

A BOURNEMOUTH PROTOCOL ON FAIR ACCESS PUPILS (Non –Statemented)

This protocol is a response to the Secretary of State's expectation that local authorities, schools and Admission Forums should develop protocols on the admission of Fair Access pupils.

This protocol aims to:

- Establish an agreed process to manage effectively the admission and transfer arrangements for primary pupils who do not have a school place.
- Ensure the process is clear, transparent, effective, fair, equitable, timely and responsive to the needs of children, schools and families.
- Comply with DfE guidance 'Fair Access Protocols: Principles and Process' issued in November 2012.
- Ensure all schools and the local authority work together to address this shared issue of concern.
- Ensure that no school is asked to take a disproportionate amount of excluded students and/or students with challenging behaviour.

The under-pining principles of the protocol

Bournemouth academies, schools and the local authority are committed to:

- The concept of schools working collaboratively in addressing the needs of Fair Access Pupils
- The need to provide some protection to 'receiving schools' i.e. those with vacancies. **Please note point 3 of framework in regard to Infant Class Size legislation.**
- Pupils permanently excluded from mainstream schools returning to mainstream schooling as soon as possible
- Requiring parents to help address behaviour difficulties

The protocol will cover:

- A Pupil Placement Panel comprised of Headteachers (or their agreed representatives) from Bournemouth academies and schools
- The Panel will have an extended remit to consider applications for managed moves
- A fair distribution between schools of Fair Access pupils
- Pupils moving in to the area or requesting a school place whilst resident in a neighbouring borough
- Cross boundary issues
- The external support and advice schools require and who should provide this
- Requiring parents to address behaviour concerns – including parenting contract
- The role of the LA as support to the Panel.

'Fair Access' pupils are defined as follows:

- children from the criminal justice system or Pupil Referral Units who need to be reintegrated into mainstream education;
- children who have been out of education for two months or more;
- children who are homeless;
- children for whom a school place has not been sought (involvement of an Educational Social Worker);
- children who have been permanently excluded;
- children currently educated at home but who have attended a mainstream school in the last 12 months;
- children who have presented a significant behavioural challenge to their current school.

A significant behavioural challenge will be defined as having transgressed on more than one occasion to a level that would warrant a fixed term exclusion or a variation to mainstream provision, in one or more of the following areas:

- Physical violence;
- Threats of physical violence;
- Possession of an offensive weapon;
- Bullying, intimidation or harassment;
- Inappropriate physical contact with pupils or staff;
- Damage to property or theft;
- Arson;
- Alcohol;
- Drugs;
- Offensive language towards staff;
- Persistent and malicious disruptive behaviour including open defiance.

Framework

1. Bournemouth primary phase schools and academies and the local authority have agreed to take part in this protocol and related activities.
2. The Pupil Placement Panel will have responsibility to share Fair Access pupils between schools equitably in accordance with its terms of reference.
3. Bournemouth schools and academies in regard to placement of children in Year Groups 3-6 will not cite over-subscription as a reason for not admitting a pupil referred for admission via the Pupil Placement Panel under this protocol. **However Infant Class Size legislation will still apply and children identified as requiring placement under the In Year Fair Access Protocol are not considered as excepted pupils so cannot be placed in the school over the Admission Number where Infant Class Size legislation would require the school to take qualifying measures to ensure children are not taught in classes of more than 30 children per one qualified teacher.**
4. Bournemouth schools and academies will respond immediately to requests for admissions made via the Pupil Placement Panel under this protocol.

5. The Pupil Placement Panel will take account of any genuine concern about the admission raised by the nominated school.
6. Parents views will be taken into account by the Pupil Placement Panel but will not override this protocol. It should be noted that this protocol does not affect the parents' right of appeal under the relevant legislation.
7. The Pupil Placement Panel will recommend which (if any) requirements upon parents there will be to ensure attendance and/or good behaviour. This may include legal strategies such as parenting contracts.
8. Wherever possible the pupil's religious affiliation should be matched by the Pupil Placement Panel to a suitable school, but this should not override this protocol if the school is unable to take the pupil, or if the pupil identified for the school does not have that affiliation.

Managed Moves

In Bournemouth it is agreed that Managed Move requests maybe considered by the Pupil Placement Panel.

Generally the Managed Moves process is managed between schools in a spirit of openness and trust. Cases are then notified to the Clerk to the Pupil Placement Panel.

Collaboration between schools to address shared pressures relating to Fair Access Pupils

All schools / the majority of schools have agreed in principle to work collaboratively as a single cluster to pool resources, approaches and ideas to address the needs of Fair Access Pupils. This will include reference to external providers.

Timescales

Implementation as from ***date to be determined by Primary Headteachers***

Admitting Authorities

This protocol will operate with deference to the admitting authorities of the participating schools

Review Arrangements

The protocol is scheduled to be reviewed annually with reference to the annual report of the Local Authority.

The participating schools and local authority are;

Bethany VA Church of England Junior

Christ the King Catholic Primary
Corpus Christi Catholic Primary
Elm Academy
The Epiphany School
Heathlands Primary
Hill View Primary
Jewell Academy
Kingsleigh Primary
King's Park Primary
Kinson Primary
Malmesbury Park Primary
Moordown St. John's VA Church of England Primary
Muscliff Primary
Parkfield School
Pokesdown Community Primary (Academy)
Queen's Park Infant Academy
Queen's Park Academy
St. Clement's and St. John's VA Church of England Primary
St. James' VA Church of England Primary
St. Katherine's VA Church of England Primary
St. Luke's VA Church of England Primary
St. Mark's VA Church of England Primary
St. Michael's VC Church of England Primary School
St. Walburga's Catholic Primary
Stourfield Infant Academy
Stourfield Junior
Winton Primary
Bournemouth Local Authority