



# CLIFTON COMMUNITY PRIMARY SCHOOL

## IYA AND FA POLICY

**'Enjoy and Achieve Together'**

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Next Review Date	December 2022
Committee Responsible	Governing Board
Document locations	Staff shared Drive – Policies

### Change History

Version	Date	Change Description	Stored
1			
2			
3			
4			
5			
6			

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Please note this policy has been adopted by Clifton Primary School from the Local Authority of Salford. All content has therefore been written by the LA.

To: All governing boards of primary schools	Autumn Term 2021
<b>In year admissions and In Year Fair Access Protocols</b>	
<b>Report of the Strategic Director of Children's Services</b>	

## 1. Purpose of the report

To inform governing bodies of changes to in year admissions and in year fair access protocols due to the publication of the School Admissions Code 2021, and action required to ensure compliance with the new Code.

## 2. Background information

A new School Admissions Code passed through Parliament in July 2021. This includes significant statutory changes to the processes and timescales around in year admissions and in year fair access protocols, resulting in the need to update the local in year admissions procedures and in year fair access protocol.

The changes were discussed by the in-year fair access panel and the updated protocol was shared with headteachers late in the summer term.

## 3. Actions or Recommendations for Governing Boards

- A copy of the local updated protocol is attached with changes highlighted in yellow for ease. Some of these are new insertions, others are updates to existing requirements. Governing bodies are asked to familiarise themselves with the changes and adopt the new protocol and procedures. No comments are sought as these are statutory changes.

In particular, governing bodies should note the changes in timescales for in year admissions. Applications should be finalised within 10 days wherever possible, but applicants MUST receive a response to their application within 15 days. For in-year fair access cases there is now a statutory response deadline of 20 days. This will mean that schools will need to respond quickly to LA requests for places.

- Governing bodies should note and action the new requirement for all schools to publish on their website how in year admissions for their school are dealt with. This must be done by 31 October 2021 this year, and in future years by 31 August. The local authority will be updating the following webpage by 31 October with details of how it processes in year applications if schools wish to link to this page: <https://www.salford.gov.uk/schools-and-learning/schools-admissions/moving-school-during-the-school-year/>

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# In Year Admissions Protocols and Procedures for Primary Schools and Academies

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September **2021**

## 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](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 has been agreed in partnership between the Local Authority and Primary Head teachers/Principals. There is a real commitment to ensure that all children from 5 to 11 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 children 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. **This does not apply to LAC, children with an EHCP or IYFA applications.**

### 2. AIMS OF THE PROCEDURE

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

### 3. CIRCUMSTANCES IN WHICH THE PROCEDURE WILL BE APPLIED

Applications new to the country	NEW
Applications moving from another authority	MIA
Applications from other local authority residents for Salford schools	OOA
Applications between Salford schools/academies	INY

Applications from children on Elective Home Education	EHE
Applications from Children Missing Education	CME
Appeals lodged for a school place	APP

#### 4. MANAGEMENT OF THE PROCEDURE

- 4.1 The procedure will be managed and led by the LA's School Admissions Manager and Complex Case Officer.
- 4.2 The Local Authority will work in close partnership with local services and secondary providers to ensure there is transparency within the system.
- 4.3 The Complex Case Officer will take into account geographical proximity, parental preference and any additional needs of the child whilst having due regard to any specific school circumstances.

#### 5. MAIN PRINCIPLES

- 5.1 This procedure applies to all maintained primary schools, community, controlled, aided and academies. All schools will work collaboratively regardless of the type of school.
- 5.2 Schools will continue to 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 Complex Case Officer will identify under which category the application will be processed based on the information given. Where information suggests that the child may have additional needs or concerns, additional information may be sought.
- 6.2 The initial contact between the LA and a school regarding all pupil transfers will be via email with the School Admissions Team.
- 6.3 Parental preference will be considered based on available places.

#### 6.4 **Allocation process**

6.5 Applications will be dealt with in date order. All applications received on that given date will be considered together. If more than one application is received for a particular school and there is only one place available in the year group, then the oversubscription criteria will be applied to those applications.

6.6 In this situation, lodged appeals count as applications for the date they were lodged. If a place becomes available, the appeal will be considered as an application alongside all other applications received for that day and the oversubscription criteria will be applied to the applications and the lodged appeal.

6.7 Where only one application is received for a school on any given date the application will first be sent to the first preference school, where places are available, along with any relevant information on the application. The school will consider the applications and respond to the request.

Either:

- admission arrangements will be made and the pupil placed on roll, or
- the school will refuse giving reasons to show how the admission of any additional pupils would prejudice the provision of education or the efficient use of resources.

In the second instance further school preferences on the application, in order, will then be sent the request where places are available.

6.8 If no places are available, the application will be refused. If all preferences are exhausted in this manner, an alternative offer of a place will be made at the next nearest school to the home address with a place available. Parents will be advised of the right of appeal as appropriate.

6.9 Parents should receive notification of the allocated school place within 10 school days, but during busy periods this may be as long as 15 school days in accordance with section 2.30 of the School Admissions Code (2021).

#### 7. **CHALLENGING BEHAVIOUR** *\*Although the DfE officially use the term 'challenging behaviour' in Salford we prefer to use the term 'distressed 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<sup>1</sup>, it may refuse

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<sup>1</sup> 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."

admission<sup>2</sup> and refer the child to the In-year Fair Access 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.

## 7. RECEPTION APPLICATIONS

7.1 Any Reception applications received during the autumn term will be processed taking into consideration existing waiting lists that are held until 31 December following the normal admissions into that year group.

### Looked After Children

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 Looked After Children (LAC), 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.

***Looked After Children may be admitted above a school's published admission number, including where infant class size legislation applies.***

It is acknowledged that there is a need to place LAC in a school as quickly as is reasonably possible. However, the speed of allocation will depend upon the nature and complexity of the individual case. 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 LAC in year applications.

### Children with an EHCP

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.

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<sup>2</sup> 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 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

This protocol has been agreed in partnership between the Local Authority and Primary School Headteachers and Principals. There is a real commitment to ensure that all children from 4 to 11 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 protocol to work successfully, there must be a clear strategic and operational lead from the Local Authority which will be supported by Headteachers.

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 be considered to be unplaced where they do not have a school place within a reasonable distance (2 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 pupil and the needs of the school.
  - Reduce the time that these 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 pupils who would fall within the protocol.
  - Be equitable, transparent and have the confidence of all primary 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 categories

A	<b>PLAN</b>	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
B	<b>TEMP</b>	Children living in a refuge or in other Relevant Accommodation at the point of being referred to the Protocol
C	<b>CRIM</b>	Children from the criminal justice system
D	<b>REIN</b>	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	<b>SEN</b>	Children with special educational needs, disabilities or medical conditions (but without an Education, Health and Care plan)
F	<b>CAR</b>	Children who are carers
G	<b>HOM</b>	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

## 5. MANAGEMENT OF THE PROTOCOL

- 5.1 The protocol will be managed and led by the LA School Admissions Manager and Complex Case Officer.
- 5.2 The Local Authority will work in close partnership with local services and primary schools to ensure there is transparency within the system.
- 5.3 The In-Year Fair Access (IYFA) Panel will be established and will:
- Meet at least half termly
  - Consist of;
    - School Admissions Manager
    - Complex Case Officer
    - Headteacher representatives of primary clusters
    - Nominated Headteacher of the Pupil Referral Unit
    - Representative of the School Provider Arm
    - Representative of the Virtual School
    - Representative from the Educational Psychology Team.
- 5.4 The above panel will review the implementation of the IYFA protocol, including feedback on practice and difficulties arising. They will also give consideration and acknowledgement to all IYFA allocations and Managed Moves which have taken place between schools ensuring that an equitable approach is maintained. Where appropriate the panel may advise on outstanding cases that the Complex Case Worker has been unable to resolve.
- 5.5 The Complex Case Officer and the IYFA 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.

## 6. MAIN PRINCIPLES

- 6.1 This Protocol applies to all maintained primary schools, community, voluntary aided, voluntary controlled and academies. All schools will work collaboratively regardless of the type of school.
- 6.2 As such, whilst all schools must be included within the Protocol, exceptionally, certain schools may not be expected to take children through the IYFA protocol. This will only be appropriate where a school has a particularly high proportion of children with challenging behaviour or previously excluded children and may include a school that is in special measures or which has recently come out of them. However, the determination of which school will not be

expected to take a child through the IYFA protocol will be subject to local agreement by Panel members and might change through the year depending on circumstance.

- 6.3 Schools will continue to admit non IYFA pupils who apply for an available place, under normal admission arrangements.
- 6.4 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 LAC and EHCP pupils. Schools cannot cite over-subscription if they are asked to admit a pupil under the protocol, unless admission would breach infant class size legislation.
- 6.5 Admission authorities must not refuse to admit a child thought to be potentially disruptive or likely to exhibit challenging behaviour on the ground that the child is first to be assessed for special educational needs (paragraph 3.13 of the School Admissions Code (2021)).
- 6.6 Children placed under this Protocol must be given priority over others on a waiting list (paragraph 2.15 of the School Admissions Code (2021)).
- 6.7 Schools must not insist on an appeal hearing before admitting a child under this protocol.
- 6.8 Wherever possible, pupils with a religious affiliation will be matched to a suitable school, but this will not override the protocol.
- 6.9 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.
- 6.10 Children who have been permanently excluded will be placed on roll at the primary pupil referral unit. 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 primary school. The move 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 move is unsuccessful, the pupil will return to main roll at the PRU.
- 6.11 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 as described in 6.10.
- 6.12 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.

## **7. PROCESS**

- 7.1 The initial contact between the LA and a school regarding all pupil transfers will be through the School Admissions Team.
- 7.2 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.

- 7.3 The LA will e-mail the named contact at the allocated school within **5 school days** following receipt of the application. Schools must respond, in writing (e-mail), within **3 school days** so that the admission of the pupil is not unduly delayed. Where a governing body does not wish to admit a child with challenging behaviour outside the normal admissions round, even though places are available, they must provide their reasons in writing by completing the Primary In Year Fair Access Admission Form and return it to the Complex Case Officer for referral to the panel.

The allocation request will be up to a maximum of 2 schools. Where both schools refuse the request, an IYFA committee will be called within **5 school days**. The constitution will be 3 Head Teachers (from the relevant cluster/s where possible) together with the Complex Case Officer and an Educational Psychologist (if appropriate) invited. After considering the case the Head Teachers have the delegated responsibility to re-direct the request to the most appropriate school.

- 7.4 Where requests for the placement of IYFA pupils are refused by the identified school following panel decision, the LA will consider its power to direct the admission.

- 7.5 **Where a child is considered under the Fair Access Protocol, a school place must be allocated for that child within 20 school days.**

- 7.6 Schools will be expected to work in collaboration to ensure that appropriate support is provided to the child to ensure increased success of the placement.

- 7.7 Pupils placed under the protocol will be given a target start date no later than 5 school days after the allocated school has either:

- Accepted and agreed to the request from the Complex Case Manager.
- Been instructed by the IYFA panel to accept the child following further consideration of the case.

- 7.8 Pupils placed from a Pupil Referral Unit/Short Stay School 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 one term, but will be negotiated on a needs led basis.

## **8. HOW MANY PUPILS WILL INDIVIDUAL SCHOOLS BE ASKED TO TAKE?**

- 8.1 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, by the School Admissions Manager, Complex Case Manager and the IYFA panel.

- 8.2 The allocation of placements in individual schools will be managed by the School Admissions Manager/Complex Case Worker who will update the monitoring sheet and circulate to Primary Headteachers/Principals.

- 8.3 The Terms of Reference for the management of the IYFA panel will be agreed annually between the LA and Primary Headteachers/Principals

- 8.4 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.

## **9. MONITORING AND EVALUATION**

- 9.1 Implementation of the protocol will be monitored through the IYFA panel meeting and Headteacher cluster meetings. All IYFA cases will be reported to the panel along with any refusals for scrutiny.
- 9.2 The IYFA Protocol will be reviewed annually so that any amendments can be agreed and implemented from the start of the following academic year.

## **10. COMPLIANCE WITH THE PROTOCOL**

- 10.1 Any system for placing this group of pupils will only succeed if all schools and academies agree to accept the protocol and adhere to it. 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.

## Managed Moves Protocol

**Looked After Children – Managed Moves are strongly discouraged for LAC. However, where this may be deemed appropriate, the LA will inform the Virtual School team and social care of all LAC referrals. Involvement of carers, social worker and the Virtual School team is imperative in identifying whether a managed move is appropriate. The final decision lies with the Virtual School Head. If agreed, all parties should be involved in identifying the school and in establishing any required support to aid the transition and induction process. Both the home school and the receiving school must rigorously apply the managed move protocol.**

### 1 Purpose of the Protocol

- 1.1 This protocol is intended to meet the needs of those young people who are require a transfer from their current primary school whose school placement has broken down and who would benefit from a “fresh start”.
- 1.2 To implement the recommendations from the managed move research project
- 1.3 It is intended to acknowledge the real need of vulnerable young people where the current school placement has irrevocably broken down.
- 1.4 When necessary, schools will admit pupils with challenging educational needs on an equitable basis, eliminating the need for any school to admit an unreasonable proportion of such pupils.
- 1.5 This protocol will be equitable, transparent, managed and have the confidence of all schools.

### 2 Principles of the Protocol

- 2.1 This Protocol applies to all maintained primary schools, community, voluntary controlled, voluntary aided and academies. All schools will work collaboratively regardless of the type of school.
- 2.2 A managed move or respite place should be presented as a positive strategy and be part of the school’s overall behaviour policy.
- 2.3 A managed move can only take place with the consent and engagement of the child’s parent/carer. They must be informed and agree to the move taking place.
- 2.4 It is expected that the option of a managed move will be given full consideration prior to a permanent exclusion for cumulative incidents of misbehaviour.
- 2.5 Salford schools will work in partnership to arrange managed moves between schools. When a school recognises the need to pursue a managed move it will make a referral through the Complex Case Officer. All managed moves will be reported to the IYFA panel.

- 2.6 The system of managed moves will embody the principle that all schools are committed to a fair process to ensure vulnerable and challenging children are not “moved on” from school to school in an unplanned or uncoordinated way which may have a detrimental impact on other local schools.
- 2.7 The home school will retain full responsibility of the young person e.g. parental complaints, providing evidence to support assessments, funding EP places etc during the trial period.
- 2.8 Any school accepting a pupil permanently onto their roll through the managed move protocol will be credited in line with the IYFA protocol which will be overseen by the IYFA panel.
- 2.9 Whilst all schools must be included within the protocol, exceptionally, certain schools may not be expected to take children on managed moves. This will only be appropriate where a school has a particularly high proportion of children with challenging behaviour or previously excluded children and may include a school that is in special measures or which has recently come out of them. However, the determination of which school will not be expected to take a child through the protocol will be subject to local agreement by panel members and might change through the year depending on circumstance.
- 2.10 It is essential for Head teachers to work collaboratively for the managed move process to be successful.

### **3 Process**

#### **3.1 Agreed expectations of schools/academies:**

##### **Provision prior to school referral**

- Behaviour policy followed
- Strategies/interventions implemented are recorded with outcomes
- CAF/Family assessment in place/offered where appropriate

##### **Referral**

- Consent to be gained from parent/carer. The views of the parent/carer and the child (as age appropriate) should be sought before the referral is made.
- Referral form to be fully completed with additional support/intervention strategies provided with outcomes

##### **Consistency of approach required by the receiving school**

- Process must be adhered to:  
e.g. review meetings must be held and attended by a representative from both schools, child and parent/carer. All meetings to be recorded.
- Communication at all stages is crucial
- Initial meeting should stress the positive aspects of a managed move (fresh start) whilst clearly outlining the school's expectations. A managed move should not be seen as punitive but as a solution to improve the educational provision and outcomes for the young person. Consider inviting other professionals involved e.g. social worker, YOS etc who can offer support.

- Integration in line with normal in year admissions i.e. fully integrated into mainstream class unless there are exceptional circumstances
- Incidents of behaviour managed in line with the behaviour policy (i.e. as one of your own)

### **Successful managed move**

- Final meeting to acknowledge the success of the managed move for the young person and the receiving school

### **Failed managed move**

- A minimum of one day notice to the home school to enable a reintegration meeting. If receiving school refuses admission on that day then they will apply a fixed term exclusion
- Reason for the failure using an exclusion code, where possible, with a brief summary and evidence (e.g. behaviour log, strategies/interventions used) sent to home school and Complex Case Worker
- Complex Case Worker to review with home school at the end of the following term after the failed managed move. In recognition that sometimes the managed move has a positive impact on the child's return to the home school.

### **Reporting**

- All managed moves reported to the IYFA panel for scrutiny/challenge
- On the rare occasion where it is necessary to extend a managed move after 12 weeks, the Complex Case Worker will be informed.

3.2 Identifying a new placement for a pupil requiring a managed move can be achieved in a number of ways:

- Primarily, arrangements will be made through discussion at cluster meetings
- Headteachers may wish to contact each other directly where there are good relationships in place
- the Complex Case Officer may become involved in a small number of cases where there is need to identify a cross-cluster placement or the Headteacher feels uncomfortable approaching colleagues (for example new headteachers who have not yet built relationships with colleagues).

Placements will take into account geographical proximity, parental preference and the number of pupils already placed at the school under the protocol.

3.3 The process will be monitored and evaluated by the Complex Case Officer, who will report on its effectiveness to the IYFA panel and the LA including the reasons for failed managed moves.

## **4 Managed moves from out of borough**

4.1 Headteachers from out of authority who wish to negotiate a managed move with a Salford school should contact the Complex Case Officer and provide a written report which informs the LA of the issues surrounding the pupil's place at their current school.

4.2 It has been agreed to include this section within the protocol as it is important to maintain relationships with Headteachers across boundaries. However, it is clear that

any such arrangements with regards managed moves must be reciprocated between LA's.

## **5 Compliance with statutory regulations**

- 5.1 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 protocol, if an application is made by the parent through the normal in year admissions route.



## Terms of Reference

### 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 primary 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 pupils within clusters
  - Promote, initiate, support and monitor the placement of vulnerable children across the cluster groups
  - 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 managed moves
- 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 LAC or Previously LAC. 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 termly during term time, in line with the School Admissions Code
  - Guarantee attendance at meetings
  - Keep minutes of meetings

### 4. MEMBERSHIP

- 4.1 The membership of the IYFA panel will include, as a minimum;  
Head of School Provider Arm (primary)

School Admissions Manager and Complex Case Officer  
Head teachers and Principals of primary providers as elected by their cluster  
Nominated Headteacher of the Pupil Referral Unit(s)  
Representative of the Virtual School Headteacher/ Head of Service - Inclusion

4.2 Panel members will:

- Attend on time and not leave early
- Represent their organisation and ensure that there is feedback on debates and 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
- Learn from each other and share good practice

**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

5.3 The declaration will be treated as confidential

5.4 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 Complex Case Officer and Chair will set the agenda for the meetings.

7.2 Panel members can request agenda items by informing the Complex Case Officer 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
  - Taking minutes

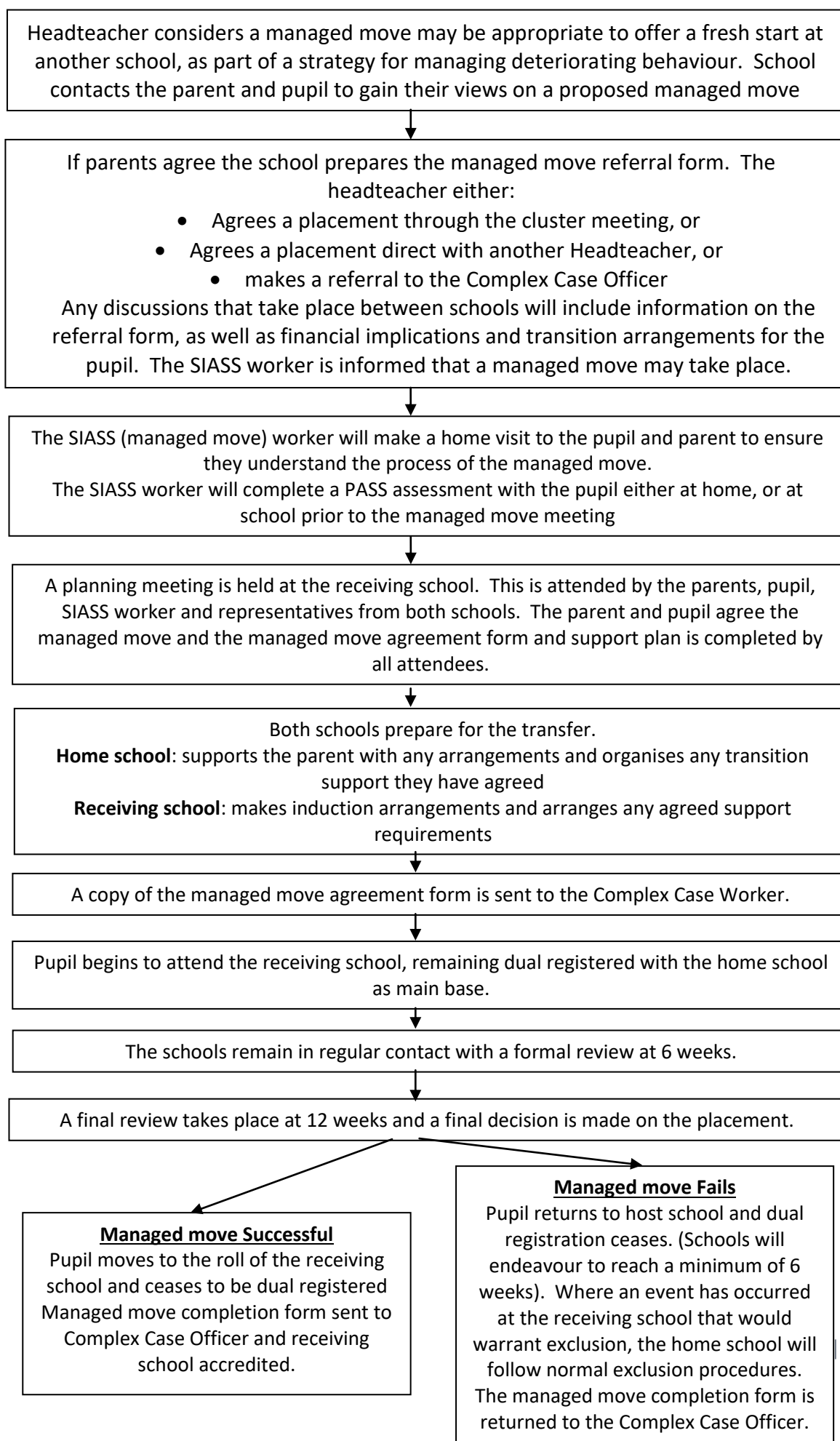
## **9. Privacy Notice**

- 9.1 Services to Schools Privacy Notice



Privacy notice June  
2018 - Services to Sc

## Appendix 1: Managed move process flowchart



## **Appendix 2: The managed move meetings**

### **Arranging the planning meeting**

The managed move planning meeting needs to be attended by the headteachers of both schools. Other appropriate staff may also attend to help support transition arrangements, including professionals from other agencies involved with the pupil. All invites will be made by the home school.

The parent and pupil will be invited to attend the meeting by the home school, and the meeting should not take place without them. Pupil attendance should be arranged at an age appropriate level, and they may not need to attend for the entire meeting. Parents are central to the process and must be present at the meeting and willing to make a commitment to the process.

The SIASS (managed move) worker will be invited to attend.

The managed move will take place at the receiving school. A suitably accessible room with sufficient, comfortable seating and a table should be booked by the receiving school. As a minimum, water should be provided for all attendees and copies of paperwork should be provided for the meeting.

The receiving school should prepare an induction pack for the parents and pupil. This should include copies of the receiving schools policies and procedures, including attendance and behaviour policies, a copy of the term dates and other important dates for the school, uniform and equipment requirements etc.

### **At the planning meeting**

The planning meeting agenda should include as a minimum the following:

- Reason for the managed move request – including views from the pupil (include the PASS outcomes) and the parent as well as the school
- Why the home school feels a managed move may be successful
- Expectations of the receiving school and information on their policies and procedures
- Targets for the pupil, and expectations of the parents and schools (or any other professionals) in supporting the move
- Confirmation of the timescales for the managed move and setting of dates for the review meetings
- Confirm arrangements for the pupil's first day at the receiving school

The above information should be recorded on the managed move agreement form and on the managed move support plan.

### **After the meeting**

A copy of the managed move agreement form should be sent to the Complex Case Worker.

The Headteacher of the receiving school must ensure that all relevant staff understand (at an appropriate level) what has been agreed and where appropriate are provided with a copy of the managed move support plan.

### **During the 12 week period**

A member of the receiving school staff should meet regularly with the pupil to review progress, identifying with the pupil what is going well and how to continue this success. Feedback should be provided to the parent about how their child is doing, both good and bad reports.

The receiving school should provide the home school with weekly updates on attendance of the pupil.

The home school should be notified of any problems that arise with the pupil as soon as possible, particularly if the placement is becoming untenable.

### **The 6 week review meeting**

The review meeting should be used to review the targets on the managed move support plan, including the involvement of the parent, staff and other professionals. All who attended the original planning meeting should be invited to attend the review meeting. It may be necessary to amend support depending on the experiences of the pupil during the 6 weeks, however, in the majority of cases, the pupil's targets will remain consistent for the entire 12 week period.

If at this stage the pupil is experiencing difficulties with the placement, these should be discussed and appropriate support measures provided to promote the success of the placement for the pupil.

### **The 12 week review meeting**

The final review meeting should be held at the receiving school and is an opportunity for all involved to congratulate the child on their successful move.

Where a managed move is successful, the child will transfer onto the permanent roll of the receiving school and they will take on full responsibility for the child. The managed move completion form should be returned to the Complex Case Officer.

The end of the 12 week review period does not mean that all support offered to the child should stop. Some children will continue to show low level disruptive behaviour during the managed move, however as long as it is significantly less than at the previous school this is no reason why the managed move should not be successful. These children will continue to require targets and support to ensure the ongoing success of the placement.

### **Unsuccessful managed moves**

Any decision to end the managed move at the 12 week review should not come as a surprise. If there are issues with the placement during the 12 weeks, the receiving school should contact the home school without delay to arrange a review meeting. This may result

in the immediate failure of the managed move, or it may be determined that support and interventions may be changed and the child given until the 12 week review to see if the placement can be successful.

A failed managed move will need to be handled sensitively. It should be explained to the pupil that they have not been able to maintain the targets given to them. The parent/carer should be given reasons in writing for the failure of the move. This should be explained in clear English, giving not only details of the final incident/s leading to the failure of the placement, but also all the school have done leading up to this point to support the child and maintain the placement for as long as possible.

If a managed move is unsuccessful, the child will return to the main roll of the home school, and they will become fully responsible for the child again. Where a significant incident has occurred at the receiving school, the home school will need to decide whether this warrants exclusion.

The managed move completion form should be returned to the Complex Case Worker if the move is unsuccessful.

### Appendix 3: Managed move forms

#### Primary Managed Move Referral

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:	
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Details of Parents/Carers with Parental Responsibility	
Name:	Name:
Address:	Address:
Tel No:	Tel No:
Relationship:	Relationship:

Parent/Carer permission given?	Yes	No
LAC Status	Yes	No
Education, Health and Care Plan	Yes	No
SEN (Non Education, Health and Care Plan)	Yes	No
Child Protection/Child in Need Plan	Yes	No
Previously LAC (adopted, SGO or child arrangements order)	Yes	No

Parent/Carer School Preference	
1.	
2.	
3.	

Details of Referral		
What has led to this young person being referred?		
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, Social Care, CAMHS, BIT, CAF, TAC)		
Agency	Key Worker	Contact Details

Additional Support /Strategies Provided in School With Outcomes	
Strategy	Outcome

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

Parents/Carers View of The Referral (Where possible)

<b>DO YOU CONSIDER THERE TO BE ANY RISKS TO LONE WORKERS VISITING THE HOME?</b> <b>YES / NO (IF YES PLEASE GIVE DETAILS)</b>
---

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

<b>Person Making the Referral</b>	<b>Date:</b>
<b>Name:</b>	<b>Designation:</b>
<b>Tel No:</b>	<b>Email:</b>

Schools already approached for a managed move (if any):		Outcome of approach:	
1		Yes	No
2		Yes	No
3		Yes	No

**Please email the fully completed form to the Complex Case Worker following agreement of a managed move or if support is required in securing a placement:**  
[inyear.admissions@salford.gov.uk](mailto:inyear.admissions@salford.gov.uk)

## Managed Move Agreement

<b>STUDENT NAME:</b>		<b>DOB:</b>		<b>YEAR:</b>	
<b>NAME OF PARENT/CARER:</b>		<b>TEL:</b>			
<b>HOME SCHOOL:</b>		<b>TEL:</b>			
<b>LINK TEACHER:</b>					
<b>RECEIVING SCHOOL:</b>		<b>TEL:</b>			
<b>LINK TEACHER:</b>					

<b>START DATE:</b>	<b>REVIEW DATE:</b>	<b>END DATE:</b>
--------------------	---------------------	------------------

<b>SCHOOL START TIME:</b>		<b>SCHOOL FINISH TIME:</b>	
<b>MORNING BREAK:</b>		<b>LUNCH:</b>	
<b>FORM/TUTOR GROUP:</b>		<b>SEND:</b> <i>Include gifted and talented</i>	
<b>VULNERABLE GROUPS:</b>	<i>Include CP/CIN/TAC etc.</i>		

### Managed Move - Initial Meeting

	Agenda	Comments
1.	Welcome & introductions. <i>What should this look like?</i> Issue welcome booklet including a school map (if you have one)	
2.	Outline MM process and purpose of meeting. (Salford MM booklet or direct to website)	
3.	Pupil Voice - <i>Identify question prompts based on the individual (PASS outcomes)</i> <i>Hobbies/Interests/Subjects</i> <i>Hot spots - what pushes their buttons?</i>	
4.	Parent Voice - <i>Identify question prompts based on the individual</i> <i>What has led up to the MM?</i> <i>Behaviour/support at home</i>	
5.	Home School View. Reason for managed move. <i>Positive statement – explore examples</i>	
6.	School Ethos & Protocols. Behaviour policy explained. <i>Key expectations</i> <i>Do you have a pupil friendly policy?</i>	
7.	Clear targets set and explained <i>Support plan based on outcomes of PASS and completed jointly</i>	
8.	First day arrangements - <i>Clearly outline including equipment and basic requirements e.g. uniform</i>	

Attach: SIMS pupil details [ ] Behaviour log [ ] Attendance certificate [ ] Intervention/Support [ ]  
IEP/IBP [ ] ✓ when attached

**Please return a copy of this form to the Complex Case Worker following the Managed Move Planning Meeting: [inyear.admissions@salford.gov.uk](mailto:inyear.admissions@salford.gov.uk)**

**Managed Move Support Plan**

Name:	DOB:	Yr Group:	Home School:	Receiving School:
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Target **	Pupil	Parent/Carer	Home School	Receiving School
1. <i>E.g. Attendance and punctuality</i>				
2. <i>E.g. Behaviour</i>				
3. <i>E.g. Work (in class and homework)</i>				
Signed:				

Review	Outcomes and Impact
Date (6 weeks):	
Date (12 weeks):	

\*\* Targets – SMART and time limited. Specific to the child based on previous records and information, including PASS outcomes.  
PASS attached [ ] LA Informed [ ]

## Managed Move Completion Form

Name:	DOB:	Yr Group:	Home School:	Receiving School:

Review	Outcomes and Impact
Date (6 weeks):	
Date (12 weeks):	

Was the managed move successful?

Yes ☐

No ☐

**Successful move**

Date pupil will go on permanent roll of receiving school:	
---	--

**Unsuccessful move**

Date pupil will return to permanent roll of home school:		
Reasons why the move was unsuccessful:		
Have the reasons for the failure been explained to the pupil?	Yes	No
Has the parent/carer received written reasons for the failure of the managed move?	Yes	No

**Please return a copy of this form to the Complex Case Worker following the 12 week review meeting:**  
[inyear.admissions@salford.gov.uk](mailto:inyear.admissions@salford.gov.uk)

**Appendix 4:**

**Abridged School Admissions Code (2021)**

**Children who have been permanently excluded twice or display challenging behaviour** *\*Although the DfE officially use the term ‘challenging behaviour’, in Salford we prefer to use the term ‘distressed 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 denomination<sup>22</sup>);
- 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 5: Children with Challenging Behaviour

*\*Although the DfE officially use the term 'challenging behaviour', in Salford we prefer to use the term 'distressed behaviour'.*

In accordance with sections 3.10 and 3.11 of the School Admissions Code (2021), a school may refuse to admit a child believed to have challenging behaviour and refer that child into the In Year Fair Access Protocol. This will only apply where the school already has a high proportion of children with challenging behaviour or permanent exclusions compared to other local schools and admitting the child would cause prejudice to the provision of efficient education or to the efficient use of resources.

The Salford IYFA panel have considered how challenging behaviour may be identified in line with the definition in the School Admissions Code (2021). They have also considered how a class could be defined as having a high proportion of need. These definitions are to be used as a guide only and all cases referred into the IYFA panel will be considered on their individual circumstances.

### Defining a child with challenging behaviour:

A child with challenging behaviour would be expected to have one or more of the following:

- One or more permanent exclusions
- A history of fixed term exclusions in the last 12 months
- Current involvement from the primary intervention team (PIT) or equivalent behaviour support service from out of LA
- Current Educational Psychology involvement

### Defining a class with a high proportion of need:

The school would be expected to evidence high levels of a combination of the following types of pupils in the relevant class as part of their refusal of the place: (N.B. all uses of the word 'recent' refer to within the last 12 months)

- Previously permanently excluded children
- Children with recent fixed term exclusions
- Children with a recent short-term placements at Alder Brook
- Children requiring behaviour support currently, e.g. PIT
- Children with Educational Psychology involvement currently
- Children with current CAMHS involvement
- Children with recent Social Care or Early Help involvement
- Children who currently require support from the Learning Support Service, e.g. ACE, SALT etc
- Children with EHCPs – please include details of the primary needs of these pupils
- Children with health needs

The school would also need to provide a brief statement on the context of the class/school, including any relevant information on staffing, finance etc.

All the above information will be used by the IYFA panel to then determine placement of the child.