

**Agenda Item: 10**

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**Meeting: Admissions Forum**

**Date: 24 June 2009**

**Subject: In Year Fair Access**

**Report of: Deputy Chief Executive and Director of Children, Families and Learning**

**Summary:**

- 1. To address issues raised by Central Bedfordshire schools about the Protocol.**
- 2. To take account of implications for practice of forthcoming new legislation and DCSF guidance.**

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**Contact Officer: Alison Bray Head of School Support**

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**RECOMMENDATIONS:**

- 1. Provision for children and young people excluded or out of school will be tailored to suit the pupil's individual needs. Alternative provision will be used more as an early intervention. Assessment for pupils excluded or out of school, are to be swift, flexible, responsive and child centred and reintegration back into school will be provided.**
- 2. A Central Bedfordshire Fair Access Protocol (FAP) will include clear timescales and processes for considering and resolving cases.**
- 3. Information provided by a school to a future school will be through a structured meeting so that there is an understanding and an awareness of the pupil and that planning prior to the child's admission is good. We will draw up guidance as recommended in the latest 'Back on Track Agenda' and this will be issued as a school circular.**
- 4. The FAP will include a system by which information on SEN placements and LAC placements can be provided and taken into account when naming a school as part of the FAP process.**
- 5. The Behaviour and Attendance Partnerships are to implement the FAP at a local level through headteachers' reintegration and placement panels. Each panel will hold devolved resources and will be supported by area/locality services.**
- 6. That the implications arising from the report by Sir Alan Steer needs to be considered at a future Admission Forum**

**7. When identifying the receiving school any issues the school may have are taken into account.**

**Background**

1. Fair Access protocols exist to ensure that access to education is secured quickly for children who have no school place but for whom a place at a mainstream school is appropriate, and to ensure that all schools in an area admit their fair share of children with challenging behaviour, including children excluded from other schools.
2. Each Local Authority must have a Fair Access Protocol (FAP) and all schools and Academies must participate in their Local Authority Protocol.
3. The Bedfordshire FAP has been in place since October 2007 and replaced the previous 'Hard to Place Protocol' (HPP) which had applied to Upper schools since 2005. The HPP, which operated on a 'league table' basis, was seen to disadvantage some schools more than others, to be time consuming and overly complex while not achieving the aims of speed, equitable distribution, fairness and transparency. The FAP and related processes were developed as a result of the formal evaluation of the HPP which involved consultation with headteachers, local Authority officers, other Local Authorities and parents and children.
4. In light of changes to the Admissions Code, the new Central Bedfordshire FAP will cover a wider range of children and the Code now has an Appendix setting out issues relating to placing children with challenging behaviour. It sets out the groups which must be covered by the FAP bringing about a significant increase in the number of groups. The Local Authority must ensure that pupils who have been permanently excluded or have behavioural difficulties have been assessed [this must cover educational, social, emotional and behavioural needs], that their needs have been suitably addressed and that they are ready to take the step back into mainstream school.
5. This raises issues for the planning and provision of services for children with challenging behaviour and requires a systemic approach to provision mapping for vulnerable children to ensure that there is effective practice to meet need.
6. The implementation of the FAP through the multi agency Bedfordshire Education Panel [BEP, from January 07 to July 08] achieved the core aims of a) swiftly finding a school placement for vulnerable pupils and b) monitoring the progress of reintegration. All schools agreed to accept the pupils identified under the protocol and real progress has been made in securing school places for vulnerable young people. No schools have been directed to admit a pupil since the introduction of the FAP. The tables attached in Appendix A show a break down of pupils identified under the FAP for 2007- 2008.

7. From September 2008, it was decided to amalgamate the BEP Panel into the existing Bedfordshire Allocation Panel [BAP] and to remove decision making on school identification from the panel, leaving cases to come to BAP only if additional funding was being requested. This has diminished the tracking and monitoring function and consequently fewer cases this year have been put forward for new school places and pupils have spent longer out of mainstream school. The tables attached in Appendix A shows the position for the two Las from the beginning of the current academic year until the end of March 2009.
8. A 'Transforming Behaviour Project' led by Senior Managers in Children's Services and in collaboration with schools has been recently initiated. The Head of Pupil Support Service is visiting Derbyshire County Council's Behaviour and Attendance Strategic Group to explore different models for policy and practice.
9. The FAP Review Group has been reconstituted into two separate groups to serve Bedford Borough and Central Bedfordshire. Each Group has headteacher representation from each phase and includes senior managers from each Local Authority. At present the two groups are chaired by the Head of Partnerships and Reintegration.
10. The Central Bedfordshire Review Group has met twice and decided to maintain the basic framework of the existing FAP and to include the changes required under the new Admissions Code.

### **Issues raised by schools**

11. Multiple placements that come to a school through the SEN/LAC and FAP routes. A pupil is identified through the FAP and at the same time the school is approached to take a LAC with challenging behaviour and is then also named for a child with a statement for BESD, all in the same week.
12. Some schools do not consider the information that they are presented with by alternative providers as sufficient or that planning prior to the child's admission with the interim provider was adequate.
13. During the current academic year, there has been more pressure on provision for year 10 owing to the peak in year 10 exclusions and some schools have found it difficult to accommodate more than one year 10 pupil into a settled year group. The costs involved in creating a personalised programme for a young person disengaged from education are significant and this is particularly true for year 10 cases.

### **Next Steps**

14. The FAP will be redrafted to include the recommendation under the new admissions code and there will be a period of consultation with all schools, prior to the final Protocol being tabled for the Admissions Forum in September

**Appendices:**

Appendix A - Bedfordshire County Council -Pupils Accepted Under Fair Access Protocol

**Background papers:**

In Year Fair Access Protocol for all Phases

**Table 1:** Bedfordshire County Council  
**Pupils Accepted Under Fair Access Protocol**  
**September 2007 - July 2008**  
**Shown by Bedford Borough and Central Bedfordshire**

<b>Phase</b>	<b>Category</b>	<b>Borough Identified School</b>	<b>Central Identified School</b>	<b>Total</b>	<b>Total pupils reintegrated into new school</b>	<b>Allocation not taken up</b>
Lower	Exclusion		4	4	4	
	Challenging Behaviour	2	1	3	3	
	Managed Move	2		2	2	
<b>Lower Total</b>		<b>4</b>	<b>5</b>	<b>9</b>	<b>9</b>	
Middle	Exclusion	6	11	17	16	1
	Challenging Behaviour	5	3	8	7	1
	Challenging Behaviour [OOC]	0	1	1	1	0
	Managed Move	3	1	4	4	0
	Averted Exclusion	0	1	1	1	0
<b>Middle Total</b>		<b>14</b>	<b>17</b>	<b>31</b>	<b>29</b>	<b>2</b>
Upper	Exclusion	14	19	33	31	2
	Successful Managed Move *	6	5	11	11	0
	Challenging Behaviour	1	5	6	6	0
	Averted Exclusion		2	2	1	1
	Exclusion (OOC)		1	1	1	
<b>Upper Total</b>		<b>21</b>	<b>32</b>	<b>53</b>	<b>50</b>	<b>3</b>
<b>Grand Total</b>		<b>39</b>	<b>54</b>	<b>93</b>	<b>88</b>	<b>5</b>

**Table 2: Pupils admitted by Category within Phase 2007/08**

<b>Phase</b>	<b>Category</b>	<b>Total</b>
Lower	Exclusion	4
	Challenging Behaviour	3
	Managed Move	2
<b>Lower Total</b>		<b>9</b>
Middle	Exclusion	17
	Challenging Behaviour	9
	Managed Move	4
	Averted Exclusion	1
<b>Middle Total</b>		<b>31</b>
Upper	Exclusion	33
	Managed Move	11
	Challenging Behaviour	6
	Averted Exclusion	2
	Exclusion (OOC)	1
<b>Upper Total</b>		<b>53</b>
<b>Grand Total</b>		<b>93</b>

**Table 3: Fair Access Protocol 2007-2008:**

<b>Phase</b>	<b>Named School</b>	<b>Places Available</b>	<b>Pupils Admitted</b>	<b>Remaining Intake</b>
<b>Lower</b>	Thornhill Lower School	2	1	1
	Goldington Green Lower School	3	1	2
	Putnoe Lower School	3	1	2
	Clipstone Brook Lower School	2	1	1
	Southlands Lower School	3	1	2
	Shefford Lower School	3	2	1
	Gravenhurst Lower School	1	1	0
	Dunton VC Lower School	1	1	0
<b>Middle</b>	Parkfields Middle School	3	1	2
	Brooklands School	3	1	2
	Newnham Middle School	4	1	3
	Five Oaks Middle School	2	1	1
	Holmemead Middle School	4	1	3
	Brewers Hill Middle School	3	1	2
	Arnold Middle School	4	1	3
	Leighton Middle School	3	1	2
	Streetfield Middle School	3	1	2
	Westfield Middle School	3	1	2
	Marston Vale Middle School	3	1	2
	Alameda Middle School	4	1	3
	Abbey Middle School	3	1	2
	Woodside Middle School	2	1	1
	Daubeney Middle School	4	1	3
	Linslade Middle School	4	1	3
	Robert Bruce Middle School	4	1	3
	Ashton CofE VA Middle School	4	1	3
	Fulbrook Middle School	3	1	2
	Beauchamp Middle School	4	1	3
	Priory Middle School	3	2	1
	Mill Vale Middle School	4	2	2
	Goldington Middle School	4	2	2
	Kings Houghton Middle School	3	2	1
Harrowden Middle School	3	3	0	
<b>Upper</b>	John Bunyan Upper School	4	1	3
	Stratton Upper School	5	3	2
	The Cedars Upper School	5	3	2
	Vandyke Upper School	5	3	2
	Manshead CofE VA Upper School	5	3	2
	Sharnbrook Upper School	5	3	2
	Harlington Upper School	5	4	1
	Biddenham Upper School	5	4	1
	Wootton Upper School	5	4	1
	Samuel Whitbread	5	4	1
	Redborne Upper School	5	4	1
	Queensbury Upper School	5	4	1
	Sandy Upper School	4	4	0
	St Thomas More Catholic School	4	4	0
	Hastingsbury Upper School	5	5	0
<b>Total pupils admitted through protocol</b>			<b>93</b>	

**Table 4:**

**Bedfordshire County Council  
Pupils Accepted Under Fair Access Protocol  
September 2008 – March 2009  
Shown by Bedford Borough and Central Bedfordshire**

<b>Phase</b>	<b>Category</b>	<b>Borough Identified School</b>	<b>Central Identified School</b>	<b>Total</b>	<b>Pupils reintegrated into new school</b>
<b>Lower</b>	Exclusion	0	1	1	
	Averted Exclusion	0	1	1	
	Managed Move	0	1	1	
<b>Lower Total</b>		<b>0</b>	<b>3</b>	<b>3</b>	<b>0</b>
Middle	Exclusion	5	6	11	4
	Averted Exclusion	2	4	6	2
	Challenging Behaviour	1	0	1	1
	Managed Move*	6	0	6	2
<b>Middle Total</b>		<b>14</b>	<b>10</b>	<b>24</b>	<b>10</b>
Upper	Exclusion	8	8	16	11
	Averted Exclusion	4	6	10	2
	Exclusion [OOC]	0	3	3	2
	Managed Move	6	4	10	2
	Challenging Behaviour	1	0	1	1
	Challenging Behaviour [OOC]	1	0	1	1
	<b>Upper Total</b>		<b>20</b>	<b>21</b>	<b>41</b>
<b>Total</b>		<b>34</b>	<b>34</b>	<b>68</b>	<b>29</b>

June 2009