

# **Tower Hamlets Fair Access Protocol (In-Year Admission)**

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# **THE TOWER HAMLETS FAIR ACCESS PROTOCOL (including the admission of "hard to place" pupils)**

## **SUMMARY**

This Protocol is for all maintained schools in Tower Hamlets. It sets out standardised agreed procedures for dealing with all applications outside the normal admission round. The main features are:

- Every school will have a designated Admissions Co-ordinator to administer applications and liaise with the local authority's Pupil Admissions and Exclusions Team.
- Parents will be given a decision within 5 school days of submitting an application.
- Pupils will be admitted within 5 school days of the offer of a place;
- 15 school days will be allowed for "hard to place" pupils.
- The Pupil Admissions and Exclusions Team will provide training for Admissions Co-ordinators.
- Schools will be provided with background information by the LA for
- "hard to place" pupils and for other pupils where it is available.

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# PROTOCOL FOR IN-YEAR ADMISSIONS

## Introduction

In accordance with the requirements of the School Admissions Code of Practice and Department for Children, Schools and Families (DCSF) Guidance on Hard to Place pupils, the Tower Hamlets Admission Forum and the local education authority has adopted a protocol for all schools to deal with applications for admission at in-year. This follows a period of full consultation.

This protocol is for both primary and secondary schools, voluntary aided, voluntary controlled and community. It seeks to find a balance between the need to ensure that pupils are placed in school quickly and the need to plan the admission of 'hard to place' pupils properly. It is based on the principles of honesty and transparency about pupils and their circumstances.

Pupils with statements of special educational needs are not subject to the In-Year admission protocol as the procedures for the admission of these pupils are governed by the 1996 Education Act and its accompanying Code of Practice on the identification and assessment of Special Educational Needs.

## In Year Admissions

In-Year admissions are children for whom a school place is being sought outside of the normal admission round (i.e. late applications) or in a year other than the normal year of entry.

## Types of In Year Admission

Most applications for in-year admission are for children who:-

- have newly arrived from abroad or elsewhere in the UK
- are returning from extended leave
- have been rehoused
- have been placed in the care of a Local Authority (LA)
- are transferring from another school
- are transferring from another school within Tower Hamlets
- are subject to Managed Moves
- are attending the Pupil Referral Unit (PRU) and need to be reintegrated back into mainstream school
- Children moving into Tower Hamlets with less than 60% attendance over the previous two terms at their last school
- Children moving into Tower Hamlets with a history of behaviour difficulties
- who are returning to school after a period of home education.

There are other in-year admissions defined by the DCSF as '**hard to place**'. These include children who:

- have been permanently excluded from a previous school

- are out of school as a result of being withdrawn by their family, following a fixed term exclusion.
- have been out of education for longer than one school year
- are refugees and asylum seekers
- are homeless
- have unsupportive family backgrounds, where a school place has not been sought
- are known to the police or other agencies
- do not have a school place and have a history of attendance problems.

#### **The requirement for schools to have an Admissions Co-ordinator**

Schools should nominate a named person and a deputy who will be responsible for co-ordinating in-year admissions arrangements as follows:

- notifying the Pupil Admissions and Exclusions Team of the school vacancy position on a regular basis
- receiving and dealing with applications from parents and carers
- dealing with admission enquiries from the LA
- ensuring that applicants and the Pupil Admissions and Exclusions Team are informed of outcome of applications as soon as possible and not later than 5 school days
- ensuring that applicants refused places are advised in writing of their right of appeal
- raising with the Head of Pupil Admissions and Exclusions or Pupil Admissions Manager of any concerns that may militate against admitting a pupil within the specified time periods
- providing the Pupil Admissions and Exclusions Team with the information necessary for the LA to process appeals on behalf of community and voluntary controlled schools.
- dealing promptly with all requests for pupil records from other schools.

#### **Receiving applications from parents and carers**

It is normally parents who apply for school places. Where the local authority makes an approach, this will normally be by the Pupil Admissions and Exclusions Team or the Attendance and Welfare Service. Schools can expect LA officers to provide background information on a proforma. The School Admissions Co-ordinator should ensure that the following arrangements are in place:

- parents are given information on the vacancy position at the school and are advised of their right to apply regardless of whether or not there is an available place.
- parents should also be given a copy a copy of the LA's leaflet 'A Guide to Mid-Term Admission'

- that there is a form on which parents and carers can apply for a child's admission and that the form collects all the information that is necessary for the school to determine the application. **Community and Voluntary Controlled Schools must use the LA's PA1 form.** [The application form will be needed if the parent appeals].
- that the application form includes a monitoring questionnaire that will enable the school to collect information for equalities monitoring purposes.
- that the school checks that the application is bonafide and seeks verification of information such as the child's address, child's age, full names of parents / carers and contact details. If the school is concerned about the nature of the relationship between the applicant and child it should contact the Pupil Services Manager or Interim Admissions Manager for advice.
- that there is a formal system for confirming the receipt of applications, advising applicants on what will happen next and when they can expect to hear the outcome. The LA can provide schools with a leaflet for this purpose.

### Making Decisions on Applications

A decision must be taken on all applications. If there is a vacancy in the appropriate year group the child should be admitted to the school without delay, i.e. within 5 school days unless the pupil is "hard to place" where a maximum of 15 school days is allowed to plan admission.

Admissions Co-ordinators should contact Pupil Services before filling vacancies arising from permanent exclusions for pupils with priority to be identified for admission.

In cases where a school anticipates not being able to admit within the 5 or 15 day period they should consult the Pupil Services Manager or the Head of Pupil and Student Services.

If there are more applications than places available the school must use the admission criteria to determine which pupil(s) should be offered a place. **(Schools that use the LA admission policy must apply the primary or secondary school admission criteria as appropriate).**

If a place cannot be offered the application should be treated as a refusal and the parents/carers must be informed in writing of this and of their right of appeal. The PA1 fulfils this purpose. Offering to place a name on the waiting list must also be treated as a refusal and the parent should receive a refusal notification.

**With the exception of pupils with statements of SEN or pupils who have twice been permanently excluded from a previous school there are limited circumstances in which a child's admission can be delayed. For further advice and guidance, please contact the Head of Pupil Admissions and Exclusions.**

### **Delaying Admission**

Schools may not refuse to admit pupils, impose conditions or seek to delay admission, including for any of these reasons:-

- until information such as the school record is received,
- until a suitable programme of support or the parent's/carer's signature on a home/school agreement is obtained,
- in the case of pupils in Years 2 and 6 until after the SATS have been completed.

### **Deferring Decisions**

Applications for VA schools are normally referred to a governors' committee. If the committee is not able to meet within 5 days of an application, it is recommended that the decision should be taken under Chair's action.

### **Years 10 and 11**

For Year 10 and 11 pupils admission should not be subject to the availability of GCSE options. Pupils in Year 11 must be considered for admission throughout the academic year. There is therefore no 'cut-off' date for the admission of Year 11 pupils.

### **Interviews**

An offer of a place cannot be subject to a family's attendance or performance at an interview. Interviews should be used solely for the purposes of ensuring proper arrangements are put in place to support the pupil on entry to the school.

### **Pre – Pupil Level Annual Census (PLASC) Admissions**

A significant number of transfers take place during the period leading up to the January PLASC return. It is therefore important that when pupils transfer from one Tower Hamlets school to another, the school offering a place contacts the current school before making the offer. This gives the school losing the pupil maximum opportunity to fill the vacancy from their waiting list or to contact The Pupil Admissions and Exclusions Team for a match. (See LA admissions guidance for further detail).

### **'Hard to Place' Pupils**

Pupils considered 'Hard to Place' as defined on pages 1 and 2 should be admitted to school with the minimum of delay and no later than 15 school days from the date of the decision. During this time schools can make contact with appropriate agencies to obtain information and plan a pupil's integration properly. The LA can provide a list of agencies that can provide advice and support to schools.

Admissions Co-ordinators should ensure that pupil records are forwarded without delay. The PRU, the Pupil Admissions and Exclusions Team and the Attendance and Welfare Service must ensure that schools are provided with the known background information and the Common Assessment Form (CAF) if this is available.

### **Children for whom a transfer of school is being sought**

The current school should be informed by the school the parent has applied to that an application has been received before a place is offered. This allows the current school to review the parent/carer's reasons for requesting a move and the opportunity to resolve any issues within the school or home so as to avert avoidable disruption to the child's education.

For **primary schools** Heads should consider transfer requests twice a Year. Pupils are expected to transfer at the beginning of a half-Year unless there are exceptional reasons for an in-year transfer or the family has moved within the borough and it cannot be reasonably expected for the child to continue to attend the current school (see guidance on primary admissions). If there are more applications than places available, the admission policy should be used to determine the priority for admission. If the school is unable to offer a place the parents/carers should be informed in writing of the reason for refusing admission and the right of appeal.

For **secondary schools** the LBTH Transfer form should be completed by the current school prior to the transfer proceeding. A transfer date should be agreed by the prospective headteachers or their representatives. This will normally be for the start of the following half-term. In cases where it is felt that an earlier transfer is necessary to reduce the risk of permanent exclusion this can be handled as a 'managed move' (see below). A pupil must not be removed from a school roll until such time as the receiving school confirms that the pupil has started with them.

### **Permanently Excluded Pupils and Managed Moves**

The procedures for the placement of permanently excluded pupils and the transfer of pupils under managed move arrangements are set out in Appendix A.

Direct requests from parents for the admission of permanently excluded pupils do not receive priority under the admission policy.

### **Informing Parents/Carers of the outcome of applications and notifying the LA**

Schools must ensure that they notify the parents/carer of the outcome of their application within 5 school days. The PA1 should be completed, signed, dated and issued by the school as soon as the decision has been taken. VA schools will have their own application forms and refusal letters.

### **Offering a Place**

When a place is being offered the Admissions Co-ordinator should contact the parent by telephone and arrange an admission date. This should be confirmed in writing within the 5 or 15 day period, whichever is appropriate. The parents' copy of the PA1 should also accompany the letter.

## **Refusing a Place**

If the school is full in the appropriate year group then a place should be refused and the Admissions Co-ordinator must inform the parent/carer in writing within 5 school days. The letter should include the parent copy of the PA1 (where applicable) and must explain the following:

- the reason why the place has been refused
- the arrangements for securing a place on the school's waiting list. For schools that use the LA's admissions policy, this will be confirmation that the child's name has been placed on the waiting list
- the right for the parent/carer to appeal against the decision
- how to obtain an appeal form
- the latest date by which an appeal should be lodged (21 days for community and voluntary controlled schools)
- the contact number for the Pupil Admissions and Exclusions Team who will advise of alternative places or provision

A model refusal letter is available from the Pupil Admissions and Exclusions Team.

## **Notifying the LA**

The Admissions Co-ordinator should inform the Pupil Admissions and Exclusions Team of the outcome of an application by sending a copy of the PA1 with the section indicating whether or not a place can be offered completed. The Admissions Co-ordinator for a voluntary aided school should send or email a copy of the offer/refusal letter including the child's details. The PA1 or letter should be sent to Pupil Services on the same day that the decision is taken to ensure that children are not left without education.

## **Appeals**

When pupils are refused admission parents must be given the right to appeal. Appeals for schools that use the LA's admission policy are arranged through the Pupil Admissions and Exclusions Team and heard by the Independent Appeal Panel (IAP). The Pupil Admissions and Exclusions Team will request information from Admissions Co-ordinators in order to prepare the LA's statement of case to the IAP. The Headteacher will receive a copy of the draft statement for comments and to confirm the accuracy of the information and will be invited to attend the hearing on behalf of the school. Further information on the appeal process is provided in the guidance notes that accompany the LA appeal form.

## **Monitoring Arrangements**

The Pupil Admissions and Exclusions Team is responsible for ensuring that every Tower Hamlets pupil has an offer of a school place. Headteachers will assist this process by ensuring that Admission Co-ordinators carry out their responsibilities.

On receiving information that a pupil is out of school the Pupil Admissions and Exclusions Team will identify the nearest suitable school(s) with a vacancy and advise the parent/carers. The Pupil Admissions and Exclusions Team will then follow up this initial contact to ensure that the pupil is admitted to school. In cases where parents fail or refuse to admit their children within 20 school days the Pupil Admissions and Exclusions Team will refer the case to the LA's Attendance and Welfare Service.

The LA will monitor the effect of the in-year admissions protocol by providing regular reports to the Admission Forum. The Admission Forum includes representation from Headteachers, the Diocesan Authorities, Council of Mosques, Parent Governors, Community Representatives and LA Officers.

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