



SEFTON IN YEAR SCHOOL ADMISSIONS POLICY (including Sefton Fair Access Protocol and Sefton Transfer Protocol)



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INTRODUCTION

Since 2010, Sefton Local Authority has successfully implemented a fully co-ordinated scheme for processing all In Year admissions to Sefton Schools. This policy applies to the admission of pupils who are of school age (up to 16 years old) requesting admission to a Sefton school during the academic year. This policy does not apply to special schools, specialist units or independent schools.

On 1 September 2021, the School Admissions Code 2021 came into effect. This policy has been updated to meet the legal requirements set out in the new code.

1. Sefton Local Authority provides a suitable application for parents to complete when applying for a place (in year) for their child at any school within Sefton (except Independent schools). Applications and further guidance notes are available on the Sefton website at www.sefton.gov.uk/inyearadmissions The Local Authority will provide upon request, information to a parent/carer about the number of places available at schools within its area.
2. There are two types of In Year requests for admission to a Sefton school:
 - a. **In Year admission application** - where a child has moved into Sefton from other areas or from abroad or has moved a significant distance within Sefton and needs to be admitted to a new local school.
 - b. **School Transfer** - where a child is already attending a school inside or outside of Sefton and requests to transfer to another school, for reasons **other than a house move**.
3. The School Admissions Code also requires all Local Authorities to have a **Fair Access Protocol**. The Protocol applies to **unplaced children** from certain groups of vulnerable or hard to place children where they are having difficulty securing a school place through the normal In Year (outside of the normal admissions round) admissions procedures. Further details can be found on pages 13 to 18.
4. The school to school transfer process has been introduced to address many inter-related issues that have been identified where children that would meet a Fair Access threshold, request to transfer school, and where no house move has taken place. Sefton has developed a School Transfer Protocol for pupils who may difficulty securing a school transfer. Further details can be found on pages 19 to 25.
5. Sefton Local Authority has developed the In Year admissions system, Sefton Fair Access Protocol & Sefton Transfer Protocol in agreement with Sefton Headteachers' groups.

GENERAL IN YEAR ADMISSION ARRANGEMENTS

Parents with children of statutory school age who move to a new house and require a new school place within Sefton outside of the normal admissions rounds should apply for a school place using the application form **Sefton A1 Admission Form** (In Year admission due to a house move) OR (if available) apply online using the Citizen Portal system. The application form and guidance notes are available to download/print from the Sefton council website www.sefton.gov.uk/inyearadmissions.

PUBLISHED ADMISSION NUMBER

Each school has a published admission number that has been agreed for the cohort of children starting at the school, i.e. those in reception or those transferring from Primary into Year 7 (these are referred to as the normal admissions round). Ordinarily a school would not admit above their published admission number.

A school can agree to have a different admission number for In Year admissions for other year groups within the school.

CHILDREN WITH SPECIAL EDUCATIONAL NEEDS or AN EDUCATION HEALTH AND CARE PLAN(EHCP)

In accordance with the Special Educational Needs Code of Practice it is anticipated that the majority of pupils with special educational needs will be able to have their needs met within their local mainstream school. In addition to this, within Sefton, some mainstream schools have specialist SEN Units or resourced provision for pupils with additional needs. An EHCP is a legal document that describes a child or young person's special educational, health and social care needs. It explains the extra help that will be given to meet those needs, and it will include the name of a specific educational establishment that the child will attend in order to meet their needs. This is different from a SEN Support Plan or a child receiving additional help within the classroom.

An Education, Health and Care Needs Assessment, in line with the SEND Code of Practice 2015, would need to be carried out for a child likely to require a specialist SEN Unit, resourced provision or special school placement. **All Sefton maintained or academy schools will meet their legal obligation to admit a pupil who has an EHCP where the school is named in the plan.**

The School Admissions Team is **NOT** involved in allocating a school place for children who have an EHCP. For children with an EHCP **who live in Sefton**, if they wish to change school placement an Annual Review Meeting must be held to discuss the request to change placement. Families should contact their current school or their SEN Casework Officer at the Local Authority to arrange this. Further information is available from the SEN & Inclusion Service, Assessment, Resource and Provision Planning Team, Magdalen House, 30 Trinity Road, Bootle, L20 3NJ.

Email: special.needs@sefton.gov.uk telephone: 0151 934 2347.

Information is also available online: www.seftondirectory.co.uk/localoffer.

For children with an EHCP **who do not live in Sefton** but wish to move to a Sefton school, parents should contact their child's current school or the SEN Casework Officer at the home Local Authority for further details on how the EHCP can be transferred or adjusted.

For children who do **NOT** have an EHCP but do have Special Educational Needs or disabilities, the In Year School Admission form should be completed in the usual way.

INFANT CLASS SIZE

Infant classes (Reception, Year 1 & Year 2) must not contain more than 30 pupils with a single school teacher unless any additional child admitted meets the specified criteria of an "excepted child" as set out in paragraph 2.16 of the School Admissions Code 2021.

ADMISSION OF CHILDREN OUTSIDE OF THEIR NORMAL AGE GROUP

All In Year admission applications are processed based on the child's **chronological age group**. Current guidance from the Department for Education states that "the government would agree that, in general, children should be educated in their normal age group, with the curriculum differentiated as appropriate. Children should only be educated outside of their normal age group in very limited circumstances."

Parents do not have the right to insist that their child is admitted to a particular age group, but they may make a request for this to happen. Requests will be considered on an individual basis and a decision will be made in the best interests of the child. This will include taking account of:

- The parents' views.
- Information about the child's academic, social and emotional development.
- Where relevant their medical history and the views of a medical professional.
- Whether they have previously been educated outside of the normal year group.
- Whether they may naturally have been in a lower age group if it were not for being born prematurely.
- The views of the Head Teacher of the school concerned.

Usually it will be a matter for each individual headteacher to decide if the child should be taught outside of their chronological age group **once the child has been admitted into the new school**. Advice from the Department for Education (DfE) issued in April 2023 states that:

"If a child is moving house, a request may be submitted alongside an In Year admission application. Consideration should be given to whether there are good educational reasons for a child to join their normal age group, **otherwise the child should remain with their adopted year group**. There is no expectation that children who were admitted out of their normal age group should be moved to their chronological age group. **They should remain in the age group to which they were admitted unless there are sound educational reasons to do otherwise.**"

SHARED PARENTAL RESPONSIBILITY

It is recognised that important decisions such as which schools to apply for should be made if possible jointly between parents, however, if parents are unable to agree lines of communication between themselves on issues involving their child, they may wish to seek independent legal advice and explore other options. These might include referring the matter to non-court dispute resolution, such as mediation, or to the family court for adjudication. **In all cases and in the best interests of their child, the local authority requires parents to resolve matters between themselves (taking legal advice if necessary) BEFORE submitting any application for a school place.**

The local authority has an **obligation** to process an application for a school place that has been signed and submitted by a parent/carer stating that they have parental responsibility. The local authority can only process ONE application form per child, from one address. In cases where parents are separated and both have retained joint responsibility, only one application form will be accepted, from the parent with whom the child primarily resides. The home address used will be that which is directed by the court, or the address where the child lives for the majority of the school week. If the child's time is split equally between two homes, the address of the parent who receives the child benefit will normally be used.

It is a parent/carers responsibility to ensure that any request for a new school placement does not breach any existing court orders. The local Authority is required to process an application that has been submitted unless there is a specific court order produced that prohibits the child from changing school.

THE LOCAL AUTHORITY WILL NOT INTERVENE AND CANNOT RELEASE ANY INFORMATION, WHERE DISPUTES OR DISAGREEMENTS ARISE BETWEEN PARENT(S)/CARER(S) IN RELATION TO ANY PROPOSED OR SUBMITTED APPLICATION FOR A SCHOOL PLACE.

HOME ADDRESS - IN YEAR ADMISSIONS DUE TO A HOUSE MOVE

Sefton Local Authority can only process an application from one permanent home address. This must be the address where the parent(s)/carer(s) with legal responsibility lives with the child. The address given on the application form should be the child's current home address (see next section for future house moves). The address of childminders or businesses will not be accepted. The Local Authority requires evidence of the home address/proposed address stated on the application form.

Please refer to the 'In Year application guide for parents' for further information. Applications submitted without satisfactory evidence of the home address may delay an application or affect a child's position on any waiting list for a school.

The Local Authority (or Admission Authority) reserves the right to undertake all necessary investigations and request appropriate evidence of a child's permanent home address, as fit the individual circumstances.

The School Admissions Code allows Admission Authorities to withdraw a place offered to a child if it is found that fraudulent or potentially misleading information has been provided in order to obtain a school place.

FUTURE HOUSE MOVES

The Local Authority (LA) cannot pend school places for an applicant in advance of a house move during the school year. Therefore, the LA will not consider an In Year admission application without a proposed moving address, proposed moving date and some evidence of the proposed address. The moving date should be within 4 weeks of the application being submitted.

Acceptable evidence of the new address will be a solicitor's letter confirming that contracts are due to be exchanged and signed on the new property together with the date, or a copy of a tenancy agreement for the new address. In some circumstances independent evidence which confirms residency at the new address may also be required (e.g. temporary residency with family or friends). Evidence of the disposal of a previous property may also be requested where there is any uncertainty or dispute in establishing a home address for the purposes of allocating a school place.

Applications submitted without the satisfactory evidence of a proposed address may delay an application or affect a child's position on any waiting list for a school.

The Local Authority (or Admission Authority) reserves the right to undertake all necessary investigations and request appropriate evidence of a child's home address, as fit the individual circumstances. **The School Admissions Code allows Admission Authorities to withdraw a place offered to a child if it is found that fraudulent or potentially misleading information has been provided in order to obtain a school place.**

Crown Servants/Children of UK Service Personnel (UK Armed Forces)

For children of UK service personnel (UK Armed Forces) or crown servants returning from overseas, the Local Authority will accept the posting or return address and allocate a school place (where there is a place available) in advance of the family arriving in the area, provided that the application is accompanied by an official letter from the Ministry of Defence confirming a relocation date and address. All applications are still considered according to the admissions criteria for the individual school(s) requested.

IN YEAR ADMISSION APPLICATION PROCESS - HOUSE MOVES (FORM A1)

- a) The A1 application form and guidance notes are available for any applicants who have moved or propose to move house and require a new school place at a Sefton school. The application allows parents to apply for up to three preferred schools (excluding independent schools and special schools), and to give reasons for their preferences if they wish to do so.

- b) On receipt of an A1 form the LA will, where possible, send a request to the child's current school for additional information about the child's education attainment (form A2).
The School Admissions Code 2021 para 2.28 prohibits children being refused admission because information has not been provided from their previous school.
- c) Families moving to a new house **outside** of Sefton into a different local authority area, should contact the local authority where they are moving into, as their home authority, if they require a place at a school within the new area.

IN YEAR SCHOOL TRANSFER ARRANGEMENTS (FORM T1)

A school transfer applies to any pupil already attending a school (inside or outside of Sefton) who wants to transfer to a **school within Sefton**, where no house move has taken place. The same form is used for both primary and secondary schools. Parents/Carers will be provided with a **School Transfer application form (T1)** and guidance notes, setting out the process for a school transfer request and what parents/carers should consider before requesting to transfer their child to a new school.

If the school being requested is located **outside of Sefton**, the applicant must contact the relevant Local Authority where the school is located. Sefton LA will only process transfer applications for Sefton schools.

The transfer process consists of 2 stages:

Stage 1 – Completion of T1 by Parent/Carer

The Parent/Carer completes section A of the transfer application form. The Parent/Carer submits the completed application form (section A) to the **current school**.

Stage 2 – Completion of T1 by School

The current School completes Section B of the application form. This must be completed **within 5 working days**. Once Section B has been completed, the current school must return the completed form (scanned) to Sefton Admissions Team via email: iyadmissions@sefton.gov.uk.

NEXT STEPS

How the LA processes applications

The LA In Year Admissions Team will register each submitted application within the school admissions electronic database and send an acknowledgement to the applicant. The acknowledgement contains a link to the Sefton website for further information regarding the processing of In Year applications, including statutory timescales. This information can be accessed at: www.sefton.gov.uk/inyearadmissions.

The LA In Year Admissions Team processes all applications in the **strict date order** that they are received. In the unusual circumstances where there are more applications received on the same day for one particular school place, the school's admissions criteria will be applied to each application received in order to allocate the available place. In respect of voluntary aided faith schools and some faith academy schools, the school will apply the admissions criteria and advise the local authority which child should be offered the available place.

Offers

Where a place is available at the requested school, the place will be provisionally allocated to the child by the LA In Year Admissions Team. This will remove a vacancy from the school. The application and additional information (if applicable) will be sent via email to the school with a request to admit the child as soon as possible.

The school **MUST** contact the applicant directly to arrange for the child's admission without delay or condition. The school **MUST** then notify the LA In Year Admissions Team **within 3 school days of receiving the request** of the date that the child will be admitted to the school.

All applicants being offered places will be contacted by the school directly in order to make arrangements and agree a start date.

Fair Access Protocol

The Fair Access Protocol may be used to place certain groups of **UNPLACED** children, where they are having difficulty in securing a school place In Year, and it can be demonstrated that reasonable measures have been taken to secure a place through the usual In Year admission procedures. For example, where an application has been made to at least one school and this has been refused, or the local authority has confirmed that there are no places available at any school within a reasonable distance of the home address. Please refer to Appendix Two for further information.

School Transfers Protocol

The School Transfers Protocol **may** be used to place certain groups of children, where they are having difficulty in securing a school place In Year. In some circumstances it may be appropriate for a pupil to have a 'managed move' to another school. Please refer to Appendix Three for further information.

Refusals

If there are NO places available at the school named as the first preference, the LA will automatically refuse the application on behalf of the school.

Where a place cannot be offered at the first preferred school, the parent will be advised of the outcome of their application in writing by the LA. Within this letter, parents will be offered the right to appeal to an Independent Appeal Panel and, if applicable, offered a place at their next preferred school.

Movers in only - If the Local Authority is unable to meet any of the requested preferences, a place will be offered at the school **nearest to the child's home address that has a place**

available. If there is no school place within a reasonable distance to the new home address (and the address must have been verified by the In Year Admissions Team – see page 6), the application may be referred to the Fair Access Panel (by the LA) to allocate a school place, however the right of appeal still remains.

FOR SCHOOL TRANSFERS, NO ALTERNATIVE OFFER IS MADE AS THE CHILD ALREADY HAS A SCHOOL PLACE.

In certain exceptional circumstances a school may refuse to admit a child. If applicable, the LA's Fair Access or School Transfer Protocol will be applied, and the application will be referred to the appropriate Panel for a school to be allocated. Please see Appendix Two and Three for further information.

Accepting places

The applicant will be required to complete and return a reply slip to the LA for any preference refused or alternative place being offered.

Admission appeals

Where a place at a higher preferred school cannot be offered, applicants will automatically be offered the right of appeal for a place at any schools listed as a higher preference than the school offered. Where none of the preferred schools listed can be offered, the right of appeal will be offered for places at all schools refused. The applicants right of appeal will form part of the application outcome letter. An admission appeals information guide will be sent to the applicant with this letter.

For community, voluntary controlled and some academy schools (for whom the LA administers their admissions), the parent can complete an appeal form online at www.sefton.gov.uk/schooladmissionappeals under the 'do it online' option. This appeal form will automatically be submitted directly to the LA. The appeals information guide is also published on the same web page. The web page and appeals guide includes the appeals procedure and contact details for other voluntary aided and academy faith schools. The website includes a direct link to Liverpool Archdiocese website should applicants wish to request an appeal form for any Sefton Catholic school.

While an appeal is ongoing any alternative places offered will ordinarily be held for the child until the outcome of the appeal is known.

Waiting lists

Sefton Local Authority will hold In Year admissions waiting lists for all schools. For community, voluntary controlled and some academy schools (for whom the LA administers their admissions), the waiting lists will be held in admissions criteria order. For voluntary aided faith schools or faith academy schools, in the event of place(s) becoming available, the LA will provide the school with a waiting list to enable the school to apply their admission criteria themselves. The school will need to advise the LA which child(ren) can be offered a place(s).

Each child will only remain on the waiting list until the end of the academic year in which they apply (unless their application is received within the last few weeks of an academic year). If an applicant wishes to remain on the waiting list after that time another request to remain on the waiting list must be made for the next academic year. In some cases a fresh application may also be required.

Any children on waiting lists following completion of the normal admissions round (**for reception and year 7 places**), are automatically moved across to In Year waiting list(s) in September of the new school year. These children will be held on the relevant waiting lists only until the **end of the first school term** (December), unless the applicant specifically requests, before the end of the autumn term, to stay on the waiting list from January onwards.

The admissions criteria for individual Sefton Schools (which will be applied to applicants on a waiting list) can be found in Sefton Primary & Secondary School Admissions Information Guide which is available on Sefton's website by using the following link www.sefton.gov.uk/admissions.

Withdrawing an offer of a place

The School Admissions Code allows Admission Authorities to withdraw a place offered to a child if it is found that fraudulent or potentially misleading information has been provided in order to obtain a school place. This may also apply after the pupil has started at the school.

SCHOOL ADMISSIONS CONTACTS

The In Year Admission form (A1) and the School Transfer form (T1) & guidance notes for each application can be downloaded from the Sefton council website at: www.sefton.gov.uk/inyearadmissions.

An online application system is planned for the near future. Please check the website for updates and full details of the application process. Paper copies of applications are available upon request by email: iyadmissions@sefton.gov.uk

Admission appeals information including an appeals guide & an online appeal form (for some schools, see page 10) is available at: www.sefton.gov.uk/schooladmissionappeals

Detailed admissions guides are available to view/download online at www.sefton.gov.uk/admissions. This includes 'A Guide for Parents' and 'Sefton Schools Admissions Information.' Both guides set out important information regarding the admissions process, along with the admissions criteria and Published Admission Number for all Sefton schools.

Alternatively, paper copies of all information are available on request from the School Admissions Team. Current school place availability information can be obtained by contacting the In Year Admissions Team by email: iyadmissions@sefton.gov.uk or telephone: 0151 934 3590 - multiple phone lines and voicemail facility is available.

Postal Address:

Sefton Council, In Year School Admissions Team, School Support Services, 3rd Floor, Magdalen House, 30 Trinity Road, Bootle, Liverpool, L20 3NJ.

APPENDIX ONE - Important Information For Schools Only

All schools should allow prospective applicants to contact and/or visit their school. Schools should not agree to admit an applicant or discuss the number of available places with applicants during school visits. Enquiries about place availability should be referred to the Local Authority (LA). The LA may already be processing further applications for that school without the school yet being aware.

The Local Authority Admissions team will automatically forward any In Year application forms (T1 or A1), including any additional information that has been gathered, to the relevant school **ONLY WHERE THE SCHOOL HAS PLACES AVAILABLE.**

Where a pupil is moving into Sefton from another area in the UK, the LA Admissions Team will send a request for additional information (A2) to the previous school, where possible. For children moving in from abroad parents are advised to supply their own information from the previous school (translated if necessary) if available.

Once an admission application has been forwarded to an individual school, the school can still make their own further enquiries if they wish. **The School Admissions Code 2021 para 2.28 prohibits children being refused admission because information has not been provided from their previous school.**

Schools **MUST** respond to admission requests **within 3 working days** so that the admission of the pupil is not delayed. It is the responsibility of each Voluntary Aided School to gather any supplementary faith information relating to each applicant, especially if the school is full and the applicant is to be placed on a waiting list, e.g. confirmation of baptism.

A school must inform the Local Authority if a place has been allocated at their school and the **child fails to start at the school within 10 school days.** The school should then follow the usual Children Missing Education (CME) process to establish where the child is being educated.

The Local Authority **must** be informed if a school is planning to change the admission number for any year groups (other than the normal year of entry) in time to allow the Admissions Team to adjust the electronic database, and for parents/carers to be provided with accurate place availability information. **It is therefore imperative that the data held in the school's database is accurate, up to date and transferred to the LA on regular basis (if applicable).** If the LA is unsure as to whether a place is available or not we will contact the school directly before allocating or refusing an application.

To confirm any adjustment to the admission number for specific year groups, the Headteacher should contact the In Year Admissions Team iyadmissions@sefton.gov.uk requesting that the Local Authority adjusts 'intake' numbers. For Community and Voluntary Controlled schools where the LA is the admission authority, the decision to amend the number will be discussed with relevant senior officers before a decision is confirmed.

APPENDIX TWO - Fair Access Protocol

1. Background and Legislation

The School Admissions Code 2021 identified that a Local Authority is required **by law**, to have a Fair Access Protocol that has been developed and agreed with **the majority** of schools within its area to ensure that:

- 1) Outside of the normal admissions round, unplaced and vulnerable children, are found and offered a school place quickly, so that the amount of time any child is out of school is kept to a minimum.
- 2) To identify how the Local Authority will use its provision to ensure that the needs of pupils who are not ready for mainstream schooling are met.
- 3) To ensure that no school (including those with places available) is asked to admit a disproportionate number of children that have been excluded or who have challenging behaviour.
- 4) It is a **mandatory requirement** of the School Admissions Code that all admission authorities including Trust Schools, Free Schools and Academies shall participate in their Local Authority's Fair Access Protocol, even if they were not included in the majority of schools that agreed the protocol.

The Fair Access Protocol may only be used to place certain groups of vulnerable and/or hard to place children, where they are having difficulty in securing a school place in-year, and it can be demonstrated that reasonable measures have been taken to secure a place through the usual In Year admission procedures.

For example, where an application has been made to at least one school and this has been refused, or the local authority has confirmed that there are no places available at any school within a reasonable distance.

There is no duty for local authorities or admission authorities to comply with parental preference when allocating places through the Fair Access Protocol, however parents' views should be considered.

2. Aims of the Fair Access Protocol

The Sefton Fair Access Protocol is designed to:

- Be fair and transparent and have the confidence of all schools.
- Acknowledge the real need of vulnerable young people to be dealt with quickly and sympathetically thereby reducing the time that they spend out of school.
- Ensure that all schools admit pupils with challenging behaviour on an equitable basis, to ensure that no school (particularly those with places) is asked to admit a disproportionate number of children through the protocol.

3. Operating Principles of the Sefton Fair Access Protocol

The Fair Access Protocol will operate in accordance with the agreed Sefton procedures and is underpinned by the following principles:

- Parents retain the right to express preferences for schools via the In Year admissions process, and will be offered the right of appeal, should their preferred schools be full, or if an application is refused by the Fair Access Panel.
- Schools must respond to admission requests **within 3 working days**, so that the admission of a pupil is not delayed. For schools which are their own admissions authority, Headteachers and Governors are asked to agree a procedure which enables decisions to be made in the requisite timescale.
- All schools in Sefton (except independent schools) must participate in the protocol and **must** admit children as soon as possible when admission has been agreed through the protocol.
- The Local Authority will take account of any genuine concerns about the admission, for example, a previous serious breakdown in the relationship between the school and the family, or a strong aversion by the family to the religious ethos of a school.
- Wherever possible, pupils with a religious affiliation should be matched to a suitable school, however, this should not override the protocol if the pupil identified for the school does not have that affiliation.
- Schools cannot cite oversubscription as a reason for not admitting a pupil under the protocol.
- Children recommended for admission to a school through the protocol will be given priority over any others on a waiting list or awaiting appeal.
- The needs of the child and the schools considered will be the joint focus of any discussions surrounding an admission to school. This protocol will be used to ensure no child is disadvantaged and the protocol cannot be “cited” by a school to avoid admission if a decision has been made through the Fair Access Panels. The decision of the Panel is **FINAL**.

4. Role of Fair Access Panel

There are two panels (one for secondary schools and one for primary schools). The panels will meet on a regular basis, currently every 2 weeks. The timetable for meetings will be agreed before the start of each academic year. The panels will vote and make a decision/recommendation for each application.

The composition of the two panels are as follows:

- Chair (rotating) - Headteacher or Deputy Heads/Assistant Heads
- Headteachers/Deputy Headteachers/Assistant Headteachers/nominated representatives from all Community, Voluntary Aided, Voluntary Controlled and Academy schools.
- Representative of Sefton Pupil Referral Unit
- Representative from Special Educational Needs & Disability Service
- Representative from Educational Psychology Service

- School Support Service Manager or a Senior Officer from the Local Authority
- Early Help Representative
- Fair Access Panel Administration Officer
- Other officers/professionals where necessary

Panel Voting

ONLY representatives from schools will vote on the outcome of an application.

Where a school representative wishes to discuss a child on the agenda, at a meeting they were not scheduled to attend, they will be asked to withdraw from the meeting for the panel vote.

Where possible Fair Access Panel decisions will be supported by relevant information and statistics.

5. Statutory categories for inclusion in the Fair Access Protocol

- 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.
- Children living in a refuge or in other relevant accommodation at the point of being referred to the protocol.
- Children from the criminal justice system.
- Children in alternative provision who need to be reintegrated into mainstream education or who have been permanently excluded and are deemed suitable for mainstream education.
- Children with special educational needs (but without an Education, Health and Care plan), disabilities or medical conditions.
- Children who are carers.
- Children who are homeless.
- Children in formal kinship care arrangement.
- Children of, or who are, Gypsies, Roma, Travellers, refugees, and Asylum Seekers.
- Children who have been refused a school place on the grounds of their challenging behaviour and referred to the Protocol in accordance with paragraph 3.10 of the Code.
- Children for whom a place has not been sought due to exceptional circumstances.*
- 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 circumstances where a suitable place has been offered to a child and this has not been accepted.
- Previously looked after children, for whom the Local Authority has been unable to promptly secure a school place.

*The Local Authority (Admissions Team) will decide whether a child qualifies to be placed via the Protocol on this basis, based on the circumstances of the case.

6. Children excluded from the Protocol

Children with EHCPs **are not** included in the protocol as their needs will be considered separately as part of their EHCP review. A child with an EHCP naming a school must be admitted as per paragraph 3.12 of the School Admissions Code.

Children in public care, (as per the definition set out in the code) **are not** included in the protocol as they must be admitted to a school as required by section 3.12 of the School Admissions Code.

Children who are transferring school are not 'unplaced' and are **not eligible** for referral under the Fair Access Protocol (as per paragraph 3.17 of the School Admissions Code). If necessary, children who are transferring school and may fall under a fair access category can be referred under the 'Transfer Protocol' (see separate document).

7. Fair Access Outcomes

The outcomes of a Fair Access Panel meeting would be:

- 1) Offer admission to one of the preferred school(s) with the right to appeal for a higher preferred choice, if necessary.
- 2) Offer admission to an alternative school with the right to appeal for the preferred school(s).
- 3) Recommend admission to alternative provision or recommend an alternative curriculum of a practical nature. In these circumstances, the panel will discuss and agree a personalised plan for the child. Where this is the case, the appropriate panel member will contact the family to discuss this further.

8. Timescale for the admission of a pupil after a Fair Access Panel decision

Arrangements for a pupil to be admitted to the allocated school should be made **as soon as possible** after the school is notified of the panel's decision. This time limit is set out in paragraph 3.21 of the School Admissions Code 2021.

Any difficulties or delay in the pupil being admitted to the identified placement will be brought to the attention of the School Support Service Manager, who will decide about the most appropriate response. In respect of own Admission Authority schools, the LA may approach the Office of the Schools Adjudicator (or the Secretary of State for Academies) to issue a 'Direction to Admit,' if it is appropriate to do so in the circumstances of the case.

9. Fair Access Statistics and Information

An updated statistical spreadsheet should be tabled at every Fair Access Panel meeting to help support the Panel's decision making. Any request for admission via a Fair Access Panel will be supported by the appropriate information and statistics that were considered by the panel. Should a school require further information around the decision making and consideration of schools for an individual child the LA will, upon request, share the class organisation information (primary schools only) related to each relevant school. This will allow for complete transparency around decisions of the Fair Access Panels.

The Local Authority will record all pupils placed in accordance with the provisions of the protocol and maintain accurate and up to date statistics. The overall statistical information relating to Fair Access admissions will be shared at SASH and SAPH meetings once per term.

Fair Access statistical information will also be reported to the Office of the Schools Adjudicator as part of the statutory Local Authority School Admissions annual report.

10. Referral Process to Sefton Fair Access Panels

Referral 1: Admission Application Form due to a house move (form A1) naming a Sefton school

- The Local Authority Admissions team will automatically forward any In Year application forms (A1 & A2 additional information form, if available) to the school named as first preference on the application form **where the school has vacancies**.
- Once an admission application has been forwarded to an individual school, the school can still make their own further enquiries if they wish.
- If the child falls under one of the prescribed Fair Access categories (see section 5) **and** the school has an **exceptional** reason as to why the child cannot be admitted, the school **MUST** refer the application back to the LA. The LA will check all details including the exceptional reason why the school feels unable to admit and, if applicable, the application will be referred through to the Fair Access Panel.
- The preferred school named on the application will be notified by email that a referral to Fair Access requesting a place in their school will take place. The admissions team will also write to the applicant informing them that the application will be referred to the Fair Access Panel.
- If an individual school does identify a particular issue in relation to an application not related to Fair Access, e.g. a particular admission may breach a court order with another family etc. the school should contact **Charlotte Royle, Principal Admissions Officer** (charlotte.royle@sefton.gov.uk) to discuss the issues that have been identified by the school.

- If the child **does not** fall within any of the prescribed fair access categories, **the pupil MUST be admitted without delay, in accordance with the School Admissions Code. No trial periods can be requested**, as the child is unplaced.

Referral 2: Requests for Reintegration from PRU or alternative provision into a Sefton School

The Fair Access Panels will consider and recommend which school to approach in order to reintegrate a pupil. Where appropriate, consideration should also be given to factors such as religious affiliation, transport and other issues specific to the pupil. Re-integrations will be on a trial basis in the first instance to ensure a smooth transition for the pupil.

Any request (or referral) for a place at Alternative Provision is outside of the protocol and must be made by the school, to the Head of the provision directly.

APPENDIX THREE - School Transfers Protocol (including the Protocol for Managed Transfers)

1. Background

The School Admissions Code 2021 has clearly identified that the Local Authority's Fair Access Protocol must only be for unplaced children, and **not** pupils requesting school transfers.

To ensure that no school (including those with places available) is asked to admit a disproportionate number of children in year (outside the normal admissions round), that may fall under a Fair Access Category, a Transfer Protocol has been set up.

There is no duty for local authorities or admission authorities to comply with parental preference when allocating places however parents' views should be considered.

2. Aims of the Transfer Protocol

The Sefton Transfer Protocol is designed to:

- Be fair and transparent and have the confidence of all schools.
- Acknowledge the real need of young people to be dealt with quickly and sympathetically thereby reducing the time that they spend out of school (if applicable).
- Form part of a graduated response to improve attendance and avoid suspensions or a permanent exclusion.
- Ensure that all schools admit pupils with challenging behaviour on an equitable basis to ensure that no school (particularly those with places) is asked to admit a disproportionate number of children through the protocol.

3. Operating Principles of the Sefton Transfer Protocol

The Transfer Protocol will operate in accordance with the agreed Sefton procedures and is underpinned by the following principles:

- Parents retain the right to express preferences for schools via the In Year admissions process, and will be offered the right of appeal, should their preferred schools be full, or if an application is refused by the Transfer Panel.
- Schools must respond to admission requests **within 3 working days** so that the admission of a pupil is not delayed. For schools which are their own admissions authority, Headteachers and Governors are asked to agree a procedure which enables decisions to be made in the requisite timescale.
- All schools in Sefton (except independent schools) must participate in the protocol and **must** admit children as soon as possible when admission has been agreed through the protocol.

- The Local Authority will take account of any genuine concerns about the admission, for example a previous serious breakdown in the relationship between the school and the family, or a strong aversion by the family to the religious ethos of a school.
- The needs of the child and the schools considered will be the joint focus of any discussions surrounding an admission to school. The decision of the Panel is **FINAL**.

4. Role of the Transfer Panel

There will be two panels (one for secondary schools and one for primary schools). The panels will meet on a regular basis, at the same time as the Fair Access Panel. See the Fair Access Protocol for further details regarding the panel.

5. Categories for inclusion in the Transfer Protocol

Referral to the panel is ONLY when a school has refused to admit a child upon initial request.

- All statutory categories as outlined in the Fair Access Protocol.
- Pupils who transfer schools 3 times or more within a local area (with no house moves).
- Children who have been Electively Home Educated requesting a school place (these will be a FULL admission and not a managed transfer).

SCHOOLS are encouraged to COMPLETE A TRANSFER FORM (TR1) for pupils in the following categories:

- Pupils in Year 6 and Year 11 requesting a school to school transfer within Sefton without a house move.
- Pupils with an ongoing and current number of internal or external suspensions.
- Pupils at risk of permanent exclusion where the behaviour of the pupil is of ongoing concern to those professionals involved.
- Pupils who are not attending and who are defined as severely persistently absent who have missed 50% of school sessions and schools cannot secure the attendance of the child at their school.
- Pupils using a Learning Support/Inclusion Unit or Alternative Provision, commissioned by the school, where the child does not have an Education, Health and Care Plan.
- Where concern is raised by current school that staying in the current provision is not appropriate due to reasons not mentioned above (to be agreed by Principal Admissions Officer).

6. Children excluded from the protocol

Children with EHCPs **are not** included in the protocol as their needs will be considered separately as part of their EHCP review. A child with an EHCP naming a school must be admitted as per paragraph 3.12 of the School Admissions Code.

Children in public care, (as per the definition set out in the code) **are not** included in the protocol as they must be admitted to a school as required by section 3.12 of the School Admissions Code. Please contact Charlotte Royle (see page 9) with regard to any looked after child requiring a school transfer.

7. Transfer Protocol Outcomes

The outcomes of a Transfer Panel meeting would be:

- 1) Offer admission to one of the preferred school(s) with the right to appeal for a higher preferred choice, if necessary.
- 2) Offer admission to an alternative school with the right to appeal for the preferred school(s).
- 3) Recommend that the pupil remains at their current school with the right to appeal offered for the preferred school(s).
- 4) Agree/recommend a managed transfer (see section 11).
- 5) For a pupil resident in other Local Authority areas ONLY - agree/recommend a trial placement (see section 12).
- 6) Recommend admission to alternative provision or recommend an alternative curriculum of a practical nature. In these circumstances, the panel will discuss and agree a personalised plan for the child. Where this is the case, the appropriate panel member will contact the child and the family to discuss this further.

8. Timescale for the Admission of a Pupil after a Transfer Panel Decision

Arrangements for a pupil to be admitted to the allocated school should be made **as soon as possible** after the school is notified of the Panel's decision.

Any difficulties or delay in the pupil being admitted to the identified placement will be brought to the attention of the School Support Service Manager, who will decide about the most appropriate response. In respect of own Admission Authority schools, the LA may approach the Office of the Schools Adjudicator (or the Secretary of State for Academies) to issue a 'Direction to Admit,' if it is appropriate to do so in the circumstances of the case.

9. Statistics and Information

An updated statistical spreadsheet should be tabled at every panel meeting to help support the panel's decision making. Any request for admission via a Transfer Panel will be supported by the appropriate information and statistics that were considered by the panel.

Should a school require further information around the decision making and consideration of schools for an individual child the LA will, upon request, share the class organisation information (primary schools only) related to each relevant school. This will allow for complete transparency around decisions of the Transfer Panels.

The Local Authority will record all pupils placed in accordance with the provisions of the protocol and maintain accurate and up to date statistics. The overall statistical information relating to Transfer Panel admissions will be shared at SASH and SAPH meetings once per term.

10. Referral process to Sefton Transfer Panel

Referral 1: School completes Managed Transfer Request (form TR)

- A managed transfer request to the relevant panel will be made by the pupil's current/home school via the admissions team. All managed transfers must be requested through the relevant Transfer Panel using the appropriate form (form TR1).
- Any managed transfer should be with the full agreement of the parent/carer.
- The Transfer panel may recommend a managed transfer takes place between two schools and this must therefore be implemented by both schools, using the agreed criteria below.
- A transfer school can be suggested or identified on the transfer request form by the home school and parent, although the panel will make a final recommendation on which school to approach in order to request the managed transfer. Where appropriate, consideration should also be given to factors such as religious affiliation, transport and other issues specific to the pupil.
- The managed transfer should form part of the pupil's PSP, IBP, IEP or pupil profile.
- Prior to school submitting a request for the managed transfer all interventions the school has put into place should be outlined in the request.

Referral 2: Application for a School Transfer (form T1)

- Where a transfer request is submitted the application is processed under the standard In Year admissions process. All applications will be sent to the school for consideration (unless the school is full).
- If the school do not feel they can offer a place to the pupil concerned, they must advise the admission team as to the reason why they are refusing admission.

- If the transfer request falls under the categories listed in Section 5 and the school can demonstrate that admitting another pupil would be detrimental to the school, then the application will be passed to the transfer panel for discussion.
- Once an application is referred to the Transfer Panel the same outcomes outlined under section 7 will apply.

11. Managed Transfer Process

A meeting should be arranged at the receiving school with representatives from both home and receiver school present.

For managed transfer to be successful the criteria (shown below) should be agreed with the pupil/parents/carers at the beginning of the managed transfer period. Parents, pupils and the schools will therefore be aware as to what is expected of them, and how a managed transfer can be cancelled if the criteria are not met during the managed transfer period.

1. The receiving school should support the pupil and family in settling into the receiving school. This will include regular meetings and reviews with pupils and parents/carers.
2. Pupils should aspire to have 100% attendance during the managed transfer period.
3. Pupils must be punctual during the managed transfer.
4. Pupils must not present persistent disruptive behaviours in school.

The receiving school can terminate the managed transfer if the agreed criteria are not met by meeting with family to inform them that the managed transfer is being terminated and then informing the home school that the managed transfer has been terminated and that the child will be returning to the home school.

- The managed transfer will normally last for **8 weeks** however, in exceptional circumstances the Transfer Panel can agree an extension up to a maximum of 12 weeks, after which point a decision will be made to either complete the transfer or the pupil will return to the home school.
- Review dates will be set at the start of the managed transfer.
- There will be a review of progress after **4 weeks** of the managed transfer starting.
- The home school **MUST** retain the pupil on roll for this time, recording the information as dual registration (code D). The receiving school also registers the pupil as dual registration and marks them accordingly. **The receiving school must notify the home school if the pupil is absent during the trial period in order for their records to be kept up to date.**
- The receiving school and the home school will draw up a clear plan of support for the pupil, both prior to entry and during the managed transfer period, drawing on all available and appropriate resources. Throughout the managed transfer period the home school should have a role in monitoring the plan.

- At the end of the managed transfer period (**8 weeks**) the receiving school should make a final decision as to the permanency of the transfer. Either the pupil will transfer on to the roll of the receiving school, an extension to 12 weeks will be agreed or the transfer ends and the pupil will return to the home school, with the option of a re-referral to the panel. A set of minutes from the final meeting of a managed transfer that is unsuccessful will need to be submitted to the Panel.
- If the transfer is not successful after the agreed transfer period, the child must return to the home school. Under no circumstances can the home school refuse to take the child back into school or remove the child from their roll. If any school removes a child from their roll whilst a managed transfer or trial is being undertaken or has finished, the Local Authority will report the school to the Regional Schools Commissioner and the Chair of Governors, as removing a child from roll in these circumstances is a safeguarding issue.
- If the managed transfer is successful and the pupil is formally admitted, schools must ensure registration is recorded correctly (i.e. main single registration)
- All schools should act in a spirit of partnership and co-operation for the managed transfer arrangements to work.
- The Service Manager School Support Service/Principal Admissions Officer will need to agree to any extended managed transfers.

Review of Managed Transfer

If the receiving school considers that the transfer is breaking down it must organise a review meeting with the home school, parents and child and any other interested parties to discuss issues raised.

A pupil who may continue to display some challenging behaviour or if attendance is an issue, the receiving school would have to demonstrate that they have made every possible effort including meetings with parents and that they have utilised behaviour and attendance interventions to support an improvement.

With any ongoing managed transfer, the receiving school should automatically send an update to the Transfer Panel Administrator 5 days before each panel meeting, so that the appropriate minutes can be updated, and all information prepared prior to the next meeting of the Transfer Panel.

Email FairAccess.Admin@sefton.gov.uk.

Exceptions to the standard Managed Transfer period

Year 6 & Year 11 children who have an agreed managed move the pupil will be 'main' dual registered with the home school until after the KS2/SATs/GCSE's have taken place, unless both schools agree to make the move permanent.

Pupil Registration Responsibilities for Both Schools

1. At the start of the managed transfer, the home school should change this status to main registration base with dual.

2. The school offering the pupil a place on a managed transfer basis (receiving school) should record the pupil with an enrolment status of dual subsidiary reg base. At the end of the specified period of the managed transfer the pupil's enrolment status must be changed to reflect the outcome of the managed transfer.
3. Where the managed transfer is successful, the home school with enrolment status will take the pupil off roll in parallel to the receiving school changing the pupil's enrolment status single registration at this school.
4. Where the managed transfer is unsuccessful, the home school changes the enrolment status back to main single registration in parallel to the receiving school taking the pupil off roll.

Safeguarding

Schools must not assume that a pupil is present at the "receiver school." They should ensure that arrangements are in place whereby the receiver school can notify the home school of any absences.

They will exchange:

- a) routine information such as attendance and explained absences by email at the end of the week; and
- b) information for unexplained absences immediately by phone so that they are followed up by both schools.

For safeguarding reasons, the *receiver* school must follow up all unexplained and unexpected absence in a timely manner, such as through 'First Day Calling' procedures.

12. Trial placements for a pupil resident in other Local Authority areas

Pupils who are resident in another local authority and have requested admission to a Sefton school and are identified under the categories set out in section 5, may be offered a trial placement, if it can be agreed by both the Sefton school and the Out of Borough school. This will be managed by both schools themselves. If a trial placement cannot be agreed the applicant will be offered the right of appeal for the requested Sefton school. If a trial is agreed the same process as a managed move (see section 11) should be followed.

END OF POLICY DOCUMENT