

In Year Admissions Protocols and Procedures for Secondary Schools and Academies

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Section 1: Standard In-Year Admissions Procedure

School Admissions Code (2021)

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/989176/School_admission_code_2021_slip.pdf

The Code imposes mandatory requirements and includes guidelines setting out aims, objectives and other matters in relation to the discharge of functions relating to admissions by the bodies listed below:

- a) **Admission authorities of maintained schools** as defined in Section 88(1) (a) and (b) of the SSFA 19982
- b) **Governing bodies and local authorities (when not admission authorities)**
- c) **Schools Adjudicators**
- d) **Admission Appeal Panels.**

These bodies have a statutory duty to act in accordance with the relevant provisions of the Code.

Academies are their own admissions authority and must meet all the mandatory provisions of the [School Admissions Code](#) except where variations have been written into their funding agreement to support fair access.

This procedure for standard in-year admissions has been agreed in partnership between the Local Authority and Secondary Head teachers/Principals. There is a real commitment to ensure that all children from 11 to 16 years of age within Salford are placed appropriately to ensure they have a positive educational experience. There is also a clear understanding that, in order for this procedure to work successfully, there must be a clear strategic and operational lead from the Local Authority which will be supported by Head teachers/Principals.

1. PURPOSE OF THE PROCEDURE

- 1.1 This procedure is designed to support the facilitation of the placement of young people who are seeking a school place in Salford. It is intended to cover pupils for whom in-year applications are a straightforward procedure and will be considered through the co-ordinated in-year admission arrangements.

Please note that Cared for Children must be given priority access.

2. AIMS OF THE PROCEDURE

- 2.1 This scheme is designed to:
 - Reduce the time that pupils spend out of education provision.
 - Be equitable, transparent and have the confidence and involvement of all secondary provision.

3. FOR REPORTING PURPOSES, STANDARD APPLICATIONS ARE CATEGORISED AS FOLLOWS:

Applications new to the country	NEW
Applications moving from another authority	OOA
Applications between Salford schools/academies	INY
School concern referrals (PIP and Canterbury Centre)	SC
Applications from children on Elective Home Education	EHE
Applications from Children Missing Education	CME
Appeals lodged for a school place (in year)	APP

4. MANAGEMENT OF THE PROCEDURE

- 4.1 The procedure will be managed and led by the LA's School Admissions Manager.
- 4.2 The Local Authority will work in close partnership with secondary providers and Academy Trusts to ensure there is transparency within the system.
- 4.3 The Admissions Team will follow the Admissions Code at all times.

5. MAIN PRINCIPLES

- 5.1 This procedure applies to all maintained secondary schools, community aided and academies. All schools will work collaboratively regardless of the type of school.
- 5.2 Schools will admit pupils who apply for an available place, under normal admission arrangements.
- 5.3 Schools **must not** refuse to admit a child thought to be potentially disruptive or likely to exhibit challenging behaviour on the grounds that the child is first to be assessed for special educational needs (School Admissions Code, 2021).
- 5.4 Due consideration will be given as to the appropriateness of placing children in a school, academy or other setting which is either in need of LA intervention or is in an Ofsted category following inspection.
- 5.5 Wherever possible, pupils with a religious affiliation will be matched to a suitable school, but this will not override the procedure.
- 5.6 Siblings of pupils will aim to be allocated a place in the same school and such applications will be considered under the co-ordinated in-year admission arrangements.

Schools **cannot** withhold admission on the basis of additional information being provided as outlined in the School Admission Code 1.9

'admission authorities **must not** take account of reports from previous schools about children's past behaviour, attendance, attitude or achievement, or that of any other children in the family.' (School Admissions Code, 2021)

6. PROCESS

- 6.1 On receipt of all in year applications the Admissions Team will identify under which category the application will be processed based on the information given.
- 6.2 The initial contact between the LA and a school regarding all applications will be via email through the School Admissions Team.
- 6.3 Parental preference will be considered based on available places.
- 6.4 **The LA has 10 school days in which to allocate a school.**
- 6.5 **The school must respond to the request within 5 school days, and if the school is accepting the child, they must admit them and place them on roll within a maximum of 10 days after acceptance.**

6.5.1 **NEW, OOA and CME (children who have not got a school place at the time of application)**

- The first preference school is sent a request.
- The school considers the application and responds to the request within 5 school days
- Either
 - Admission arrangements are made, and the pupil will be placed on roll within 10 school days from allocation; or
 - The school refuses on the grounds that there are no places available. NB This reason cannot be given for Cared for Children.
- If the first preference school replies to indicate that they are full, then the request is sent to the remaining schools, or if no other preferences are indicated, then the request to the nearest school which has places available. In each case, the schools have 5 school days to respond.
- If there are no places available, then the child will be classed as 'OUT' (out of education) under the IYFA categories and dealt with via the IYFAP process.
- NB – parents will retain the right to apply any refusals.

6.5.2 **INY**

- This is where a child already has a school place and applies for another school place in Salford.
- The first preference school is sent a request.
- The school considers the application and responds to the request within 5 school days
- Either
 - Admission arrangements are made, and the pupil will be placed on roll within 10 school days from allocation; or
 - The school refuses on the grounds that there are no places available. NB This reason cannot be given for Cared for Children.
- If the first preference school replies to indicate that they are full, then the request is sent to the remaining preference schools and each school has 5 school days to respond.
- If a school is able to offer a place, an offer letter is issued to parents and the child must be placed on roll within 10 days.
- If no schools can offer a place due to capacity, the parents are informed of the decision and offered the right to appeal.

6.5.3 **EHE**

- Children returning from EHE, where the parent now wishes for their child to cease EHE, are dealt with via the normal INY processes.
- Headteachers have agreed locally that initially pupils returning from recent EHE should return to the roll of their previous school. **NB This is a local informal agreement and can always be over ruled by parental preference.**
- Other than over rule by parents, the exceptions to this would include where the child has been on EHE for a significant period of time (one year or more), or where there are particularly strong reasons for the child not to return to their previous school.

- The application will be sent to the previous school for consideration, along with any details from the parent about the reason for return to mainstream education.
- The previous school will be expected to accommodate the child over PAN if necessary.
- Either:
 - Admission arrangements are made, and the pupil will be placed on roll within 10 school days, or
 - The school refuses giving valid reasons, as outlined above and the case will be heard at IYFAP.
- Parents will be informed of the allocation.

Where the LA deems EHE inappropriate, then CME procedures will apply and therefore the child would be placed under IYFA under the category of OUT (not receiving education).

6.5.4 **SC (PIP/Canterbury)**

- PRU/PHRU referrals are sent to school.admissions@salford.gov.uk by Wednesday of the week before panel.
- The Complex Case Officer considers the referral based on the supporting information given. Where insufficient evidence is submitted the referral will be returned to the referrer.
- The Complex Case Officer may direct the referral to the PRU/PHRU for advice
- The referral form is sent to the appropriate provider for consideration.
- The provider considers the referral and responds to the Complex Case Officer
- Either:
 - The referral accepted and pupil goes on main/dual roll as appropriate within 10 school days; or
 - The referral is refused giving valid reasons.

6.6.1 Parents **should** receive notification of the allocated school place within 10 school days, but **must** receive notification within 15 school days in accordance with section 2.30 of the School Admissions Code (2021).

7. **CHALLENGING BEHAVIOUR**

- 7.1 Where a child has been permanently excluded from two or more schools there is no need for an admission authority to comply with parental preference for a period of two or more years from the last exclusion (see 3.8 of the School Admissions Code (2021) for exceptions to this)
- 7.2 Where an admission authority receives an in-year application for a year group that is not the normal point of entry, and it does not wish to admit the child because it has good reason to believe that the child may display challenging behaviour as specifically outlined in the Schools Admissions Code¹, it may refuse admission² and refer the child to the In-year Fair Access

¹ The School Admissions Code defines challenging behaviour as: “behaviour [that] can be described as challenging where it would be unlikely to be responsive to the usual range of interventions to help prevent and address pupil misbehaviour or it is of such severity, frequency, or duration that it is beyond the normal range that schools can tolerate. We would expect this behaviour to significantly interfere with the pupil's/other pupils' education or jeopardise the right of staff and pupils to a safe and orderly environment.”

² A child with challenging behaviour may also be disabled as defined in the Equality Act 2010. When considering refusing admission on these grounds, admission authorities must consider their duties under that Act. Admission authorities should also consider the effect of the decision of the Upper Tribunal in C & C v The Governing Body of a School, The Secretary of State for

Protocol. This should **only** apply where a school has a particularly high proportion of either children with challenging behaviour or previously excluded pupils on roll compared to other local schools and it considers that admitting another child with challenging behaviour would be prejudice the provision of efficient education or the efficient use of resources. The LA requires a clear explanation and justification for refusal.

8. YEAR 7 APPLICATIONS

- 8.1 Year 7 applications will be considered alongside any waiting lists held for a school until 31st December, due to most schools having waiting lists until this date, this does not apply to a pupil classed as IYFA or Cared For. These pupils can take precedence over those on a waiting list. From 1st January, waiting lists cease and all applications fall within the in-year and IYFA processes.

9. DUAL REGISTRATION e.g., Off-Site Directions/Canterbury Centre/PIP

- 9.1 The home School registers the pupil as Main Dual and the host school registers the pupil as Dual Subsidiary. The host school must mark the register with the appropriate attendance or absence code. Monitoring and managing attendance and Safeguarding is the responsibility of the host school in accordance with their policies, but this must be done in close conjunction with the home school.

10. LOOKED AFTER CHILDREN AND PREVIOUSLY LOOKED AFTER CHILDREN

- 10.1 In Salford, we refer to our looked after Children as 'Cared For Children' (CFC)
- 10.2 In accordance with the Education (Admission on Looked After Children) Regulations 2009, all admission authorities must give the highest priority in their oversubscription criteria to CFC, although there is some flexibility with faith-based schools. Local Authorities (LAs) may direct other admission authorities for any maintained school to admit a child in their care.
- 10.3 It is acknowledged that there is a need to place CFC in a school as quickly as is reasonably possible. Involvement of carers, social worker and the Virtual School team is imperative in identifying the most appropriate school and in establishing any required support to aid the transition and induction process. The LA will inform the Virtual School team and social care of all CFC in year applications.
- 10.4 *Cared for Children may be admitted above a school's published admission number if it is felt to be in the best interest of the child.***

11. CHILDREN WITH AN EHCP

- 11.1 Children with an Education, Health and Care Plan (EHCP) are outside the remit of this protocol as they are placed in accordance with the SEN Code of Practice. All applications received that fall within this category will be directed to the SEN team of the appropriate local authority.

Education (First Interested Party) and The National Autistic Society (Second Interested Party) (SEN) [2018] UKUT 269 (AAC) about the implications of the Equality Act 2010 when a pupil exhibits a tendency to physical abuse of other persons as a consequence of a disability.

In-Year Fair Access Protocol

Fair Access Protocols should not be used as a means to circumvent the normal in-year admissions process. 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.

1. PURPOSE OF THE PROTOCOL

- 1.1 This protocol is intended to apply to **unplaced and vulnerable children**, and those who are having difficulty securing a school place in-year, to ensure they are allocated school place as quickly as possible.
- 1.2 Children will also be considered to be unplaced where they do not have a school place within a reasonable distance (3 miles walking distance)

2. AIMS OF THE PROTOCOL

- 2.1 This scheme is designed to:
 - Acknowledge the real need of vulnerable and challenging young people to be dealt with quickly and effectively.
 - Take into account the needs of the pupils.
 - Reduce the time that these pupils spend out of school.
 - Ensure that schools admit pupils with challenging and diverse needs on an equitable basis and do not unlawfully refused to admit a child.
 - Eliminate the need for any one school to admit a disproportionate number of pupils who would fall within the protocol.
 - Be equitable, transparent and have the confidence of all secondary schools.

3. CIRCUMSTANCES IN WHICH THE PROTOCOL WILL BE APPLIED

- 3.1 The In-Year Fair Access (IYFA) Protocol is intended to apply to **unplaced children**, especially the most vulnerable, who fall into one of the following **statutory** categories: (School Admissions Code, 2021)

A	PLAN	Children either subject to a Child in Need Plan or a Child Protection Plan or having had a Child in Need Plan of a Child Protection Plan within 12 months at the point of being referred to the Protocol
B	TEMP	Children living in a refuge or in other Relevant Accommodation at the point of being referred to the Protocol
C	CRIM	Children from the criminal justice system
D	REIN	Children in alternative provision who need to be reintegrated into mainstream education or who have been permanently excluded but are deemed suitable for mainstream education
E	SEN	Children with special educational needs, disabilities or medical conditions (but without an Education, Health and Care plan)
F	CAR	Children who are carers
G	HOM	Children who are homeless
H	KIN	Children in formal kinship care arrangements
I	GRTRAS	Children of, or who are, Gypsies, Roma, Travellers, refugees and asylum seekers
J	BEH	Children who have been refused a school place on the grounds of challenging behaviour and referred to the Protocol in accordance with paragraph 3.10 of the School Admissions Code (2021)

K	NPS	Children for whom a place has not been sought due to exceptional circumstances
L	OUT	Children who have been out of education for four or more weeks where it can be demonstrated that there are no places available at any school within a reasonable distance of their home. This does not include circumstance where a suitable place has been offered to a child and this has not been accepted.
M	PLAC	Previously looked after children for whom the local authority has been unable to promptly secure a school place

4. MANAGEMENT OF THE PROTOCOL

- 4.1 The protocol will be managed and led by the LA's School Admissions Manager or Complex Case Officer in their absence.
- 4.2 The Local Authority will work in close partnership with local services and secondary schools to ensure there is transparency within the system.
- 4.3 The IYFA Panel will:
- Meet at least every 20 school days during term time
 - Consist of;
 - School Admissions Manager and Complex Case Officer.
 - Head teachers and Principals of secondary providers
 - Nominated Headteacher of the Pupil Referral Unit(s).
 - Headteacher of the Canterbury Centre
 - Virtual School Headteacher/Head of Service Education Inclusion
 - Service Manager – Education Inclusion Service
- 4.4 The above panel will consider all cases of unplaced children that the School Admissions Team have been unable to resolve within the previous month. All children must be placed at Panel.
- 4.5 The panel will take into account geographical proximity, parental preference and the number of pupils already placed under the protocol. However, there is no duty for the local authority to comply with parental preference when allocating places through the Fair Access Protocol. Consideration will be given to parental preference, but this may not always be possible if a school is already considerably oversubscribed.
- 4.5 The panel will utilise the scoring system for schools to guide fair and transparent placement of in year fair access pupils. Full details of the scoring system are available in appendix D.

5. MAIN PRINCIPLES

- 5.1 This Protocol applies to all maintained secondary schools, community aided and academies. All schools will work collaboratively regardless of the type of school.
- 5.2 Schools must normally admit pupils following the School Admissions Code. This protocol only applies where a pupil is unplaced and falls under one of the IYFA classifications.
- 5.3 Schools cannot cite over-subscription if they are asked to admit a pupil under the protocol. IYFA pupils will be given priority for admission over any others awaiting an appeal for admission or on a waiting list, with the exception of Cared For and pupils with an EHCP, who must have priority.

- 5.4 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, 2021).
- 5.5 Following allocation, schools must be open, honest and transparent with one another, providing full information about the child when information is requested for admissions purposes. This information should not be requested before formal allocation.
- 5.6 Schools must not insist on an appeal hearing before admitting a child under this protocol.
- 5.7 Wherever possible, pupils with a religious affiliation will be matched to a suitable school, but this will not override the protocol.
- 5.8 Siblings of pupils placed under the IYFA protocol will not be allocated a place in the same school unless there are places in the relevant year group(s). Such applications will be considered under the co-ordinated in-year admission arrangements.
- 5.9 Children who have been permanently excluded will be placed on roll at the appropriate pupil referral unit by age. They will remain at the unit until it is agreed that they are ready to reintegrate into mainstream education. At this point a placement will be arranged at a new secondary school. The transition will be supported and initially the pupil will be dual registered with the new school. Following a successful transition, the pupil will go on main roll at the new school. If the transition is unsuccessful, the pupil will return to main roll at the PRU.
- 5.10 Any pupil moving into the area where their previous educational provision was at a PRU will initially be placed on roll at the PRU pending assessment of their needs. The PRU will support reintegration into mainstream schooling when deemed appropriate.
- 5.11 Any pupil remaining on roll at The New Broadwalk PRU (Key Stage 3 only) at the end of year 9 will automatically transfer to the Key Stage 4 PRU – The Clifton Centre. It is good practice, however, to review the child's case before the end of KS3 to see whether transition back to mainstream would be feasible.
- 5.12 There may be pupils for whom mainstream education is not yet possible. If a pupil is identified who may meet this criterion, advice will be gained from professionals, such as the Educational Psychology Service or the PRU headteacher, about where best to place this child in order to meet their individual needs.

6. IYFAP PROCESS

- 6.1 The initial contact between the LA and a school regarding all pupil transfers will be through the Complex Case Officer or the School Admissions Team.
- 6.2 The Complex Case Officer will have the responsibility for identifying a pupil as being covered by the IYFA protocol based upon evidence received from the applicant and other information available to the LA. The Complex Case Officer is the operational lead and has an overview of the placement of all pupils identified under the protocol. This will ensure that this work is joined up and schools are allocated pupils on a fair, equitable and transparent manner. Once a pupil has been classified as IYFA the LA will initiate the protocol and place the pupil accordingly.
- 6.3 The LA will e-mail the named contact at the preferred school within 3 school days following receipt of the application. Schools must respond, in writing (e-mail), within 5 school days so

that the admission of the pupil is not unduly delayed. Where an admissions authority does not wish to admit a child outside the normal admission round, even though places are available, they must provide their reasons in writing by email and return to the Complex Case Officer for referral to the panel. Panel will take all information into consideration, including the written refusals, when deciding where the child is to be placed.

They will consider the schools in the local area and their current score on the School scoring system (appendix D). The panel will use this scoring system to guide and ensure the fair distribution of IYFA pupils across local schools.

- 6.4 Pupils placed under the protocol will be given a target start date no later than 10 school days after the allocated school has either:
- Accepted and agreed to the placement request.
 - Been instructed by the IYFA panel to accept the child following further consideration of the case.
- 6.5 Where requests for the placement of IYFA pupils are refused by the identified school following panel decision, the LA may consider direction processes should be instigated.
- 6.6 Pupils placed from a Pupil Referral Unit (REIN) should be dual registered at the receiving school from the first day of attendance at the school. This will ensure systems are in place to enable joint working to be established, increasing the potential success of the placement. The dual placement will be time limited for up to 12 school weeks, with an option to extend to a maximum of 18 weeks.

7. NUMBER OF PUPILS SCHOOLS WILL BE ASKED TO TAKE

- 7.1 This will be dependent on the annual number of requests for pupil placements through the IYFA protocol. However, it is agreed that all allocations will be jointly managed, in a transparent manner, utilising the school scoring system (appendix D), by the Complex Case Officer and the IYFA panel.
- 7.2 The allocation of placements in individual schools will be managed and monitored by the Complex Case Officer who will present updated data to every meeting of the IYFA panel.
- 7.3 The Terms of Reference for the management of the IYFA panel will be agreed annually between the LA and Secondary Head teachers/Principals.
- 7.4 Due consideration will be given as to the appropriateness of placing children in a school, academy or other setting which is either in need of LA intervention or is in an Ofsted category following inspection. These decisions will be taken by the IYFA Panel.

Off-site Direction Protocol

Applicable from 1st September 2022

An off-site direction is the temporary placement of a child or young person in another school, academy or AP school, intended to improve their behaviour.

“Off-site direction should only be used where in-school interventions and/or outreach have been unsuccessful or are deemed inappropriate, and should only be used to arrange a temporary stay in AP. Off-site direction may only be used as a way to improve future behaviour and not as a sanction or punishment for past misconduct.”³

1 Purpose of the Protocol

This protocol is intended to outline the appropriate use of off-site directions and ensure that off-site directions are applied in a fair, equitable and transparent way. This applies to any child being directed off-site for their education, regardless of the length of time. This applies to placements of one day or more in another school or setting. The protocol has regard to statutory and legal requirements and has been agreed between the LA and school leaders.

2. Principles of the Protocol

- 2.1 This Protocol applies to all maintained secondary schools, community aided and academies. All schools will work collaboratively and transparently regardless of the type of school.
- 2.2 An off-site direction should be used as a positive strategy and applied where in-school interventions and/or outreach has been unsuccessful or deemed inappropriate, and as part of the school's overall behaviour policy.
- 2.3 Depending on the individual needs and circumstances of the pupil, off-site direction can be full-time or a combination of part-time support in AP and continued mainstream education.
- 2.4 The practical application of the protocol for off-site directions will embody the principle that all schools are committed to a fair process to ensure vulnerable children are not moved from school to school in an unplanned or uncoordinated way which may have a detrimental impact on the pupil and other local schools.
- 2.5 Serious consideration should be given to any decision to use off-site direction for children with a social worker or children with SEND and should be avoided where possible, due to their particular vulnerability.
- 2.6 Salford school Heads will work in partnership to arrange off-site directions between schools, to meet the individual needs of the pupil. When a school wishes to pursue an off-site direction, the Headteacher will liaise with the Headteachers of potential receiving schools, so as to ensure that a placement can be arranged in a school which meets the child's needs.

³ DfE Guidance January 2022: Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement - Guidance for maintained schools, academies, and pupil referral units in England

3 Registration and responsibilities

- 3.1 Any young person subject to an off-site direction will be dual registered with the home school and the placement school with registers in both settings marked accurately each day, as per dual registration regulations.
- 3.2 The placement school is responsible for reporting any non-attendance to the home school, and the placement school should follow the absence up so that their register can be marked accordingly.
- 3.3 The placement school is responsible for ensuring any safeguarding issues are responded to appropriately, and liaison with the home school to ensure all records are kept up to date.
- 3.4 The home school will retain overall responsibility for the young person e.g. parental complaints, providing evidence to support assessments, reporting, funding implications, and must retain an oversight for safeguarding purposes. The home school is responsible for ensuring that all pertinent information is shared with the placement school before the placement begins (see 6.3)
- 3.5 The placement school will maintain responsibility for delivering a broad and balanced curriculum that meets the needs of the pupils, and any agreed interventions.

4 Parental Agreement

- 4.1 Although parental agreement for an off-site direction is not required, it is strongly advised to gain parental consent, in order for the placement to be successful and ensure attendance at the placement school.
- 4.2 Parental agreement **is** required for managed moves, and, as an off-site direction may become a managed move, early agreement is advisable to avoid issues at this stage.
- 4.3 With children with an EHCP and Cared for Children, LA agreement is required at both stages.

5 Reviews

- 5.1 The home school will hold the responsibility for ensuring regular reviews of the placement are undertaken with representatives from both schools, parents/carers and the pupil. Where appropriate, these reviews must be multi-agency with relevant agencies invited and encouraged to attend. All meetings to be minuted and minutes shared with relevant agencies.
- 5.2 Although there is no statutory timeframe outlined in the guidance, the local agreement is that the reviews should be at least half-termly (every six weeks), should measure progress towards achieving the stated aims of the placement and should conclude with a recommendation as to whether the placement should continue or not until the next review.
- 5.3 The local agreement is that 12 weeks, equivalent to one term, would be a maximum time for this temporary placement. In exceptional circumstances, this could be extended on a case-by-case basis, if the 12 week review identified that this would be beneficial for the pupil.
- 5.4 Reviews can be called early if issues arise, and do not have to wait until the 6 or 12 week marker.

6. Process

Agreed expectations of schools/academies (unless in response to a safeguarding or criminal proceedings issue/crisis/incident)

6.1 Provision/actions by school prior to off-site direction proposal

- Graduated response to behaviour issues followed, with internal interventions having been put in place and evidenced.
- Referral to the school SENCO to assess for any unmet SEN needs – nb if a child is currently undergoing statutory assessment for an EHCP, then an off-site would not be appropriate
- Strategies/interventions implemented are recorded with outcomes
- Early Help Assessment in place/offered where appropriate
- Once fully in place in the LA, engagement with/referral to the Salford Schools Partnership

6.2 Notification process to LA for off-site direction

- The respective Heads agree on the placement and the proposed start and end date, ideally with parental consent.
- Home school fully completes the on-line notification form
- The LA Complex Case Officer will process the form within 2 working days and, if any key information is missing, will return to both schools to highlight the missing information and ensure it is fully completed before any off-site direction can begin.

6.3 Consistency of approach required by the receiving school

The following process must be adhered to;

- All relevant pupil information must be given to the placement school by the home school before the initial meeting with child and parent/carer. This would include any contact information, safeguarding or medical information, copies of any EHCP or SEN support plans.
- The initial meeting with the child and parent/carer should stress the positive aspects of an off-site direction whilst clearly outlining the school's expectations. An off-site direction should not be seen as punitive but as a solution to improve the behaviour and outcomes for the young person.
- Other relevant professionals should be involved in the initial meeting, e.g. social worker, YOS, SALT, EP so that all parties are fully aware of expectations and can support with any issues as they arise
- Review meetings to be held at least half termly (six weeks), and attended by a representative from both schools, pupil, parents, social worker and/or other agencies if relevant. All meetings to be minuted and minutes shared with relevant agencies
- The placement school must offer a broad and balanced curriculum during the placement, as well as providing interventions to support and improve the young person's behaviour.
- Unless there are exceptional circumstances, the young person should be integrated full-time into mainstream classrooms, apart from scheduled and planned 1:1 or small group behaviour interventions as part of timetable.
- The placement school must put in place any reasonable adjustments and support required for pupils with SEN, under the Equality Act 2010 and the Children and Families Act 2014.
- Incidents of behaviour managed in line with behaviour policy (i.e. as one of your own)
- Clear communication between parties at all stages is crucial to raise and address any issues arising

7 Reporting and Monitoring

- 7.1 Every off-site direction must be reported to the LA as outlined above. This is to ensure that the LA can maintain statutory oversight of where pupils are being educated.
- 7.3 This information will be added to the off-site direction monitoring sheet, which will be shared at IYFAP for oversight and transparency.

8. Ending the Off-Site Direction

There are two ways in which an off-site direction can cease:

- 1. Return to the home school**
- 2. Be accepted onto the placement school roll on a permanent basis, via a Managed Move**

8.1 Return to home school

- 8.1.1 If the outcome of a review meeting is that the young person is ready to return to the home school, having made sufficient progress against the stated required outcomes, this must be arranged as soon as possible. The timeframe should allow the home school time to put in place an agreed re-integration plan to ensure a successful return.
- 8.1.2 The child must continue to attend the placement school until they start back at the home school, so as to allow the child the right to attend school.
- 8.1.3 The Local Authority to be notified via the online form of all off-site directions which have ceased and the date on which the young person is returning to the home school or going on roll at the placement school permanently as a Managed Move. The LA Complex Case Officer will add this information to the monitoring sheet.

8.2 Permanent Move to another school – Managed Move

“A managed move should only be offered as a permanent transfer, and only when the pupil has been attending the proposed new school under an off-site direction and a review of the direction has established that the pupil has settled well into the school and should remain there on a permanent basis. Under exceptional circumstances, such as a safeguarding concern, it may be appropriate for a pupil at any mainstream school to transfer to another mainstream school as a managed move, but this should only happen when it is in the pupil’s best interest.”⁴

- 8.2.1 If the conclusion of an off-site direction review meeting is that the young person has settled well into the placement school **and** all parties agree that they should remain there on a permanent basis as a Managed Move, this should be facilitated as soon as practical following the review meeting.
- 8.2.2 The young person must be removed from the roll of the original school and placed fully on roll at the new school on the day following the date of the off-site direction ceasing. All pupil information must be transferred using the usual pupil information transfer methods.

⁴ Page 19. DfE Guidance January 2022: Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement - Guidance for maintained schools, academies, and pupil referral units in England

- 8.2.3 The school must inform the LA via [form/email] within 2 working days of the decision being made, and the LA will update the information on the IFYAP monitoring records.
- 8.2.4 Parents must be in agreement with this permanent move. If they are not, then the young person must return to the home school.
It is important to note that the Dfe Guidance states:
“If a parent believes that they are being pressured into a managed move or is unhappy with a managed move, they can take up the issue through the official school complaint procedure with the governing board and the local authority”
It is therefore essential that correct process is followed.
- 8.2.5 If a young person has an EHCP or is a Cared For Child, the local authority must also be in agreement with a permanent managed moved.

Reporting

All managed moves will be reported on the monthly IYFA panel for transparency and scrutiny.

9 CARED FOR CHILDREN/CHILDREN WITH A SOCIAL WORKER

Cared for Children (CFC) – Off-site Directions and Managed Moves are strongly discouraged for CFC and the accepted culture and practice is that they happen in only the most exceptional of circumstances. Involvement of carers, social worker and the Virtual School team is imperative in identifying whether an off-site direction is appropriate. The final decision lies with the Virtual School Head.

Children with a Social Worker at CP/CIN - Off-site Directions and Managed Moves are strongly discouraged for Children on a CIN or CP Plan, due to their vulnerability. Discussion with the social worker and the Virtual School CP/CIN Advisor is strongly advised before exploring an off-site direction.

10 OUT OF BOROUGH SCHOOLS

- 10.1 Head teachers from out of authority who wish to negotiate an off-site direction or Managed Move with a Salford school should follow the same process as Salford schools and follow the same Protocol.
- 10.2 It has been agreed to include this section within the protocol as it is important to maintain relationships with Head teachers across boundaries. However, it is clear that any such arrangements must be reciprocated between LAs, with notifications made to the relevant LA.

July 2022

Compliance

1. COMPLIANCE WITH STATUTORY REGULATIONS

- 1.1 Parents have a statutory right for their child to be admitted to a school that has places available. Therefore, in the final instance, this right cannot be overridden by the protocols.

1.2 COMPLIANCE WITH THE PROCEDURE

Any system for placing pupils will only succeed if all schools agree to accept the procedures and adhere to them. If a problem arises with a particular school it is in the interests of all parties for the issue to be referred to the IYFA panel to be resolved.

Monitoring and Evaluation

1. MONITORING AND EVALUATION

- 1.1 The allocation of placements in schools will be managed by the Complex Case Officer who will maintain a data monitoring sheet and circulate to Secondary Head teachers/Principals prior to the monthly panel meetings.
- 1.2 The PHRU admissions group will meet prior to panel and report to the Complex Case Officer so that cases can be included in the panel monitoring process.
- 1.3 The procedure will be reviewed annually in July so that any amendments can be agreed and implemented from the start of the following academic year.

1. PRINCIPLES

- 1.1 Salford schools agree that working together will improve the outcomes for all children and in particular those who fall into a category under the In Year Fair Access Protocol. The formulation of a panel which is “owned” by Head teachers/Principals will ensure that there is transparency and equity with regards to the placements of all children within Salford.
- 1.2 This protocol is designed to:
- Acknowledge the need of all children, especially the most vulnerable and challenging, to be dealt with quickly and effectively in allocating school places
 - Take into account the needs of the pupil and the needs of the school
 - Reduce the time that pupils spend out of school
 - Ensure that schools admit pupils with challenging and diverse needs on an equitable basis
 - Eliminate the need for any one school to admit a disproportionate number of vulnerable and challenging pupils
 - Be equitable, transparent and have the confidence of all secondary schools

2. PURPOSE OF THE IYFA PANEL

- 2.1 The overall purpose of the IYFA panel will be to:
- Provide an overall strategic view of the placement of all in year admissions, including vulnerable children
 - Provide a strategic lead and direction to the placement of
 - Promote, initiate, support and monitor the placement of vulnerable children
 - Discuss common themes raised by the cluster groups with regards to the placement of vulnerable children
 - Monitor the data with regards to admissions, exclusions and off-site directions
- 2.2 The Complex Case Officer will provide an overview of the placement of all in year school placements, vulnerable children and those who are Cared For or Previously Cared for. It has been acknowledged that such a comprehensive overview would be helpful to the IYFA panel in their decision making process.

3. MANAGEMENT

- 3.1 The IYFA Panel will:
- Elect a chair and vice chair
 - Set a regular meeting cycle – at least every 20 school days, in line with the School Admissions Code (2021)
 - Guarantee attendance at meetings
 - Keep minutes of meetings

4. MEMBERSHIP

- 4.1 The membership of the IYFA panel will include, as a minimum;
- School Admissions Manager/LA Officer
 - Complex Case Officer
 - Head teachers and Principals of secondary providers
 - Nominated Headteacher of the Pupil Referral Unit(s)
 - Headteacher of the Canterbury Centre
 - Virtual School Headteacher/ Head of Service Education Inclusion

- 4.2 Panel members will:
- Attend to represent their organisation and ensure that there is feedback on decisions
 - Ensure action agreed takes place
 - Produce reports /briefings within agreed timescales
 - Share information in accordance with statutory legislation and GDPR
 - Respect views of members
 - Respect confidential information
 - Look after everyone's interests through commitment to joint working

5. DECISION MAKING

- 5.1 The panel will achieve consensus through debate
- 5.2 The Chair will ask for a show of hands to determine decisions; the Chair has a casting vote
- 5.3 Members will declare a conflict of interest regarding any agenda item or other discussion and be exempt from the voting process
- 5.4 The declaration will be treated as confidential
- 5.5 The member will be asked to withdraw if requested by the Chair

6. DISPUTE RESOLUTION

- 6.1 If there is a dispute the panel will attempt to solve this through discussion between relevant partners, at an early as possible stage, to ensure disputes are resolved speedily
- 6.2 If an individual institution is unable to agree to their responsibilities as part of the panel then the Local Authority will broker a solution

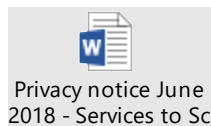
7. AGENDA AND PAPERS

- 7.1 The School Admissions Manager and Chair will set the agenda for the meetings.
- 7.2 Panel members can request agenda items by informing the School Admissions Manager three days before the meeting
- 7.3 At the start of a meeting panel members can request the Chair to include items under Any Other Business

8. SUPPORT FROM THE LA

- 8.1 The LA will provide support by servicing meetings including:
- Setting the agenda
 - Collating all available information on individual pupils where there are safeguarding concerns
 - Taking minutes
 - Notifying individual schools of the pupils allocated from the panel
 - Notifying families of the allocated school place

9. Privacy Notice



Appendix A

Abridged School Admissions Code (2021)

Children who have been permanently excluded twice or display challenging behaviour

3.8 Where a child has been permanently excluded from two or more schools there is no need for an admission authority to comply with parental preference for a period of two years from the last exclusion. The twice excluded rule does not apply to the following children:

- a) children who were below compulsory school age at the time of the permanent exclusion; b) children who have been reinstated following a permanent exclusion (or would have been reinstated had it been practicable to do so);
- c) children whose permanent exclusion has been considered by a review panel, and the review panel has decided to quash a decision not to reinstate them following the exclusion; and
- d) children with Education, Health and Care Plans naming the school.

3.9 Admission authorities must not refuse to admit a child on behavioural grounds in the normal admissions round or at any point in the normal year of entry, except for where paragraph 3.8 applies.

3.10 Where an admission authority receives an in-year application for a year group that is not the normal point of entry and it does not wish to admit the child because it has good reason to believe that the child may display challenging behaviour, it may refuse admission and refer the child to the Fair Access Protocol.

3.11 An admission authority should only rely on the provision in paragraph 3.10 if it has a particularly high proportion of either children with challenging behaviour or previously permanently excluded pupils on roll compared to other local schools and it considers that admitting another child with challenging behaviour would prejudice the provision of efficient education or the efficient use of resources.

3.12 The provision in paragraph 3.10 cannot be used to refuse admission to looked after children, previously looked after children; and children who have Education, Health and Care Plans naming the school in question.

3.13 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.

3.23 A local authority has the power to direct the governing body of a maintained school for which they are not the admission authority to admit a child in their area even when the school is full. The local authority can only make such a direction in respect of a child in the local authority's area who has been refused entry to, or has been permanently excluded from, every suitable school within a reasonable distance. The local authority **must** choose a school that is a reasonable distance from the child's home and from which the child is not permanently excluded. It must not choose a sixth-form that selects by ability unless the child meets the selection requirements, or a school that would have to take measures to avoid breaking the rules on infant class sizes if those measures would prejudice the provision of efficient education or the efficient use of resources.

2.4 In some cases, admission authorities will need to ask for supplementary information forms in order to process applications. If they do so, they must only use supplementary forms that request additional information when it has a direct bearing on decisions about oversubscription criteria or for the purpose of selection by aptitude or ability. Places must be allocated on the basis of the

oversubscription criteria only. An applicant must not be given additional priority solely on the basis of having completed a supplementary form. Admission authorities must not ask, or use supplementary forms that ask, for any of the information prohibited by paragraph 1.9 above or for:

- a) any personal details about parents and families, such as maiden names, criminal convictions, marital, or financial status (including marriage certificates);
- b) the first language of parents or the child;
- c) details about parents' or a child's disabilities, special educational needs, or medical conditions;
- d) parents to agree to support the ethos of the school in a practical way;
- e) both parents to sign the form, or for the child to complete the form.

Paragraph 1.9 (Relevant points)

It is for admission authorities to formulate their admission arrangements, but they **must not**:

- a) place any conditions on the consideration of any application other than those in the oversubscription criteria published in their admission arrangements;
- b) take into account any previous schools attended, unless it is a named feeder school;
- c) give extra priority to children whose parents rank preferred schools in a particular order, including 'first preference first' arrangements;
- d) introduce any new selection by ability;
- e) give priority to children on the basis of any practical or financial support parents may give to the school or any associated organisation, including any religious authority
- f) give priority to children according to the occupational, marital, financial or educational status of parents applying. The exceptions to this are children of staff at the school and those eligible for the early years pupil premium, the pupil premium and the service premium who may be prioritised in the arrangements in accordance with paragraphs 1.39 – 1.39B;
- g) take account of reports from previous schools about children's past behaviour, attendance, attitude or achievement, or that of any other children in the family;
- h) discriminate against or disadvantage disabled children, those with special educational needs, or those applying for admission outside their normal age group where an admission authority has agreed to this under paragraphs 2.17 to 2.17B;
- i) prioritise children on the basis of their own or their parents' past or current hobbies or activities (schools which have been designated as having a religious character may take account of religious activities, as laid out by the body or person representing the religion or religious denomination²²);
- m) interview children or parents. In the case of sixth form applications, a meeting may be held to discuss options and academic entry requirements for particular courses, but this meeting cannot form part of the decision-making process on whether to offer a place.
- o) request photographs of a child for any part of the admissions process, other than as proof of identity.

Appendix B – Referral for PIP/Canterbury Centre

Salford City Council

Details of Young Person			
Name:		DOB:	
IYFA: Yes/No	Category:	Yr Group:	
Gender: Male	Female	Attendance:	%
Ethnicity:		First Language:	

Current School:	
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Provision Requested:	<i>e.g. PRU Intervention</i>
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Details of Parents/Carers with Parental Responsibility	
Name:	Name:
Address:	Address:
Tel No:	Tel No:
Relationship:	Relationship:

	Yes	No	Detail/Comment
Parent/Carer permission given?	Yes	No	
Cared for /Previously Cared For	Yes	No	
SEND EHC Plan	Yes	No	<i>Has a statutory assessment begun/in consideration?</i>
SEND (Non EHCP)	Yes	No	
Child Protection/Child in Need/EH	Yes	No	<i>e.g. Early Help assessment offered but refused with reason why</i>
Pupil Premium	Yes	No	<i>State category</i>

Parent/Carer School Preference	
1.	
2.	
3.	

Details of Referral
What has led to this young person being referred? <i>(Please bullet point the Main concerns/issues)</i>
•
How would the change of educational provision benefit the young person?

Previous Provision (e.g. previous school, managed moves, respite, part -time)		
Provision	From	To

External Agency Involvement (e.g. EP, Early Help, Social Care, CAMHS)		
Agency	Key Worker	Contact Details

Additional Support /Intervention/Strategies Provided in School	
Strategy	Outcome

Young Person's View of The Referral (Where possible)

Parents/Carers View of The Referral (Where possible)

DO YOU CONSIDER THERE TO BE ANY RISKS TO LONE WORKERS VISITING THE HOME? YES / NO <i>(If YES please give details)</i>

Documentation to Support the Referral					
Attendance Record	Y/N	Attainment Record	Y/N	Behaviour Log	Y/N
Early Help Assessment	Y/N	SEN Records	Y/N	Other	Y/N

Assessment Details: <i>Please provide the most recent assessment outcomes in the core subjects and targets set. For Year 10 or 11 please include GCSE options and exam boards</i>

Person Making the Referral	Date:
Name:	Designation:
Tel No:	Email:

Please email the fully completed form back to School Admissions,
school.admissions@salford.gov.uk

APPENDIX C – Scoring system

This system aims to ensure fairness and equity in the distribution of children identified as 'fair access' within this protocol. It is intended to support the principle that all schools are inclusive and already take a wide and diverse population whilst recognising particular circumstances which may mitigate against admitting fair access children.

The system is designed to be easy to calculate, clear to understand and accurately represent the position in each school.

School scoring

Each school will receive a base score calculated at the start of each academic year (September) based upon the most recent available census data. All schools will be ranked. This will be the school base score for the entire academic year. Changes to any data will be implemented for the following academic year.

The schools with the least number of points based on the above data will be at the top of the ranked list of schools and would be the school most likely to receive an IYFA pupils first. Schools will be ranked within planning areas in most circumstances, but it is recognised that there may be circumstances where these invisible boundaries are not appropriate and different groupings of schools are considered.

The points outlined below have been discussed and were provided by members of the working group from the IYFA panel.

The following data will be used to create the school score:

Score element	Formula for score
Geo-demographic factor	Percentage of pupils on free school meals
Pupils with English as an additional language	Percentage of pupils recorded as EAL
Pupils with Special Educational Needs	Percentage of pupils with SEN, including EHCP and SEN support pupils
Mobility	Number of pupils into the school plus number of pupils leaving the school divided by the number on roll, multiplied by 100
Looked After Children	Percentage of looked after children in the school multiplied by 10
Total score	Sum of the above factors

Pupil scores

The child specific score represents a points value ascribed to children identified in the protocol when they move into or out of a school, other than at normal times of transfer. The highest scoring category the child comes under will be used to determine points awarded to the school

IYFA category		Points allocation
PLAN	Children either subject to a Child in Need Plan or a Child Protection Plan or having had a Child in Need Plan or a Child Protection Plan within 12 months at the point of being referred to the Protocol	20
TEMP	Children living in a refuge or in other Relevant Accommodation at the point of being referred to the Protocol	10
CRIM	Children from the criminal justice system	50
REIN	Children in alternative provision who need to be reintegrated into mainstream education or who have been permanently excluded but are deemed suitable for mainstream education	50
SEN	Children with special educational needs, disabilities or medical conditions (but without an Education, Health and Care plan)	20
CAR	Children who are carers	10
HOM	Children who are homeless	10
KIN	Children in formal kinship care arrangements	20
GRTRAS	Children of, or who are, Gypsies, Roma, Travellers, refugees and asylum seekers	10
BEH	Children who have been refused a school place on the grounds of challenging behaviour and referred to the Protocol in accordance with paragraph 3.10 of the School Admissions Code (2021)	20
NPS	Children for whom a place has not been sought due to exceptional circumstances	20
OUT	Children who have been out of education for four or more weeks where it can be demonstrated that there are no places available at any school within a reasonable distance of their home. This does not include circumstance where a suitable place has been offered to a child and this has not been accepted.	10
PLAC	Previously looked after children for whom the local authority has been unable to promptly secure a school place	20

Although not in year fair access pupils, schools will also be awarded points for the following categories of pupils placed on permanent roll:

Category	Points score per pupil
Children permanently admitted following a managed move	20
Cared for Children	15
Year 11 pupils admitted pre January census	20
Year 11 pupils admitted post January census	5
Children removed to CME or EHE and now returning to school	10
Pupils with an EHC plan	15
All other in year moves	2

For all pupils, points will only be allocated once they are placed on permanent roll.

Pupil scores will be added to the school score cumulatively, and reported in to each IYFA panel. Copies will be sent to Headteachers/Principals who are unable to attend the panel.