

Framework for Surrey's Fair Access Protocol

1.	Introduction	
	1.1	This document sets out the framework within which Surrey's Primary and Secondary Fair Access Protocols will operate during the academic year 2018/19.
	1.2	The Fair Access Protocols are operated by Surrey in partnership with all state funded mainstream schools and apply to children living in Surrey.
	1.3	The following documents form part of this framework: <ul style="list-style-type: none"> • Common Principles of Surrey Fair Access Panels • Primary Fair Access Protocol 2018/19 • Secondary Fair Access Protocol 2018/19
	1.4	This framework should be read alongside each of these documents.
2.	Background	
	2.1	Paragraph 3.9 of the School Admissions Code confirms that each local authority must agree a Fair Access Protocol with the majority of schools in the area 'to ensure that, outside the normal admissions round, unplaced children, especially the most vulnerable, are offered a place at a suitable school as quickly as possible'.
	2.2	Paragraph 3.8 of the School Admissions Code confirms that admission authorities must not refuse to admit children in the normal admission round on the basis of their poor behaviour elsewhere. However paragraph 3.9 of the School Admissions Code confirms that in agreeing a Protocol for admissions outside the normal admissions round, 'the local authority must ensure that no school, including those with available places, is asked to take a disproportionate number of children who have been excluded from another school or who have challenging behaviour'.
	2.3	Once agreed, all schools in the area, including all own admission authority schools, must participate in the Fair Access Protocol. Failure by a school to engage in the fair access process will not prevent a child being placed at that school.
	2.4	The protocols ensure that access to education is secured quickly for the most vulnerable and challenging children; and that all schools in Surrey admit their fair share of children with challenging behaviour, whether or not the school is undersubscribed.
	2.5	Whilst the protocols provide for the most vulnerable children to be admitted to school quickly, unnecessary transfers between schools are strongly discouraged. Schools are expected to work with children and their families/carers to prevent unnecessary transfers between schools.

	2.6	Surrey works together with schools to reduce and prevent permanent exclusion. Managed moves which may be arranged between schools before a child reaches the point of permanent exclusion will not qualify as a placement under Surrey's Fair Access Protocol.
3.	Principles of Surrey's Fair Access Protocol	
	3.1	The Fair Access Protocol applies to all state funded mainstream schools in Surrey. All schools will work collaboratively regardless of the type of school.
	3.2	The majority of children applying outside a normal admission round will be admitted to a school through each school's in year admission procedures. However Surrey's Fair Access Protocol will be triggered when a child who is applying for in year admission is identified as falling within one of the criteria set out within the protocol.
	3.3	Children applying for a place as part of the normal admissions round to Reception, Year 3 and Year 7 must be considered alongside all other applicants and cannot be placed through the Fair Access Protocol.
	3.4	Where possible, parental preference will be considered but this will not override the Fair Access Protocol if the preferred school is unable to admit the child. However, all applicants will be advised of their right of appeal if a place at a preferred school is not offered.
	3.5	While all schools will be part of the Fair Access Protocol, exceptionally there may be circumstances where a school will not be expected to take a child under the Protocol. The circumstances where a school might not be asked or might refuse to admit such a child are set out in each Protocol.
	3.6	Admission authorities will 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 of the School Admissions Code).
	3.7	Admission authorities will not cite oversubscription as a reason for not admitting a child under this Protocol unless an extra child would breach the Infant Class Size Regulations and the child to be admitted could not be treated as an excepted child (see Appendix 1 to the Primary Protocol for cases that might be considered as an exception to Infant Class Size legislation).
	3.8	There are clear benefits of the panel process in placing fair access children. This works well in the secondary sector and is increasingly being implemented in the primary sector. This approach is encouraged as it provides for a fair and transparent distribution of children and enables headteachers to make collaborative decisions.
	3.9	Children placed under the Fair Access Protocol will be given priority for admission over others on a waiting list (Paragraph 2.14 of the School Admissions Code).

3.10	Where a child leaves a school for home education, the outgoing school must notify the relevant Area Education Welfare Manager who will arrange for an urgent home visit to the family before the child is registered with the Elective Home Education team. The intention is to prevent unnecessary or inappropriate departures from a school and to avoid the family seeking admission to another school shortly afterwards that results in a referral to Fair Access under category 2.2f of the Protocol.
3.11	A child will not be counted as having been placed under the Fair Access Protocol for a particular school if the placement breaks down within 12 school weeks of the child's start date and the child is taken off roll at that school.
3.12	At the latest, a child being placed through the Fair Access Protocol will be placed on roll within 5 school days of the school receiving a copy of the offer letter to the parent/carer, and the child should start at the school within 5 school days of going on roll. Placing on roll should not be subject to a meeting with the parent/carer, although a meeting might be arranged to discuss a start date and to discuss the child's integration to the school.
3.13	A copy of the offer letter will be sent by the Admissions team to the Area Education Welfare Manager. Once on roll any attendance issues should be dealt with as appropriate through the school's attached Education Welfare Officer.
3.14	Under no circumstances will a school ask a parent/carer to withdraw a child from the school's roll. If a school continues to face difficulty with a child who is on their roll, such as through poor attendance or challenging behaviour, they will seek support from the Area Education Welfare Manager or Area Lead for Specialist Teachers in the first instance.
3.15	If information comes to light which indicates that a school has taken a child off roll inappropriately or has not sought appropriate support for a child whilst they were on roll, the Admissions team will refer that information to the Area Education Welfare Manager who will liaise with the school as appropriate.
3.16	In the unlikely event of a child not being placed through the Fair Access Protocol, Surrey's Admissions team will identify a school in liaison with the Education Lead for Vulnerable Learners. In such circumstances, the school identified by Surrey's Admissions team will be expected to admit the child without delay. However in the event of the identified school refusing to admit the child, Surrey's Admissions team will follow due process in order to instruct a community or voluntary controlled school or to direct an own admission authority school to admit the child.
3.17	Fair access children who cannot be offered a place at a preferred school have the same right of appeal as any other child. The admission authority for that school must inform the parent of their right of appeal promptly.
4.	Roles and responsibilities
4.1	Admissions team: <ul style="list-style-type: none"> • identify fair access children, either through direct in year applications or via

a referral from an own admission authority school;

- where an area panel exists and the child is in a fair access category to be placed at a panel, refer pupils to the Access to Education (A2E) team through the Education Lead for Vulnerable Learners;
- attend the area panels as appropriate, and send the offer letters following notification of placements;
- where there is no area panel or the child is not in a fair access category to be placed at a panel or the child is unplaced at panel, allocate a school to the child, via a direction if necessary;
- monitor the placements to ensure the child is placed on roll and completes 12 weeks on roll;
- authorise the release of Fair Access funding to the relevant school;
- maintain statistics on number of fair access placements agreed for each school.

Education Leads for Vulnerable Learners:

- refer recently excluded children to a Pupil Referral Unit;
- consider whether a managed placement can be arranged with a school for a child in a Pupil Referral Unit or in alternative provision ready for mainstream reintegration, or whether the child needs to be placed via the Fair Access Protocol;
- refer any children who may not be suitable for mainstream schooling to the area Education Psychology team for review prior to deciding an appropriate placement;
- refer other fair access children to the A2E team when notified by the Admissions team;
- arrange for an A2E assessment and collate information to be submitted to the area panel;
- facilitate the placing of fair access children at the area panel;
- notify the Admissions team of panel placements;
- where a placement breaks down, work with the school to identify an alternative solution.

Access to Education (A2E):

- receive referrals through the Education Leads for Vulnerable Learners, from the Admissions team;
- complete an assessment of the child and arrange interim tutoring;
- provide written information on the child's progress to the Education Lead for Vulnerable Learners;
- attend the area panels as appropriate;
- provide reintegration support as required to the incoming school.

Pupil Referral Units (PRUs):

- inform the Education Lead for Vulnerable Learners of pupils in the PRU who are ready for reintegration into a mainstream school;
- receive referrals from the Education Lead for Vulnerable Learners for recently excluded pupils;
- provide written information on the child's progress at the PRU to the Education Lead for Vulnerable Learners;
- attend the area panels as appropriate;
- provide reintegration support as required to the incoming school.

		<p>Schools:</p> <ul style="list-style-type: none"> • own admission authority schools: <ul style="list-style-type: none"> - identify fair access cases from in year applications that are received direct; - consider whether able to admit without the need to refer to the Fair Access Protocol for placement; - complete a Fair Access Referral Form and send promptly to the Admissions team indicating whether able to admit; • all schools: <ul style="list-style-type: none"> - where a child is not in a fair access category to be placed at panel or where there is no panel in operation, respond within 5 school days to a request from the Admissions team to admit a child, giving a full written explanation if unable to admit; - where an area panel exists, ensure the Headteacher or delegated colleague attends and has read all paperwork in advance; - contribute to decision making at panels which maintains an equitable distribution of fair access pupils among schools; - once a fair access placement is agreed, make contact with the family and arrange for the child to go on roll within 5 school days of the offer and to start within a further 5 school days; - where appropriate, make a referral to the area SEND team as soon as a placement is agreed.
5.	Monitoring and reporting	
	5.1	Although no longer a statutory body, Surrey's Admission Forum will continue to monitor the effectiveness of the Fair Access Protocol.
	5.2	As part of its annual report to the Office of the Schools Adjudicator, Surrey is required to report on the effectiveness of the Fair Access Protocol, including how many children have been admitted to each type of school under the Protocol. Surrey's annual report must be produced by 30 June each year and must be published locally.
6.	Funding	
	6.1	Funding for children identified as fair access will be allocated to the school that admits the child in accordance with section 10 of the Primary Fair Access Protocol 2018/19 and section 9 of the Secondary Fair Access Protocol 2018/19.
7.	Children with an Education, Health & Care Plan	
	7.1	Children with an Education, Health & Care Plan (EHCP) are outside the remit of Surrey's Fair Access Protocol as these children are placed in accordance with the SEND Code of Practice.
	7.2	However children who are awaiting an EHCP will continue to be considered under normal admissions processes, including the Fair Access Protocol as appropriate, until their EHCP is agreed.
	7.3	The Fair Access Protocol does not replace the process for assessing the specialist needs of a child and putting in place appropriate provision.

8.	Looked After Children	
	8.1	Looked After Children are children who are in the care of the local authority as defined by Section 22 of the Children Act 1989.
	8.2	Looked After Children are placed in accordance with Surrey's Protocol for the Processing of in year admissions for Children in Care, and so they are outside the remit of Surrey's Fair Access Protocol.

Common Principles of Surrey Fair Access Panels

Introduction

This document forms part of the Framework for Surrey's Fair Access Protocol and should be read in conjunction with that document.

Common Principles

1. All schools are expected to participate in the panel process.
2. The representative from the school has delegated responsibility.
3. If a school has no representation at a panel, that school could still be allocated a fair access child.
4. For own admission authority schools, the delegated representative should not need to seek prior or subsequent authorisation from their governing body to admit a fair access child. This is because when a child is placed in accordance with the Fair Access Protocol, the admission authority for that school must admit the child.
5. All children must be placed at the panel.
6. Paperwork should be circulated at least five school days before a panel.
7. Paperwork should be as comprehensive as possible and should include information made known to the Admissions team or the Education Lead for Vulnerable Learners / Pupil Referral Unit as appropriate.
8. Attendees are expected to have read the paperwork in advance of the panel.
9. Panel paperwork should include a named person and contact details for the previous school if available.
10. Placement decisions should be made in the best interests of the child.
11. Generally a child is expected to be placed within the area where they were previously at school, even if their preference is for schools in another panel area. This is to increase a school's accountability for a child leaving that school.
12. Where a placement in another panel area is thought to be in the child's best interests, the Education Lead for Vulnerable Learners or the Chair of the panel for the area where the child was previously at school, or the Chair of the panel for the area where the child lives if they have moved into the area, will facilitate cross-quadrant or cross-borough discussion to agree which panel will place the child.

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Surrey County Council

PRIMARY Fair Access Protocol 2018/19

1.	Introduction	
	1.1	This document sets out the Fair Access Protocol which will be operated by Surrey in partnership with primary schools during the academic year 2018/19.
	1.2	This Protocol should be read alongside the Framework for Surrey's Fair Access Protocol and the Common Principles of Surrey Fair Access Panels, which set the context for Surrey's Fair Access Protocol.
2.	Categories of children	
	2.1	This Protocol includes all the categories that are mandatory under the School Admissions Code (denoted by *).
	2.2	Children to be placed under this Protocol will be those: <ul style="list-style-type: none"> • who live in Surrey; and • who have a legal right to access state funded education; and • who are not already on the roll of a school (although see exception in category a); and • who are seeking a place in Reception to Year 6 outside the normal admissions round; and • who are of statutory school age; and • who fall under one of the categories a) to p) below.
	a)*	<i>Children who were permanently excluded from their last state funded school placement and those attending Pupil Referral Units (PRUs) or Alternative Provision, who are ready to be reintegrated back into mainstream education but into a different school from the one originally attended or children who are still on roll at a school but are attending a PRU or Alternative Provision as an alternative to permanent exclusion;</i>
	b)*	<i>Children returning from the criminal justice system who are registered with the Youth Offending team;</i>
	c)	<i>Children known to the police or other similar agencies, where there has been active involvement or support received from Surrey's Community Incident Action Group (CIAG) within the past six months;</i>
	d)	<i>Children with a history of serious unauthorised attendance problems (below 85%) within the past academic year, as assessed by the attached Education Welfare Officer;</i>
	e)	<i>Children withdrawn from school by their parent following fixed term exclusion for persistent breaching of internal behaviour policies in school;</i>
	f)	<i>Children who have applied to return to mainstream schooling after a period of elective home education and whose application for a school place through the normal in year admission process is refused;</i>

g)*	<p><i>Children who have been out of education for longer than two months where throughout that period:</i></p> <ul style="list-style-type: none"> • <i>they have not been receiving elective home education;</i> • <i>they have been living within the UK; and</i> • <i>they have had a right to access state funded education.</i> <p><i>This two month period will be counted as continuous from the date the child came off roll but will exclude the summer break. Where a child is removed from roll on the last day of a term or half-term, the first day of absence will be deemed to be the first day of the next term or half-term.</i></p>
h)*	<i>Children of Gypsies, Roma and Travellers;</i>
i)*	<i>Children of asylum seekers and refugees who have been in the UK for less than two years and need a supported entry to school. The need for a supported entry does not include language support where this is the only support required and must be substantiated by professional evidence. Examples of the type of circumstances that might demonstrate a need for a supported entry are where such a child requires specific emotional or behavioural support by the school as a result of their experiences;</i>
j)*	<i>Children who are homeless including those who have been placed in temporary housing by Surrey County Council;</i>
k)*	<i>Children with unsupportive family backgrounds where a place has not been sought and where a referral is made through an outside agency or service who is seeking to support the child;</i>
l)*	<i>Children who are carers;</i>
m)*	<i>Children with special educational needs, disabilities or medical conditions (but without an Education, Health & Care Plan), where the need, disability or medical condition has already impacted on the child's attendance or participation at school;</i>
n)	<i>Children subject to a child protection plan;</i>
o)	<i>Children of UK service personnel and other Crown Servants, where a change of location ordered by the service leads to a need for a change of school;</i>
p)	<i>Children who are accommodated in an emergency refuge for victims of domestic violence.</i>
2.3	Within the definition of this Protocol, categories deemed to be 'challenging' are categories a) to g) and these may attract funding to the school depending on the date of admission. The processes for the admission of children are set out in Sections 5 and 6.
3.	Identification of children who meet the criteria for the Protocol
3.1	Most children will come to the attention of the Admissions team or the school as part of the in year admission application process.

	3.2	Where an application form is received directly by the Admissions team, they will assess the information on the in year application form and will categorise children as meeting the Protocol if from that information they appear to meet the criteria.
	3.3	<p>Where an application form is received directly by an own admission authority school, they will assess the information on the in year form. If they believe that the child meets the criteria of the Protocol, they will consider whether they are still able to admit the child:</p> <ul style="list-style-type: none"> • If they are able to admit the child, the school will notify the Admissions team of the application and the offer and the reasons why they believe the child meets the Protocol. The Admissions team will then consider whether the admission should be logged as a Fair Access placement. • If the school is unable to offer a place, the school will refer it to the Admissions team to be considered under the Protocol. <p>All such referrals will be made within 5 school days of the application being received.</p>
	3.4	Most children who are permanently excluded from a Surrey school and those who are ready for reintegration to a mainstream school from a Surrey Pupil Referral Unit (PRU) or other Alternative Provision will be identified by the Education Lead for Vulnerable Learners /Head of PRU. The Education Lead for Vulnerable Learners /Head of PRU will consider whether a managed placement might be arranged directly with a school or whether the processes set out in sections 5 and 6 should be followed.
	3.5	However, it is inevitable that some cases will be unidentifiable from the in year application form. There may also be some cases of recently excluded children who have moved from another local authority, where the child's previous school history is not known to Surrey. If a school identifies that a child should be categorised as meeting the criteria for the Protocol after admission, they will notify the Admissions team so that the placement might be recorded.
	3.6	Some cases may also come to light where there is evidence that might suggest that, although not subject to an Education, Health & Care Plan (EHCP), the child is not suitable for mainstream schooling. It is anticipated that these cases will be few, but any such cases will be referred to the area Education Psychology team by the Education Lead for Vulnerable Learners for review before determining the most appropriate placement for the child.
	4.	The number of Fair Access placements that each school will be expected to admit
	4.1	By their nature, the number of primary aged children falling within one of the Fair Access categories will be low each year. As such, where there is a need for a school to admit over their Published Admission Number (PAN), schools will generally only be asked to admit a maximum of one child for each class of 30 within their published intake, up to a maximum of three placements during any one year.
	4.2	However, schools must adhere to Infant Class Size legislation. If the year of entry is Reception, Year 1 or Year 2 and a school already has class sizes of

		30, a child will only be admitted if they can be considered to be an excepted child (see Appendix 1).
5.	Process for admission – categories a) to g)	
5.1	Children who fall within categories a) to g) in paragraph 2.2 are considered to be the most challenging with regard to admissions. Section 10 of this Protocol sets out the funding available for categories a) to g).	
5.2	Where a placement panel does not exist, children falling within categories a) to g) will be placed in accordance with the processes set out in Section 6.	
5.3	<p>Where a placement panel does exist, children falling within categories a) to g) will be referred as follows:</p> <ul style="list-style-type: none"> • children already in a Surrey PRU or alternative provision will be referred directly to the area panel by the Education Lead for Vulnerable Learners /Head of PRU once the child is ready for reintegration to another mainstream school; • children who are already known to Surrey and who are recently excluded will be referred to a PRU by the Education Lead for Vulnerable Learners; • all other children will be referred to the A2E team through the Education Lead for Vulnerable Learners, by the Admissions team. 	
5.4	In the event that there is a Key Stage 1 fair access pupil to be placed in an area where a panel exists but where most schools are full and Infant Class Size legislation will apply, the Area Lead for Pupil Support may decide to consult the Headteachers of those schools who have a vacancy and then facilitate one of those schools to admit, instead of convening a full panel.	
5.5	<p>On receipt of referrals in A2E, the Education Lead for Vulnerable Learners will arrange for:</p> <ul style="list-style-type: none"> • the child's assessment to be completed; • a risk assessment to be carried out on the suitability of the home or alternative venues for home tuition; • short term interim teaching/mentoring to be set up in the light of assessment/other available information. 	
5.6	In the event that the A2E team cannot immediately accommodate a child, the Admissions team will follow the process in Section 6 in allocating a school.	
5.7	After a maximum target time of 6 weeks with the A2E team, the Education Lead for Vulnerable Learners will collate reports from tutors/mentors which will be submitted to the next area panel. The Education Lead for Vulnerable Learners will also send copies of the referral paperwork to the Admissions team.	
5.8	Where appropriate, the Education Lead for Vulnerable Learners will try to mediate a school placement ahead of the panel meeting, based on the circumstances of the case and the conditions set out in this Protocol.	
5.9	The Education Lead for Vulnerable Learners and/or a representative from	

		the Admissions team and/or a representative from A2E, as appropriate, will attend the panel at which placement decisions are to be taken.
5.10		Panels are expected to consider the case of each child and to agree a placement at the most suitable school within the area of the panel.
5.11		For own admission authority schools, the Headteacher or delegated representative at the panel should not need to seek prior or subsequent authorisation from their governing body to admit a fair access child. This is because when a child is placed in accordance with the Fair Access Protocol, the admission authority for that school should admit the child.
5.12		In considering cases, Panels will have regard to: <ul style="list-style-type: none"> • parental preference (the parent/carer can still submit an appeal and so it is helpful to demonstrate that this has been considered); • the schools in the area that they might wish to protect from admitting a challenging child (such as a school which has a particularly high proportion of children with challenging behaviour or previously excluded children; a school in special measures or recently come out of them; or a school which is otherwise in need of support); • any genuine concerns about the admission by either the parent/carer or the school; • a view of the parent/carer about the religious ethos of a school; • distance, availability of transport and travelling times.
5.13		Where a child has been removed from school for elective home education and then wants to return to school to the same phase of education, that child will normally be expected to be admitted to their original school unless there are compelling reasons why that would not be possible or appropriate.
5.14		In considering cases, Panels may also wish to have regard to the number of Looked After Children (LAC) and EHCP children within each school and the number and frequency of previous Fair Access placements within the academic year and within each year group.
5.15		Decisions on placement will be notified to the Admissions team for formal notification to the parent/carer, with a copy also being sent to the school and Area Lead for Education Welfare, who will in turn share it with the attached Education Welfare Officer.
5.16		Immediately after the Panel has made its placement decision the receiving school will contact the parent/carer and make arrangements for the child to go on roll within five school days of the placement being agreed and for a start date within five school days of going on roll. Support for the admission process may be available from the Education Welfare Officer and if required, reintegration support may also be available from the A2E team for the child's first two weeks in school.
5.17		The Admissions team will continue to monitor the placement to ensure that the child is placed on roll and the satisfactory completion of 12 weeks. The reintegration of children returning to mainstream school from a PRU may be managed over a period longer than 12 weeks, at the decision of the

		Education Lead for Vulnerable Learners.
	5.18	A placement will be considered to have broken down within 12 weeks if the child's behaviour would ordinarily warrant permanent exclusion. In such cases the Education Lead for Vulnerable Learners will determine whether or not the placement should be considered to have broken down. Where a placement is considered to have broken down, the Education Lead for Vulnerable Learners will work with the school to identify a solution which might include the school referring the child for alternative provision or placement at an alternative school.
	5.19	Subsequent Panel meetings will review any placements made to ensure that the children in the partnership area are in receipt of full time education.
	5.20	If for any reason a Panel is unable to resolve a placement, a placement will then be allocated to the child by the Admissions team.
6.	Process for admission – categories h) to p); and categories a) to g) where no panel process exists	
	6.1	Children who fall within one of the categories h) to p) will be referred directly to one of the parent/carer's preferred schools by the Admissions team, in liaison with the Education Lead for Vulnerable Learners.
	6.2	Children who fall within one of the categories a) to g) in an area where no panel process exists will be referred directly to one of the parent/carer's preferred schools by the Admissions team, in liaison with the Education Lead for Vulnerable Learners.
	6.3	A school might not be expected to admit a child if: <ul style="list-style-type: none"> • the school is in special measures, has recently come out of them or is otherwise assessed by the local authority as needing support (such an assessment will be carried out by the Admissions team in liaison with the local authority); or • the school has no vacancies and the school has already its quota of children under the Protocol within the academic year; or • to admit an extra child would breach Infant class size legislation; or • there are reasons why a school would not be an appropriate placement for the child.
	6.4	If for these reasons it is not possible to place the child within one of the parent/carer's preferred schools, the Admissions team, in liaison with the Education Lead for Vulnerable Learners, will seek to place the child in the nearest and most suitable school taking into account the circumstances described in paragraph 6.3 and, in addition, the following points: <ul style="list-style-type: none"> • schools with vacancies; • any genuine concerns about the admission by either the parent/carer or the school; • a view of the parent/carer about the religious ethos of a school; • the percentage of LAC and EHCP children within each school and the number and frequency of previous Fair Access placements within the

		<p>academic year and within each year group;</p> <ul style="list-style-type: none"> distance, availability of transport and travelling times.
6.5		In such circumstances a school may be asked to admit a child above PAN in excess of the limit stipulated in paragraph 4.1 but taking into account paragraph 4.2.
6.6		Where a child has been removed from school for elective home education and then wants to return to school to the same phase of education, that child will normally be expected to be admitted to their original school unless there are compelling reasons why that would not be possible or appropriate.
6.7		Where a panel exists in an area and a child falling under categories h) to p) cannot be placed within three weeks, the Admissions team reserves the right to refer the case to the panel for consideration.
6.8		The Admissions team will liaise with the school before notifying a parent/carer of the placement.
6.9		Once agreement has been reached, the Admissions team will send notification to the parent/carer, with a copy also being sent to the school and the Area Lead for Education Welfare who will in turn share it with the attached Education Welfare Officer.
6.10		The receiving school will contact the parent/carer and make arrangements for the child to go on roll within 5 school days of the placement being agreed with the Admissions team and for a start date within 5 school days of going on roll.
6.11		The Admissions team will continue to monitor the placement to ensure that the child is placed on roll and the satisfactory completion of 12 weeks. The reintegration of children returning to mainstream school from a PRU may be managed over a period longer than 12 weeks, at the decision of the Education Lead for Vulnerable Learners.
6.12		A placement will be considered to have broken down within 12 weeks if the child's behaviour would ordinarily warrant permanent exclusion. In such cases the Education Lead for Vulnerable Learners will determine whether or not the placement should be considered to have broken down. Where a placement is considered to have broken down, the Admissions team will liaise with the Education Lead for Vulnerable Learners in order to identify an alternative placement as quickly as possible.
7.	Consideration of why a school may not admit a fair access child	
7.1		<p>If a school does not wish to admit a child who falls within one of the Fair Access categories outside the normal admission round, it will refer the case to the Admissions team setting out the reasons why they do not feel they can place the child within five school days. However an exception is only likely to be made if:</p> <ul style="list-style-type: none"> the school is in special measures, has recently come out of them or is otherwise assessed by the local authority as needing support (such an assessment will be carried out by the Admissions team in liaison

		<p>with the local authority); or</p> <ul style="list-style-type: none"> • the school has no vacancies and also the school has already admitted its quota of children under the Protocol within the academic year, as set out in Section 4; or • to admit an extra child would breach infant class size legislation; or • there are compelling reasons why a school would not be an appropriate placement for the child. <p>While community and voluntary controlled schools may refer cases back to the local authority for consideration under the Protocol, it will be the local authority as admission authority for the school which will decide whether a place should be offered at that school.</p>
8.	Establishing which Panel is responsible for considering placements under categories a) to g) where a panel process exists	
	8.1	The purpose of the Protocol is to ensure that unplaced children, especially the most vulnerable, are offered a place at a suitable school as quickly as possible.
	8.2	<p>The most suitable school for some children could be a school that is close to the child's home. Advantages of a placement close to the child's home address are as follows:</p> <ul style="list-style-type: none"> • there are likely to be fewer transport issues or costs; • if the school is nearer there are likely to be fewer barriers which prevent the child from attending; • there may be better parental support and participation; • the child will be better placed to participate in extracurricular activities; • the child is more likely to develop friendship groups from his/her local community; • it is less likely that appeals for other schools will be upheld; • it establishes a clear and transparent way for referrals to be made.
	8.3	<p>However there are also advantages of placing a child within the area where they were previously at school, and such placements can lead to a more informed and considered process which in turn can lead to a successful and supported placement:</p> <ul style="list-style-type: none"> • the previous school can comment on the child's behavioural and educational history at the panel; • support services may already be familiar and be supporting the child; • it ensures collegiate working between schools in the same area which in turn improves shared approaches to managing behaviour and attendance; • it establishes a culture of shared problem solving of individual cases within the same area; • schools can challenge the poor practice of other schools within the same area and this may in turn reduce the number of hard to place cases.
	8.4	For the purpose of this Protocol, children who have previously attended a school within Surrey will be referred to the panel in which the child was previously at school. This will encourage collaborative working between

		schools.
	8.5	However, any child who has not previously attended a school within Surrey will be referred to the panel for the geographical area in which the child lives.
	8.6	Where a panel is satisfied that a placement in a neighbouring area would be in the best interests of the child or other children, then in those cases the panel Chair will liaise with the neighbouring panel Chair where that neighbouring area also operates a panel process, to negotiate a placement in the neighbouring area.
9.	Out of area applications	
	9.1	Occasionally applications will be received from children who live outside Surrey but who otherwise meet the criteria for placement under this Protocol.
	9.2	As these children do not meet Surrey's Fair Access Protocol, schools should consider these applications in accordance with normal in year processes.
	9.3	However, if the child falls within categories a) to g) of paragraph 2.2 of this Protocol and the preferred school is unable to offer a place - either because it has no vacancies or because it is in special measures, has recently come out of them or has been otherwise assessed by the local authority as needing support - the application will be referred back to the child's home local authority to effect an alternative placement.
10.	Funding	
	10.1	Other than permanently excluded children (see paragraph 10.2), schools admitting in year pupils living in Surrey at the time of placement and admitted to state funded mainstream schools under categories a) to g) of paragraph 2.2 of this Protocol may receive financial support of £1000, regardless of when in the academic year the pupil is placed on roll. For year 2 pupils placed in an infant school in the summer term and year 6 pupils placed in a primary school in the summer term, schools may receive financial support of £500. Funding will be forfeited if a child withdraws within 12 school weeks of the placement being made. Where funding has already been paid, the local authority will seek to recover monies from future payments.
	10.2	Permanently excluded children admitted to mainstream schools under the Protocol will be funded as follows:
	a)	When a child is permanently excluded from a school at any time in the local authority's financial year, the school's budget is reduced by the annual value of pupil led funding attracted by a pupil of the same age and characteristics multiplied by 1/52 x the number of weeks from the date of permanent exclusion to the end of the local authority's financial year.
	b)	Where a previously permanently excluded child is admitted to another

	c)	school, the receiving school's budget is increased by the annual value of pupil led funding for a pupil of the same age and characteristics multiplied by 1/52 x the number of weeks from the date of re-admission to the end of the local authority's financial year. Pupil led funding includes the basic entitlement rate; plus deprivation, low prior attainment and EAL funding where the pupil is eligible for such funding. A further adjustment is made where the pupil generated pupil premium for the school.		
	10.3	Panels are expected to take into account the distance and journey times when considering the most suitable placement. Subject to the maximum walking distance appropriate to the child's age being breached, transport will normally be arranged for the most appropriate public transport route. Where there are other suitable modes of transport but a taxi is deemed appropriate to support integration, this will only be funded for one term, and beyond that the child would be expected to travel on an alternative mode of transport to school. Where there are exceptional circumstances the parent/carer could request that the taxi provision is extended, and this would be considered as a transport case review by senior officers in the Admissions team.		
	10.4	Funding arrangements within this Protocol will be reviewed subject to the outcomes of any changes to the funding of schools by the Department for Education or decisions made by Schools Forum to vary funding to schools.		
11.	Data			
	11.1	A log of all placements made through the Fair Access Protocol will be maintained by the Admissions team and this data will be made available to the Admissions Forum by school and category.		
12.	Process for Primary children			
Category of Child		Support team	Panel	Additional arrangements
a) Permanently excluded children or children attending a PRU/Alternative Provision who are ready for re-integration to another mainstream school or where a child is still on roll at a school but is attending a PRU or Alternative Provision as an alternative to permanent exclusion		<ul style="list-style-type: none"> Education Lead for Vulnerable Learners Alternative Provision provider 	Yes	Points Weighting if applicable Dual Registration
b) Children returning from the criminal justice system who are registered with the Youth Offending team		<ul style="list-style-type: none"> Admissions Surrey Family Services 	Yes	Fair Access funding
c) Children known to the police or other similar agencies, where there has been active involvement or support received from Surrey's		<ul style="list-style-type: none"> Admissions Surrey Family Services 	Yes	Fair Access funding

Community Incident Action Group (CIAG) within the past six months			
d) Children with a history of serious unauthorised attendance problems (below 85%) within the past academic year, as assessed by the attached Education Welfare Officer	<ul style="list-style-type: none"> • Admissions • Education Welfare Officer 	Yes	Fair Access funding
e) Children withdrawn from school by their parent following fixed term exclusion for persistent breaching of internal behaviour policies in school	<ul style="list-style-type: none"> • Admissions • Behaviour support • Education Lead for Vulnerable Learners 	Yes	Fair Access funding
f) Children who have applied to return to mainstream schooling after a period of elective home education and whose application for a school place through the normal in year admission process is refused	<ul style="list-style-type: none"> • Admissions • Education Welfare Officer • Elective Home Education team Manager 	Yes	Fair Access funding
g) Children who have been out of education, including elective home education, for longer than two months excluding the summer break (see para. 2.2g for further definition of this) where throughout that period: <ul style="list-style-type: none"> • they have been living within the UK; and • they have had a right to access state funded education. 	<ul style="list-style-type: none"> • Admissions • Elective Home Education team Manager 	Yes	Fair Access funding
h) Children of Gypsies, Roma and Travellers	<ul style="list-style-type: none"> • Admissions • Race, Equality & Minority Achievement team 	No	
i) Children of asylum seekers and refugees who have been in the UK less than two years and need a supported entry to school	<ul style="list-style-type: none"> • Admissions • Children's Services 	No	
j) Children who are homeless including those who have been placed in temporary housing by Surrey County Council	<ul style="list-style-type: none"> • Admissions • Children's Services 	No	

k) Children with unsupportive family backgrounds where a place has not been sought and where a referral is made through an outside agency or service who is seeking to support the child	<ul style="list-style-type: none"> • Admissions • Education Welfare Officer 	No	
l) Children who are carers	<ul style="list-style-type: none"> • Admissions • Young Carers • Children's Services 	No	
m) Children with special educational needs, disabilities or medical conditions (but without an Education, Health & Care Plan), where the need, disability or medical condition has already impacted on the child's attendance or participation at school	<ul style="list-style-type: none"> • Admissions • Education Lead for Vulnerable Learners 	No	
n) Children subject to a child protection plan	<ul style="list-style-type: none"> • Admissions • Children's Services 	No	
o) Children of UK service personnel and Crown servants where a change of location ordered by the service leads to a need for a change of school	<ul style="list-style-type: none"> • Admissions 	No	
p) Children who are accommodated in an emergency refuge for victims of domestic violence	<ul style="list-style-type: none"> • Admissions • Children's Services 	No	

Exceptions to the Infant Class Size Limit – 2018/19

Section 1 of the SSFA 1998 limits the size of an infant class (i.e. a class in which the majority of children will reach the age of five, six or seven during the school year) to 30 pupils per school teacher.

However, the School Admissions (Infant Class Sizes) (England) Regulations 2012 permit children to be admitted as exceptions to the infant class size limit. These children will remain an 'excepted pupil' for the time they are in an infant class or until the class numbers fall back to the current infant class size limit. The excepted children are:

- a) children admitted outside the normal admissions round with statements of special educational needs specifying a school;
- b) looked after children and previously looked after children admitted outside the normal admissions round;
- c) children admitted, after initial allocation of places, because of a procedural error made by the admission authority or local authority in the original application process;
- d) children admitted after an independent appeals panel upholds an appeal;
- e) children who move into the area outside the normal admissions round for whom there is no other available school within reasonable distance;
- f) children of UK service personnel admitted outside the normal admissions round;
- g) children whose twin or sibling from a multiple birth is admitted otherwise than as an excepted pupil;
- h) children with special educational needs who are normally taught in a special educational needs unit attached to the school, or registered at a special school, who attend some infant classes within the mainstream school.

Flow chart for processing cases under Primary Fair Access Protocol

