.B.:

Academy the direction is being sought for:

Year group the child is to be admitted to:

Name and address of previous school (where appropriate):

Name:

Address:

Reason(s) for leaving school (e.g. permanent exclusion, family moved):

Length of time out of education (include relevant dates):

Details of alternative education currently being received:

## Section B – Process Followed

Is this a request for a Secretary of State direction following the conclusion of the local Fair Access Protocol? (Y/N):

Is the child being placed outside the normal admission round? (Y/N):

Has the Academy been consulted as set out in “Fair Access Protocols – Principles and Process” document? (Y/N)

<http://www.education.gov.uk/schools/adminandfinance/schooladmissions>

Please confirm that the child is not on the roll of any school:

Please confirm that the Fair Access Protocol has been applied fully:

Please attach or provide in the box below a statement explaining the process followed in allocating this child a place under the Fair Access Protocol, including:

- the reason for using the Fair Access Protocol;
- the reasons the Academy has given for refusing admission; and
- the Local Authority’s response to these reasons:

## Section C – Challenging Children

If the child is being placed under the Fair Access Protocol because they are defined as challenging please explain why and how this aligns with the definition of challenging children in the local Fair Access Protocol? (If the child is not defined as challenging please go to section D.)

**Please attach or provide in the box below the definition of challenging children in the FAP**

Has the child been excluded from or refused admission to all schools within a reasonable distance?

Does the Academy have on roll a high proportion of challenging pupils or previously excluded pupils (in comparison to other local schools)

Is the local authority satisfied the child is suitable for mainstream education?

If applicable, what re-integration package has been offered to the pupil/ Academy?

## Section D – Contextual information

To help us deal with your request quickly, please:

- complete this form including Table A on the next page;
- attach all correspondence with the Academy about placing the child. This should include responses from the Academy;
- include a copy of the locally agreed Fair Access Protocol;
- provide a copy of the local authority’s intention to direct notice; and
- include a map of the local area that shows the location of the child’s home and any schools referred to in this template and related correspondence.

### **Table A: Home to school distance and operation of the In-year Fair Access Protocol**

Please list in order:

- (a) Academy named in the direction
- (b) other alternative schools within a reasonable distance
- (c) nearest school beyond a reasonable distance.

Please include a map of the local area including both the home and any schools referred to.

Name of school	Distance from home	Is public transport available (Y/N)	Why does the local authority consider the school to be within a reasonable distance	Current published admission number	Original admission number for year group in question	Number of in year Fair Access Admissions for current Academic Year for the school	Number of in year Fair Access Admissions for previous 2 Academic Years for the school	Total number of in year Fair Access Admissions for the school	Number of in year Fair Access admissions for current Academic year for the year group in question	Number of in year Fair Access admissions for previous 2 Academic years for the year group in question	Total number of in year Fair Access Admissions for year group in question

Please send completed forms and attachments to [academyquestions@efa.education.gov.uk](mailto:academyquestions@efa.education.gov.uk) under the title – Request for a Secretary of State direction.



# APPEAL PROCESS WHERE AUTHORITY HAS DIRECTED ADMISSION TO A MAINTAINED SCHOOL

## Schools adjudicators

Schools adjudicators' main functions are:

- to resolve disputes where there is local disagreement on statutory proposals for school reorganisation or on the transfer and disposal of non playing field land and assets,
- to decide on competitions for new schools where the local authority has entered the competition with its own proposal,
- to determine objections to school admission arrangements and appeals from schools against a direction from the local authority to admit a particular pupil,
- to investigate school admission arrangements which are brought to the adjudicator's attention by any other means, and
- to decide on requests to vary determined admissions arrangements

*This leaflet is about referring a case to the adjudicator where a local authority has notified a school that it intends to direct the school to admit a specific child.*

## How to make a referral

Local authorities have the power to direct the admission authority of a school to admit a child:

- where that child has been refused entry to or has been excluded from every suitable school within a reasonable distance, or
- where a child is a Looked After Child (i.e. in public care).

Once the Local Authority (LA) has directed a school (under Section 96 of the School Standards and Framework Act 1998) to admit a pupil, the admission authority of the school can appeal by referring

the case to the adjudicator, within 15\* days for cases falling under a), or within 7\* days for cases falling under b). \* This is actual days, not working days (i.e. it includes weekends and school holidays).

To refer the case the admission authority must write to the Office of the Schools Adjudicator with reasons why it feels the direction should not be approved (enclosing a copy of the LA's notice to direct and any other relevant information

In the case of b) an appeal can be made only on the grounds that "the admission of the child to the school would seriously prejudice the provision of efficient education or the efficient use of resources".

## What Happens Next

The office will pass the referral to an adjudicator.

The LA making the direction will be asked for its comments and certain basic information, by completing a form. You may then be asked for further information. All information received is copied to the other relevant parties in the case for comment, i.e. the school(s), LA, and Diocese if it's a religious school.

As these cases involve a child out of education, we will aim to make a decision as quickly as possible. The decision will be either to approve the direction, or not to approve the direction, or to specify that the child should be admitted to an alternative school. If the adjudicator decides that the child should be admitted to an alternative school, he/she will first consult with that school and the LA for that school (if different from the LA who made the original direction).

## Announcing the decision

We will contact you by telephone before the decision is to be issued to let you know the date of issue and when to expect your emailed copy.

The relevant parties in the case will all receive a copy of the decision at the same time as each other.

Decisions on direction cases are not put on our website.

## Challenging the decision

The adjudicator's decision is final and must be implemented immediately. It can be challenged only by application to the high court for judicial review. An application must be made within 3 months of the decision date. You should seek advice from a solicitor before considering this action.

If you are concerned about the procedures used, you may make a complaint through your MP to the Parliamentary Commissioner (Ombudsman).

## Special Educational Needs

Where a statement of special educational needs names a particular school that school **MUST** admit the pupil even if it is full. The governing body cannot refuse to take the pupil. If the governing body does not comply with the statement the LA can ask the Secretary of State to direct the school to take the child. Further information can be obtained from the Department for Education SEN team on 01325 392271.

## Useful contacts

The Department for Education can help you with:

- general advice on directions
- ensuring admission authorities act in accordance with the adjudicators' decision.

You should contact:

The Fair Access Team  
Department for Education  
Sanctuary Buildings  
Great Smith Street  
London SW1P 3BT  
T 08700002288

## Comments

If you would like to comment on the service you receive, or can suggest any improvements, please write to us.

### In-Year Admission Protocols for Islington Schools: 2017-18

<b>GLOSSARY</b>
<b>Admission Authority:</b> The body responsible for setting and applying a school's admission arrangements. For community schools, the local authority is the admission authority; and for foundation or voluntary aided schools, the governing body of the school is the admission authority. For Academies and Free Schools the Funding Agreement states who is responsible for applying admission arrangements which can only be set or altered with the prior agreement of the Secretary of State.
<b>Home Local Authority (HLA):</b> The authority area in which the child lives.
<b>Maintaining Local Authority (MLA):</b> The authority area in which the school is located.

#### ➤ **PRINCIPLES**

1. The aim of these protocols is to establish a fair, clear and simple process for Islington parents wishing to apply for a place at an Islington school.
2. The protocols have also been designed to safeguard children from 'slipping through the net' and being left without a school place.
3. To this end there will be a single process for admission to any school in Islington, including community, academy and voluntary-aided schools.
4. The administrative responsibility for processing in-year applications has been delegated to schools. For community schools however, the local authority remains the admission authority and retains overall responsibility for the allocation of school places.
5. Schools will work in partnership with Islington LA both in its capacity as HLA and MLA to safeguard children and to ensure a fair, clear and simple process for Islington parents.

#### ➤ **APPLICATIONS**

6. Applications for all Islington schools, from children resident in Islington will be made on Islington's online In-Year School Admissions Application Form. This will include all the fields and information specified in Schedule E which has been previously agreed by all PAN London Authorities and is compliant with the School Admissions Code.
7. The In-Year School Admissions Application Form will be available as an online application form at: [www.islington.gov.uk/admissions](http://www.islington.gov.uk/admissions). Alternatively, a paper form can be requested from the Islington School Admissions Team by telephone on 020 7527 5515 or in person at the Council Offices at 222 Upper St, N1 1XR.
8. As Islington schools will be responsible for making offers and holding waiting lists, an individual application must be made to each preferred school so that preference order is not disclosed.
9. Parents can apply to any school in Islington and there is no limit on the number of preferences.
10. Islington schools will forward applications for children living elsewhere in England to Islington MLA who will liaise with the child's HLA and share the outcome of the application.
11. Islington LA will allow parents to submit an online enquiry via email to express an interest in applying for an In-Year school place.
12. Own admission authorities within Islington will only use supplementary forms where the information available through the School Admissions Application Form is insufficient for consideration of the application against their published oversubscription criteria.

13. Supplementary forms will be available from the Islington school concerned, on Islington's website and from the Islington School Admissions Team.
14. Any supplementary forms must advise parents that they must also complete their HLA's School Admissions Application Form. Islington's online composite admission brochures and website will indicate which Islington schools require supplementary forms to be completed and where they can be obtained.
15. Where an admission authority in Islington receives a supplementary form, it will consider it to be a valid application, and the parent will also be asked to complete their HLA's School Admissions Application Form.
16. Where there is no waiting list and only the HLA's Application Form is received, Islington schools MUST admit the child. If there is a waiting list, a supplementary form should be completed where relevant in order for the application to be ranked correctly.
17. Any Islington school that operates a banding system that requires testing to take place must ensure appropriate arrangements are made for this to happen in a timely manner.
18. Islington MLA will accept any preference received from a HLA for a maintained school or Academy in Islington.
19. On request from an Islington school, Islington LA will undertake to carry out address verification and measuring of home to school distances. This service will be provided at no additional cost to Islington community and voluntary-aided schools. However, there will be a charge to Academies.
20. Where Islington HLA is not satisfied as to the validity of an address of an applicant whose preference has been sent to a MLA, it will advise the MLA as soon as it becomes apparent.
21. On request, Islington HLA will check the status of any applicant who is a 'Looked After' child or who has been adopted (or made subject to a child arrangement order or special guardianship order) immediately after being looked after, and provide evidence to the MLA in respect of a preference for a school not in Islington MLA as soon as it is received.

➤ **PROCESSING**

22. Applicants with children resident in Islington must complete and return Islington's online In-Year School Admissions Application Form, a copy of which is sent directly to the preferred Islington school and School Admissions Team.
23. Islington schools will be responsible for ranking and decision-making in relation to which child is to be offered a place in accordance with their published admission criteria.
24. Islington schools will also be responsible for maintaining their waiting lists in admission criteria order.
25. Continuity in a child's education is of significant importance. Islington's head teachers are committed to working in partnership with each other and Islington LA to minimise disruption to a child's education through changing schools mid-year, unless it is in the child's best interest to do so.
26. Where an application is received from a child who attends another Islington school, the head teacher of the preferred Islington school will inform the current Islington school of the application. This will provide the current Islington school with the opportunity to discuss with the parent their reasons for wishing to change schools.
27. Schools must notify the MLA of any completed In-Year School Admissions Application Form, and inform the HLA of which children are to be offered a school place and similarly which children are not to be offered a school place. This is an important safeguarding process to ensure no child is left without a school place. Islington schools will provide Islington LA with a copy of the application form to enable the HLA to verify the address and calculate distances where requested as detailed above.

28. Islington schools will send out their own offer (Schedule F) or no offer letter (Schedule G) and provide Islington LA with a copy.
29. Where an Islington school informs Islington LA that they are unable to offer a place, parents will be informed of their right of appeal and which Islington schools have suitable vacancies.
30. Islington schools must keep SIMS up to date as vacancy information will be based on this data. On request from Islington MLA, schools will provide vacancy numbers. This will ensure Islington MLA maintains an overview of pupil numbers and vacancies across the borough so that any unplaced children can be allocated a suitable school place quickly.
31. Islington schools not transferring their data directly to Islington LA via the 'B2B' link will provide vacancy information as requested by Islington MLA.
32. Applications from children resident outside Islington will be processed in accordance with the Home LA's arrangements.
33. Similarly, Islington residents wishing to apply for a school in another MLA will be advised of how to do so. Islington HLA will work with other London authorities to ensure these pupils are tracked from receipt of the application to the offer of a school place.
34. Where it is not possible to offer an Islington resident one of their preferred schools, Islington LA will allocate a suitable Islington school place within 20 school days of being notified of the 'no offer'. Applicants will also be advised of their right of appeal.

➤ **OFFERS**

35. Islington schools will send out their own offer (Schedule F) or no offer letter (Schedule G) using the templates provided as a guide and provide Islington LA with a copy.
36. Islington MLA will aim to share the outcome of an application for one of its schools with the HLA within 10 school days of receiving the data. Where it is clear to Islington that no vacancy exists for the child, Islington MLA will inform the HLA as soon as possible after receipt of the application data. If it has not been possible to make a decision within 10 school days, Islington MLA will undertake to send details of the outcome of an application for one of its schools to the HLA as soon as a decision is made, but within 20 school days of receiving the application data.
37. Where it has not been possible to share the outcome of an application for an Islington school within 10 working days of receiving the data, Islington MLA understands that the HLA may send an outcome letter advising the parent that a decision has not yet been made in respect of an Islington school.
38. Where Islington HLA has not received an outcome for a school within another MLA, Islington as HLA, will case manage that application to ensure that no unplaced child is left without a school place.
39. Where a parent moves from one HLA to another after submitting an application, the previous HLA will pass responsibility to the new HLA which, once it is satisfied that the applicant has moved into its area, will accept responsibility for that applicant.

➤ **POST OFFER**

40. Islington schools/HLA will request that resident parent/s accept or decline the offer of a place within two weeks.
41. Where a parent does not respond within this timeframe and the application is for an out of borough school, schools (or Islington HLA) will make every reasonable effort to contact the parent directly or via the MLA.
42. Only where the parent fails to respond and schools (or Islington HLA) can demonstrate that every reasonable effort has been made to contact the parent, will the offer of a place be withdrawn.
43. Where a parent resident in Islington accepts or declines a place in a school maintained by another LA, Islington HLA will forward the information to the MLA as soon as it is received.

44. For school to school transfers between Islington schools that do not require a house move, or where there is no need for an immediate move, Islington schools will be able to defer admission to the next half term if both head teachers agree that this is in the child's best interest.
45. Islington MLA will aim to inform the HLA whether a child offered a place at a school in its area has been placed on roll at the school within 5 working days of being placed on roll.
46. Islington MLA will notify the HLA of any appeals that are upheld for Islington schools.

➤ **WAITING LISTS**

47. Islington schools will hold waiting lists in the published criteria order and provide a copy for the Islington MLA.
48. Where a place is available to be offered from the waiting list to a child resident in another LA, schools will make the offer and inform Islington MLA who will liaise with the HLA.
49. Where Islington HLA is informed that another MLA is able to offer a place from the waiting list to one of its residents, it will track the pupil from offer to admission.
50. Children will remain on the waiting list of Islington schools for the academic year in which the application is made unless parents contact the school to extend this further.

➤ **TIMING OF ADMISSION**

51. For school to school transfers from one Islington school to another that do not necessitate a house move or an immediate start at a new school (as agreed by both head teachers), admission can be deferred to the start of the next half term as follows:

**SCHOOL TO SCHOOL TRANSFERS BETWEEN ISLINGTON SCHOOLS NOT REQUIRING A HOUSE MOVE OR IMMEDIATE START**

Application date	Admission date
June-August	Start of the Autumn Term
September-October	First week after October Half Term
November-December	Start of the Spring Term
January-February	First week after February Half Term
March-April	Start of Summer Term
May	First week after May Half Term

52. When a child leaves an Islington school, schools should ensure they follow Islington's procedures for removing pupils safely from roll, including updating SIMS with the named destination and completing the LA Off-rolling Notification or Missing Pupil alert as appropriate. For further information please email [in-year@admissions.gov.uk](mailto:in-year@admissions.gov.uk).

➤ **FAIR ACCESS ADMISSIONS**

53. Islington residents deemed to have challenging behaviour will be admitted to an Islington school under Islington's Fair Access Protocol by the Primary and Secondary Securing Education Boards which meet approximately once a month.
54. The Securing Education Boards determine whether pupils should be admitted under Islington's Fair Access Protocol and which schools should be allocated.
55. All schools and academies must take part.
56. Schools are allocated on a 'fair share' basis to ensure equity across all Islington schools and academies and not just those with vacancies.
57. Where possible parental preference is accorded but cannot always be guaranteed.

58. Schools allocated pupils under the Fair Access Protocol may, in some circumstances be provided with additional resources to support the pupils' reintegration.
59. Admissions will be scrutinised by the Islington School Admissions Forum to ensure the Fair Access Protocol is being applied equitably.
60. Where schools are approached for a place and believe the application should be considered under Islington's Fair Access arrangements, the case should be referred to the Senior Officer, Children Out of School without delay to ensure the child does not go missing from the system.

➤ **CHILDREN OF UK SERVICE PERSONNEL (UK ARMED FORCES)**

61. For families of service personnel with a confirmed posting in Islington LA, or crown servants returning from overseas to live in Islington LA, we will:
  - allocate a place in advance of the family arriving in Islington provided the application is accompanied by an official letter that declares a relocation date and a Unit postal address or quartering area address;
  - describe Islington's arrangements for the admission of children of UK Service Personnel in our composite admissions brochures;
  - ensure our arrangements do not disadvantage service children through an annual review of existing procedures.
62. Applications will be processed in line with Islington's school admissions procedures as described above.
63. Where possible, a place will be offered at the applicant's highest preferred school as listed on the application form.
64. Where it is not possible to offer a place at one of the preferred schools, a place will be allocated at the child's nearest Islington community school with a vacancy and the family offered the right of appeal.
65. The allocated place will be held open for a period of up to two school terms in advance of the family's move to the UK. This may be extended in individual circumstances.
66. The child will be placed on the waiting list for any higher preference school than the one offered as described above

## Appendix 4: Request for Retrospective Agreement (Fair Access Protocol)

### RETROSPECTIVE FAIR ACCESS ADMISSIONS CHECKLIST

The Securing Education Board will consider whether **within a term** of the pupil being admitted, the level of behaviour difficulties indicates that the pupil should have been admitted under the Fair Access Protocol. Please provide as much detail as possible.

<b>Section A: Request Type</b> <i>(Please select one of the following)</i>						
<b>Fair Access Funding</b> (£1,000)	<b>Fair Access Recognition</b> (Tally of admissions)			<b>Both</b>		
<b>Section B: Basic Details</b>						
<b>Pupil Name:</b>	<b>DoB:</b>	<b>Male / Female</b>	<b>Ethnicity:</b>	<b>Year Group:</b>		
<b>Address:</b>		<b>Parent Name and Tel Contact:</b>				
<b>School History:</b> <i>(Primary and Secondary if appropriate)</i>						
<b>Date Admitted to Current School:</b>						
<b>Background:</b>						
<b>Section C: Agency Involvement</b> <i>(Please select YES or NO for each agency)</i>						
<b>Does the pupil have a CAF? YES/NO</b>						
<b>NRC Outreach</b>	<b>EPS</b>	<b>CAMHS</b>	<b>YOS</b>	<b>CSC</b>	<b>Families First</b>	<b>IFIT</b>
YES/NO	YES/NO	YES/NO	YES/NO	YES/NO	YES/NO	YES/NO
<b>Section D: SEN</b> <i>(Please select YES or NO)</i>						
<b>Does the pupil have SEN? YES/NO</b> <i>(Please specify)</i>						
<b>Learning and cognition</b> YES/NO			<b>Physical and sensory</b> YES/NO			
<b>Social, emotional and mental health</b> YES/NO			<b>Communication and language (including ASD)</b> YES/NO			

How are these needs being supported? <a href="#">SEN Support/Statement/ EHCP</a>			
<b>Section E: Evidence of frequency, nature and severity of behaviour</b>			
<b>Section F: Evidence of interventions and outcomes</b>			
<b>Intervention</b>	<b>Start Date</b>	<b>End Date</b>	<b>Outcome</b>
<b>Office Use Only</b>			
<b>Section G: Outcome of discussion at Securing Education Board -----/-----/-----</b>			
<b>Agreed</b>		<b>Not Agreed</b>	
<b>Reason/s</b>			
<b>Date</b>			