

**BOWES HUTCHINSON'S C OF E VOLUNTARY AIDED SCHOOL**



## **POLICY DOCUMENT**

### **ADMISSIONS ARRANGEMENTS FOR THE ACADEMIC YEAR 2026-2027**

**Believe, Aspire, Thrive, Together.**

**Reviewed Annually**

We welcome equally, applications from parents of the Christian faith, of other faiths and of no faith. We ask all parents applying for a place here to respect our distinctive Christian ethos and its importance to the school community.

The Governing Body of Bowes Hutchinson's Church of England Voluntary Aided School is the Admissions Authority for the school and they intend to admit up to 10 pupils to the reception year group in September 2027.

Parents who are considering sending their children to Bowes Hutchinson's School are invited to visit the school with their children to meet the Headteacher and staff. Please contact the school to arrange an appointment.

## **Making An Application**

Applications for admission to the school should be made using the Local Authority Common Application Form by the national closing date of 15th January 2027. This can be found here, [School places and admissions - Durham County Council](#)

The Governing board will consider first all those applications received by the published deadline (above). Applications made after midnight on that date will be considered after all on-time applications have been fully processed unless exceptional circumstances merit consideration alongside on-time applications.

## **Admission Procedures**

The Local Authority operates a co-ordinated admissions scheme and administers a system of equal preferences under which all applications are considered equally and the Governing Body allocates the available places in accordance with its published admissions arrangements. In the event that there are more applications than places available, the Governing Body will allocate places using the criteria (below), which are listed in order of priority. The Local Authority will inform parents of the offer of a place on behalf of the governors on the national offer date 16<sup>th</sup> April 2026.

## **Children with an Education, Health and Care Plan (EHCP)**

All governing bodies are required by Section 324 of the Education Act 1996 or the Children's and Families Act 2014 to admit to the school a child with an education, health and care plan (EHCP), formerly a statement of special needs (SEN), which names the school. This is not an oversubscription criterion and relates only to children who have undergone statutory assessment and for whom an EHCP has been issued. If this school is oversubscribed after the admission of children with an EHCP then the oversubscription criteria will be applied to other applicants.

### **Oversubscription criteria in order of priority:**

Where the number of applications received exceeds the planned admission number of the school the Governing Body will apply the following criteria in strict order of priority:

1. Pupils who are either currently or have previously been 'looked after' As a Church of England Aided School, priority will be given to:
  - 1.a Looked after children of the Anglican faith.
  - 1.b Looked after children who are not of the Anglican faith.

Looked after children includes:

Children who were in public care but have now been adopted  
*this includes those children who appear (to the admission authority) to have been in state care outside of England and ceased to be in state care as a result of being adopted*

Children with a residency order

Children with special guardianship

2. Children who have an exceptional medical or social need (recommended by the appropriate professional—please read notes and definitions carefully)
3. A child who resides within the catchment area of the school and is eligible for the pupil premium (or service premium) at the time of application
4. Children whose parent(s) / carer(s) are resident in the parish of Bowes & Gilmonby. A map of the Parish boundaries is available in school and is attached to this document.
5. Children who have siblings already in attendance at the school (sibling refers to brother or sister, half brother or sister, adopted brother or sister, step brother or sister, or the child of the parent/carer's partner. This includes year 6 pupils who will not still be attending the school by the time the new applicant starts school.
6. Children who are in attendance at a Christian Place of Worship - Parent(s) / Carer(s) who attend a Christian place of worship may provide a supporting reference from their minister / priest by completing the school's Supplementary Information Form. (The Supplementary Information Form is shown at Appendix 1). This should be returned to school by 15 January for admission into reception.

Without this, governors will rank an application based on the common application form.

7. All other children

For definitions and additional explanations, please see Notes section below.

**Note:** In the event of there being more applicants than places under any of the above oversubscription criteria, applicants will be admitted up to the published admission limit on the basis of nearest to the school, by road, from the pupil's front door to the main school gate, using the Local Authority's computerised measuring system, with those living closer to the school receiving the higher priority. Where two or more

applicants live equidistant from the school, as measured by the Local Authority, the remaining places will be allocated by random allocation; this process will be independently supervised.

## **In-year admissions**

In year applications are dealt with on our behalf by the local authority which operates an in-year coordinated admissions scheme. Applications and details of this are available here: [Apply to change school during the school year - Durham County Council](#)

A hard copy of the information about in-year applications is available on request for those who do not have access to the internet. Please call or drop in to the school office.

### **Admission of children below compulsory school age**

- Children who are offered a Reception place in the school will be able to start school in the September following their fourth birthday.
- Parents may request that the date their child is admitted to the school is deferred until later in the same school year or until the child reaches compulsory school age in that school year.
- Parents may request that their child attends part-time until the child reaches compulsory school age
- Requests for a child to start their schooling on a part-time basis or to defer the start until they reach compulsory school-age should be addressed to the Headteacher.
- Compulsory school age is the beginning of the term following the child's fifth birthday.

## **Application Procedure**

All parents wishing their child to attend Bowes Hutchinson's School are required to complete the Local Authority common preference form stating their preference of 3 schools ranked in order. This form must be returned to County Hall or to the school for processing. However, the completion of such a form and its acknowledgement do not guarantee a place in school.

## **Appeals**

Where governors are unable to offer a place because the school is oversubscribed, parents have the right to appeal to an independent admission appeal panel, set up under the School Standards and Framework Act 1998, as amended by the Education Act, 2002. Parents who intend to make an appeal against the Governing Body's decision to refuse admission must submit a notice of appeal in writing within 20 days of receiving the offer letter to:

Mrs J Wilkinson: [boweshutchinsons@durhamlearning.net](mailto:boweshutchinsons@durhamlearning.net)

Please note the right of appeal against the governors' decision does not prevent you from making an appeal in respect of any other school.

## **Waiting List**

Where an application has been unsuccessful parents/guardians may request that the child's name is added to the waiting list. The waiting list will be maintained until December 31st. Any places that become available will be allocated according to the published oversubscription criteria of the admission arrangements with no account being taken of the length of time on the waiting list. In accordance with the School Admissions Code as soon as school places become vacant the Governing Body must fill the vacancies from any waiting list, even if this is before admission appeals have been heard. Placing a child's name on a waiting list does not affect a parent's/guardian's right of appeal against an unsuccessful application. It should be noted that children, who are subject of direction by a Local Authority to admit or who are allocated in accordance with an In-Year Fair Access Protocol (The School Admission Code), must take precedence over those on a waiting list.

### **Fair Access Placements**

Outside the normal admissions round, it may sometimes be necessary for a pupil to be placed by the governing board or the Local Authority, in a particular school even if there is a waiting list for admission. Such placements are made in accordance with the Local Authority's Fair Access Protocol (see appendix 3).

### **Children below statutory school age**

- Parents may request that the date their child is admitted to the school is deferred until later in the same school year or until the child reaches compulsory school age.
- Parents may request that their child attends part-time until the child reaches compulsory school age.
- Requests for a child to start their schooling on a part-time basis or to defer the start until they reach compulsory school-age should be addressed to the Head teacher.
- Compulsory school age is the beginning of the term following the child's fifth birthday. •
- Parents of children who are offered a place at the school before they are of compulsory school age may defer their child's entry until later in the school year. Where entry is deferred, the school will hold the place for that child and not offer it to another child during the remainder of the school year for which the application was made. It should be noted, however, that such children will only be allowed to start at the beginning of a term.
- Parents may not defer entry beyond the beginning of the term after the child's fifth birthday, nor beyond the beginning of the summer term of the school year for which the original application was accepted.

### **Summer born children (children born between 1st April and 31st August)**

The majority of parents/carers apply and take up a reception place in the school year in which their child will reach the age of five. However, there may be exceptions where

parents feel this is not in the best interest of the child and request that the child's place is deferred. The non-statutory guidance issued by the Department for Education (DfE July 2013) states:

- School admission authorities are required to provide for the admission of all children in the September following their fourth birthday, but flexibilities exist for children whose parents do not feel they are ready to begin school at this point.
- School admission authorities are responsible for making the decision on which year group a child should be admitted to, but are required to make a decision based on the circumstances of the case.
- There is no statutory barrier to children being admitted outside their normal year group.
- Applications need to be made under the normal round expressing the wish that the child be admitted the following year. This will be discussed through a joint agency meeting and a decision will be made in the best interests of the individual child.

## **Fraudulent Applications**

The Governing Body reserve the right to withdraw the offer of a place if fraudulent or intentionally misleading information has been used on an application, e.g. a false home address. This includes cases where parents take out a short term let or buy a property solely to use its address on the application form without any intention of taking up permanent residence there. In fairness to all parents, all allegations of fraudulent practice brought to the Governing Body's attention will be investigated.

## **Notes And Definitions**

Catchment Area

A map showing the catchment area is available at the school.

Parents

'Parents' include all those people who have a parental responsibility for a child as set out in the Children Act 1989. Where responsibility for a child is 'shared', the person receiving Child Benefit is deemed to be the parent responsible for completing application forms.

Siblings

Sibling refers to brother or sister, half-brother or half-sister, adoptive brother or adoptive sister, foster brother or foster sister, step brother or step sister living as one family unit at the same address. It will also be applied to situation where a full, half or adopted brother or sister are living at separate addresses.

## The home address and residing in

The address must be where the child lives permanently. If the residency is split between two parents the address must be where the child lives for the majority of the time. If the residency is split equally between two parents they can nominate the address they wish to use for the allocation of a school place. Families who are due to move house should provide

- a) a solicitor's letter confirming that exchange of contracts has taken place on the purchase of a property;
- or b) a copy of the current Rental Agreement, signed by both the tenants and the landlords, showing the address of the property;
- or c) in the case of Serving H.M. Forces personnel, an official letter confirming their date of posting from the MOD, FCO or GCHQ.

## Exceptional Medical or Social Need

Priority will be given to those children whose evidence establishes that they have a demonstrable and significant need to attend this school in particular. Equally this priority will apply to children whose evidence establishes that their parents'/guardians' physical or mental health or social needs mean that they have a demonstrable and significant need to attend this school in particular. All schools can support children with a wide range of additional needs and are expected to accommodate severe medical and social needs. An application made under this criteria should clearly demonstrate why this school applied is the only one that can meet your child's need in a way that no other school can. Evidence must be submitted in writing by the closing date for applications (above) and include recent independent objective evidence, for example from a doctor, psychologist, social worker or other professional involved with your child. It should confirm the circumstances of the case and must set out why the child should attend this school and why no other school could meet the child's needs. If this school is not the nearest school to your child's home address, give specific reasons why closer schools will not meet your child's needs.

Providing evidence does not guarantee that a child will be given priority at this school and in each case a decision will be made based on the merits of the case and whether the evidence demonstrates that a placement should be made at this school above any other. In consideration of each case the board may consult with other medical or educational professionals for a further opinion as to whether the pupil should be allocated a place at this school. 'Medical need' does not include mild medical conditions, such as asthma or allergies. 'Social need' does not include a parent's wish that a child attends the school because of a child's aptitude or ability or because their friends attend the school or because of routine child minding arrangements.

## Looked After

A 'looked after child' or a child who was previously looked after but immediately after being looked after became subject to an adoption, child arrangements, or special guardianship order\*including those who appear [to the admission authority] to have been in state care outside of England and ceased to be in state care as a result of being adopted. A looked after child is a child who is (a) in the care of a local authority,

or (b) being provided with accommodation by a local authority in the exercise of their social services functions (see the definition in Section 22(1) of the Children Act 1989). \*An adoption order is an order under the Adoption Act 1976 (see Section 12 adoption orders) and children who were adopted under the Adoption and Children Act 2002 (see Section 46 adoption orders). A 'child arrangements order' is an order settling the arrangements to be made as to the person with whom the child is to live under Section 8 of the Children Act 1989 as amended by Section 14 of the Children and Families Act 2014. Section 14A of the Children Act 1989 defines a 'special guardianship order' as an order appointing one or more individuals to be a child's special guardian (or special guardians).

### Pupil Premium

The pupil premium is additional funding paid annually to schools under Section 14 of the Education Act 2002 for the purposes of supporting the attainment of disadvantaged children. The service premium is additional funding paid annually to schools under Section 14 of the Education Act 2002 for the purposes of supporting the pastoral needs of the children of Armed Services personnel. The early years pupil premium is additional funding paid (from April 2015) to support disadvantaged children receiving government funded early education

### Priority for Church Attendance

A 'regular worshipper' is defined as attendance of a parent or the child at an act of public worship in church, for at least once a month for a period of 12 months prior to application for admission to the school. This will need to be verified by a member of the clergy or other designated church officer/faith leader

The governors do not give a higher preference to families where more than one member of the family worships. A church is defined as a Christian Church which is a member of 'Churches Together in Britain and Ireland' or a member of the 'Evangelical Alliance' or a local 'Churches Together Organisation'.

In the event that during the period specified for attendance at worship the church has been closed for public worship and has not provided alternative premises for that worship, the requirements of these [admissions] arrangements in relation to attendance will only apply to the period when the church or alternative premises have been available for public worship

Parents applying under this criterion are required to complete a Supplementary Information Form (SIF) which asks for a declaration and verification of being a regular worshipper. The SIF is available from the school and must be completed and returned to the school by midnight on the 15th January. In order to ensure that you have the required church attendance you may need to complete two or more forms. This is

normally more applicable to those who have moved into the area but attended church at their previous address. If a SIF is not received within the allotted timescales the application will be considered but not under church attendance priority criteria.

If a disability or other 'special needs' circumstance prevents regular attendance at a specific place of worship but the person concerned is recognised by the church leaders as a 'regular worshipper' then this can be taken into consideration in your declaration and the verification of your "regular worship at a Christian Church".

It is a parental responsibility to return this form to the school at the same time as submitting the Local Authority Common Application Form

Child's Surname .....

Forename(s) .....

Date of Birth .....

Name of parent(s) / guardian .....

Address .....

.....

.....

Postcode .....

Telephone Number ..... Mobile Number .....

- Do you have a child already attending the school? .....

•

Name.....

- Do you attend a Christian Church? .....  
If 'yes' please name your minister and Church

.....

Please ask the minister/priest at your place of worship to provide a supporting reference to verify fulfilment of criterion 4 in the school's admissions policy – (Parent(s) / Carer(s) who attend a Christian place of worship and are able to provide a supporting reference from their minister / priest.)

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Signed.....

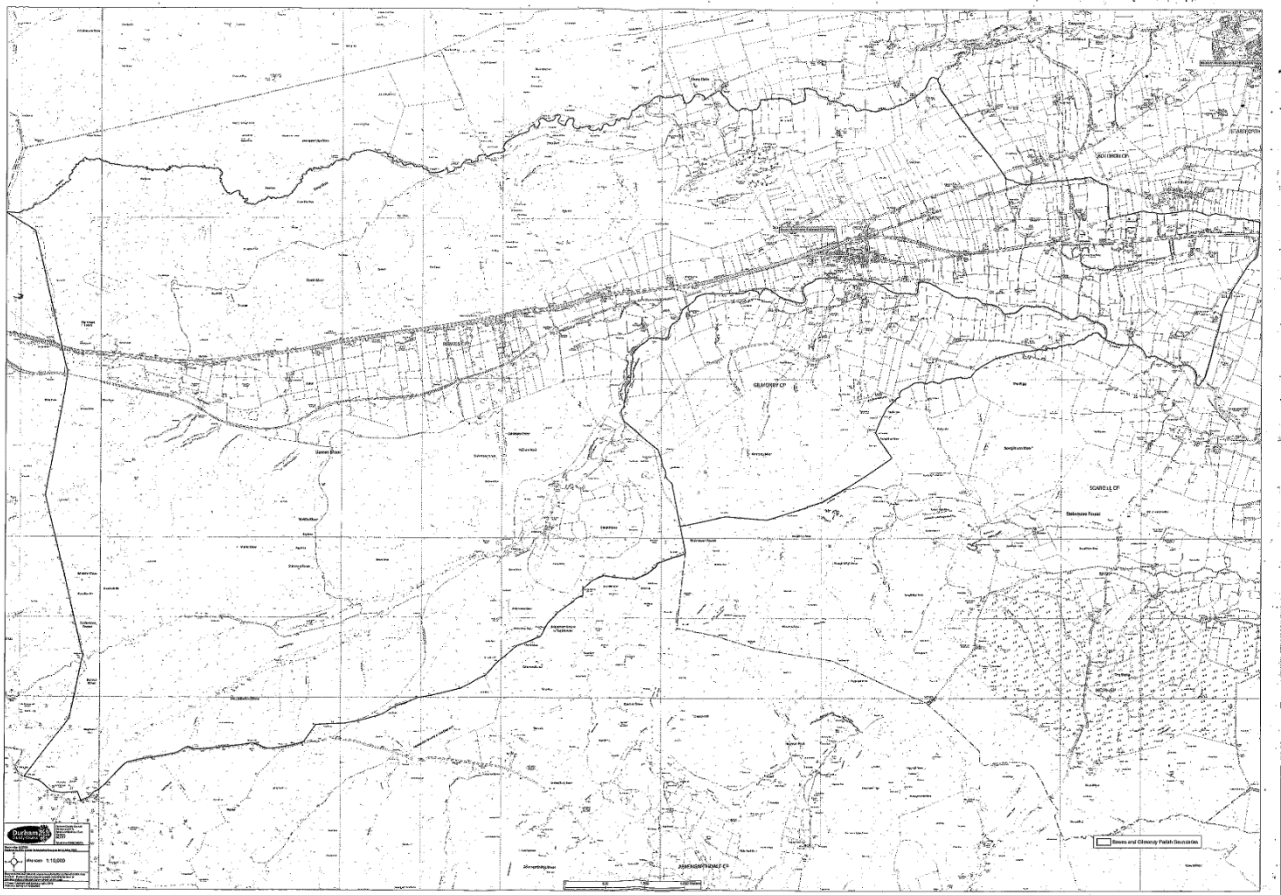
Date.....

Print name.....

*The information provided on this form is used solely for the purpose of considering applications under the school's Admissions Policy. The information is held by the School and/or the Local Education Authority and will not be disclosed to any third party. Under the Data Protection Act, some of the information provided is defined as 'sensitive personal data', which means that your explicit consent is required for the data to be processed.*

Please confirm your consent by signing and dating the form below.

Signed: ..... Date: .....



**(Appendix 2)**

**Admission of children below compulsory school age and admission of children outside their normal age group.**

A child reaches compulsory school age on the prescribed day following their fifth birthday (or on their fifth birthday if it falls on a prescribed day). The prescribed days are 31 December, 31 March and 31 August. A child is entitled to a full-time place in the September following their fourth birthday.

There is flexibility for parents who do not feel their child is ready to start school before compulsory school age. They may defer the date their child is admitted to school until later in the school year following their child's fourth birthday, providing they do not defer beyond the point at which they reach compulsory school age, or beyond the start of the final term of that school year. Alternatively, their child may attend school part-time until they reach compulsory school age.

Children born in the summer term, 1 April to 31 August, are not required to start school until a full school year after the point at which they could first have been admitted – the point at which other children in their age range are beginning year 1. While most parents are happy for their child to start school in the September following their fourth birthday, some parents will have concerns about whether their child will be ready for school at this point, and will consider delaying their entry until compulsory school age. Parents should note that, whilst evidence shows that, statistically speaking, summer born children tend to perform less well in school tests, this does not mean that all children born in the summer term will struggle at school. Teachers are skilled at differentiating the curriculum to meet a diverse range of needs. Before deciding to delay a child's entry to school, the LA would recommend that parents visit the schools they are thinking of applying for. The teachers will be able to explain the provision on offer to children in the reception class, how it is tailored to meet the needs of the youngest pupils and how the needs of these pupils will continue to be met as they move up through the school. They may also be able to allay any concerns parents may have about their child's readiness for school. It is also important to note that, whether they attend a primary school or an early years setting during the academic year following their fourth birthday, children will receive the Early Years Foundation Stage curriculum which is largely based around learning through play. Further information for parents about the early years foundation stage is available on the Foundation Years website [www.foundationyears.org.uk](http://www.foundationyears.org.uk)

Admission authorities will expect parents to provide them with information in support of their request – since without it they are unlikely to be able to make a decision on the basis of the circumstances of the case. This should demonstrate why it would be in the child's interests to be admitted to reception rather than year one. In some cases parents may have professional evidence that it would be appropriate for them to submit, for example, when a child receives support from a speech and language therapist. However, there is no expectation that parents will obtain professional evidence that they do not already have.

Admission authorities must still consider requests that are not accompanied by professional evidence. In such cases the supporting information might simply be the parent's statement as to why they have made their request.

Where a parent wants their child to be admitted out of their normal age group, the admission authority has two separate decisions to make:

it must first decide on the age group the child should be admitted to - only once that decision has been made can it apply its oversubscription criteria to decide whether a place can be offered in that age group.

Although it is not always easy for admission authorities to make a decision about a child more than a year before the point at which they may be admitted, particularly as it is difficult to know what progress they may make in the intervening period, parents should know the outcome of their request for admission out of the normal age group in time to make an informed decision about whether their child will start school before compulsory school age.

The process Durham County Council and other admission authorities in its area have put in place:

- requires the parent to make an application for their child's normal age group at the usual time, but enables them to submit a request for admission out of the normal age group at the same time
- ensures that the parent receives the response to their request before primary national offer day.

If the request is agreed, the application for the normal age group may be withdrawn before a place is offered. If the request is refused, the parent must decide whether to accept the offer of a place for the normal age group, or to refuse it and make an in year application for admission to year one for the September following the child's fifth birthday.

Where a parent's request is agreed, they must make a new application as part of the main admissions round the following year.

Please note that one admission authority cannot be required to honour a decision made by another admission authority on admission out of the normal age group. Parents, therefore, should consider whether to request admission out of the usual year group at all their preference schools, rather than just their first preference schools.

Once a child has been admitted to a school it is for the headteacher to decide how best to educate them. In some cases it may be appropriate for a child who has been admitted out of their normal age group to be moved to their normal age group, but in others it will not.

Any decision to move a child to a different age group will be based on sound educational reasons and made by the headteacher in consultation with the parents. Where a child has been educated out of their normal age group, the parent may again request admission out of the normal age group when they transfer to junior or secondary school. It will be for the admission authority of that school to decide whether to admit the child out of their normal age group. The admission authority will make a decision on the basis of the circumstances of each case and in the child's best interests, and will bear in mind the age group the child has been educated in up to that point.

Children are assessed when they reach the end of each key stage, not when they reach a particular age. There are no age requirements as to when children must take their GCSEs or other assessments.

Please note that where an application for September 2023 has been received by 15 January 2023 for a child's admission to Reception instead of Year 1 (which is the child's normal age group cohort) and this has been agreed, the application will be considered alongside all other applications that are received by this date. The application will not have lower priority on the basis that the child is being admitted outside their normal age group.

## **Appendix 3**

### **FAIR ACCESS AND IN YEAR TRANSFER PROTOCOL agreed at DASH 29 September 2021**

#### **INTRODUCTION**

In 2004, the DfES issued a document of guidance on "Hard to Place" pupils around the expectation that Admissions Forums would agree protocols for fairer sharing out of "Hard to Place" pupils. Such protocols were required by September 2005 and the County Durham Protocol was agreed and published in February 2005. This Protocol has been amended following the changes to the School Admission Code September 2021 and is subject to review at the Summer term meeting of the Durham Association of Secondary Headteachers and Durham Association of Primary Headteachers.

The 2007 School Admissions Code required In-Year Fair Access Protocols (formerly known as Hard to Place Pupils Protocols) to be in place by September 2007, to ensure that access to education is secured quickly for those who have no school place and to ensure that all schools in an area admit their fair share of children with challenging behaviour.

The 2021 School Admissions Code requires all Admission Authorities to participate within the Local Authorities Fair Access Protocol arrangements. Participation includes making available a representative who is authorised to participate in discussions, make decisions on placing children via the Protocol, and admitting pupils when asked to do so in accordance with the Protocol, even when the school is full.

Local authorities must provide admission authorities with reasonable notice and information as to how and when discussions around the placement of children via the Protocol will take place.

In County Durham, the LA has a strong partnership with its schools/academies and other agencies. The agreements within this protocol have been reached over a period of time and through a strong commitment to the best interests of children and effective partnership working.

This protocol operates to support the admission of vulnerable pupils within schools and academies in County Durham in partnership with the Secondary In Year Transfer Scheme (Annex 1), Local In year Transfer and Exclusion Funding Agreements (Annex 2 ), Managed Move Protocol (Annex 3) Reintegration of Permanently Excluded Pupil Protocol (Annex 4) and support for vulnerable pupil arrangements.

#### **Pupils with Education Health and Care Plans**

The admission of pupils with an Education Health and Care Plan is covered by different admission regulations, and decisions on the entry to school of these pupils should be directed to the relevant Local Authority Special Educational Needs and Vulnerable Group Team.

#### **Children in Public Care**

Children in Public Care previously looked after children or children adopted from state care outside of England are given equal admissions priority as children who were previously looked after in England are included as first criterion for all Admission Authorities policies.

The School Admissions Code specifically mentions the power for admission authorities to admit children in public care over the admission limit

The Virtual Headteacher will arrange admission within 20 days and any appropriate support to affect this.

In County Durham the Local Authority and Secondary Behaviour and Inclusion Panels will consider Fair Access referrals to support placement decisions for the following where an admission cannot be reached through the In Year Transfer Protocol:

- children with challenging behaviour- (See Durham Agreed criteria for pupils identified as Hard to Place under this category)
- 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
- children who have been permanently excluded but are deemed suitable for mainstream education; (Durham 1% limit applies as part of the reintegration protocol)
- children who are carers.
- children who are homeless
- children in formal kinship care
- children of, or who are, Gypsies, Roma, Travellers, refugees, and asylum seekers.
- 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.
- and previously looked after children for whom the local authority has been unable to promptly secure a school place.

#### **Pupils with Challenging Behaviour (Hard to Place Pupils) criteria:**

- Pupils who have displayed Harmful Sexualised Behaviour resulting in them not being able to remain at their home school
- Pupils who move into County Durham from other Local Authority areas where they have been out of education for more than one full school term without a justifiable reason. This does not include school holidays
- placed on an alternative education provision to mainstream school

The Panels will endeavour to determine an appropriate school placement to best meet the needs of the young person.

The Behaviour and Inclusion Partnership Agreement has been signed by Schools/Academies taking part in the BIP Panel arrangements. Whilst not all Schools/Academies have signed up to the Agreement, the FAP requires all schools and academies attendance to consider Fair Access referrals in line with the protocol.

## **The Behaviour and Inclusion Panel FAP Referrals and Process**

The Four Secondary Behaviour and Inclusion Panels have been operating as part of a Behaviour and Inclusion Partnership Agreement since September 2015, the financial agreement agreed by all panel schools provides a commitment to reducing the number of pupils requiring long term placements at the Woodlands.

The Panels remit also provides them with the responsibility of working in partnership with the Local Authority to consider Fair Access referrals cases where the admission cannot be agreed through the in-year transfer scheme and meets the agreed FAP criteria.

When seeking to place a child under the Protocol, all schools and academies should be treated in a fair, equitable and consistent manner. No school should be asked to take a disproportionate number of children.

Fair Access referrals should not be used as a means to circumvent the normal in-year admissions process. A parent can apply for a place as an in-year admission at any point and is entitled to an appeal when a place is not offered.

For the protocol to operate in accordance with statutory requirement, schools/academies will continue to admit pupils whose parents apply for an available place, under normal admission arrangements but pupils identified as cases under Fair Access will be given priority for admission over others on the waiting list or awaiting an appeal.

The allocation of a place in accordance with the Fair Access Protocol does not override a parent's right to appeal against refusal of a place at any school for which they have applied. A parent can apply for a place as an in-year admission at any point and is entitled to an appeal when a place is not offered.

## **Procedures**

The School Places and Admissions team will be notified of any cases to be considered that meet the FAP criteria where an admission cannot be agreed through the In Year Transfer protocol. The school or governing body must provide a written case outlining their reason for their refusal to admit within 5 school days of a transfer meeting taking place or in the case of out county requests within 5 working days of a transfer request being made. If agreed cases will be referred to the relevant Behaviour and Inclusion Panel to consider as a FAP agenda item.

The panel will:

- Use their best endeavours to ensure children resident in their area receive appropriate and sufficient educational provision.
- Organise the collection of all appropriate information about the cases in front of them to assist with the decision making of the group.
- Keep an up to date record of Fair Access Admissions into each local school, to ensure fair and transparent decisions are made.
- Agree the allocation of a mainstream school this may include recommendations for access to panel funding to support the admission.

- Ensure a record is kept of referrals and their outcomes.
- Ensure parents/carers are informed of their decisions as soon as possible after the meeting.

## **Considerations**

The distance and ease of travel from home to school.

The fairness of the placement and proportion of pupils that have been allocated by previous panels over the last 12 months.

## **In-Year Transfers Protocol between Secondary Schools and Academies – This protocol works in partnership with the FAP**

The LA and secondary schools/academies have had an agreed protocol (Annex 1) regarding in-year transfers of pupils since September 2002. This is to provide best advice to parents, careful consideration of the issues and effective management of the process. It also ensures that no young person goes missing from education and any concerns that admission authorities may have can be easily resolved.

The protocol requires that a LA/Head Teacher/Parent Conference will be convened at the current school for such pupils if requested by any party. This is to be held within 15 working days of the concern arising. The purpose is to provide the parent with Best Advice including consideration of what added value there would be in effecting a transfer and focusing on resolving underlying issues.

A leaflet for parents "Why Change Schools?" is designed to assist the parent in considering the best interests of the pupil and it sets out requirements about school attendance during the process of decision-making.

The In-year Transfer Protocol supports the admission of all pupils outside of the normal admission round except for pupils who have been permanently excluded or at risk of exclusion requiring a managed move as this would be supported through the reintegration and managed move protocols.

The protocol does not apply to children with Education Health and Care Plans (EHCP) as the statutory SEN process and requirements apply.

## **Managed Moves Protocol – This protocol works alongside the FAP**

This protocol was agreed in June 2010 and reviewed annually as an alternative way forward to permanent exclusion in some cases (Annex 3).

## **Reintegration of Permanently Excluded Pupils % Limit**

The DfE Guidance on "Hard to Place" pupils dated 19 November 2004, provided for a fixed percentage limit to be agreed locally on the number of permanently excluded pupils to be admitted in any one-year group in any school.

It has been agreed as part of the Reintegration Protocol agreed by DASH on 5 May 2021 that in County Durham Secondary Schools, there will be a maximum limit of 1% in any year group

of pupils who have been previously permanently excluded (defined as once there is 1% in a year group, the school will not be required to take any more in that year group). The School Admissions Code set out that LAs must not require undersubscribed schools to admit a greater proportion of children with a recent history of challenging behaviour than other schools. With the agreement of a Managed Moves Protocol in June 2010 it was agreed that the percentage limit would include managed moves pupils. (2 managed move pupils equate to 1 permanently excluded pupil). (Annex 4)

### **Support for Vulnerable Pupils**

In County Durham, the LA, schools/academies and other agencies are committed to meeting the needs of vulnerable pupils. The focus is on empowering schools to meet local need with local solutions through delegation of funding and by the provision of support for vulnerable groups. Full details can be found in:

- Policy and Strategic Development Plan for the Education of Children in Public Care and subsequent reports to CMT and Cabinet.
- Education and Skills Service/SEN and Vulnerable Groups Service Information for Schools and other agencies.
- Ensuring that children are Receiving a Suitable Education 2009 (updated 2013) which updates Ensuring Access to Appropriate Education for Children who are Missing or at Risk of Going Missing from Schools (April 2005)
- Keeping Children Safe in Education 2021

### **Vulnerable Groups including Children Missing Out on Education**

The LA has robust systems for ensuring that all children have access to an appropriate educational placement, working with schools (including academies) and partner agencies we have a shared responsibility to safeguard all children and young people from risk of harm. In order to monitor individual children and young people who may be at risk of harm because of their vulnerabilities, the LA and its partners have established a series of panels and procedures.

#### ***Child Sexual Exploitation (CSE)***

Schools and partner agencies make referrals to the Safeguarding First Contact Team should they suspect that a pupil is at risk of CSE or is being exploited. The referral will trigger a CSE strategy meeting between all parties so that a risk management plan can be put in place to safeguard the pupil.

#### ***Children Missing from Education (CME)***

The Education and Inspections Act 2006 places a statutory responsibility on all LAs to make arrangements to identify children missing from education in their area. The LA has a nominated CME officer and has developed an agreed procedure for locating missing pupils and the removal of pupils from roll. There is a strong commitment from all parties to ensure that all pupils who go missing or who are lost from schools in County Durham and move to other areas are located as quickly as possible. The commitment extends to supporting other LAs to locate their own missing pupils should such pupils move to County Durham.

### ***Pupils Missing out on Education (PMOOE)***

The LA has a statutory duty to maintain a central record of all pupils missing out on full-time education. The record must include the details of all pupils who are not receiving a full-time education in schools and academies, including those on part-time timetables and attending alternative provisions. In order to establish the central record, the LA has developed an on-line return so that schools and academies can provide the details of all pupils in this category. The LA has also established a panel to ensure responsibilities are fulfilled and to ensure appropriate provisions are in place for individual pupils. The remit of the panel has been widened to monitor and consider solutions for those children currently not receiving an education, despite the best endeavours of schools and agencies.

### ***Elective Home Education***

The LA holds an Elective Home Education Register and has a well-established multi-agency panel that meets on a monthly basis to ensure any child or young person who is removed from a school roll to be electively home educated is receiving a suitable full-time education. The panel requests that parents/carers provide evidence of a suitable education and commissions enforcement actions when the evidence is not provided.

### ***Transport***

Durham LA's Home to School Transport Policy applies in all cases. In the event of a pupil being refused admission to a school by the LA under the terms of this protocol, then free travel will be offered to the nearest suitable school(s) in the view of the LA, if it meets the Home to School Transport criteria.

### ***Protocol Review***

This Fair Access Protocol, will be reviewed annually at the Summer Term meeting of DASH (Durham Association of Secondary Head Teachers) and DAPH (Durham Association of Primary Headteachers).

## Annex 1

### Transfer between Local Secondary Schools including Academies LA/School Protocol

- 1 Clarity regarding availability of places.
  - Head Teachers must always inform the LA about any potential student movement i.e. admissions or transfers both in and out-County. This will ensure the LA has accurate data regarding the availability of places.
  - The LA advises about admissions in accordance with the admission code.
- 2 More detail to be requested by the LA on the Transfer form from the current school and parent e.g.
  - Exclusions
  - Attendance
  - PSPs
  - Other agency involvement (tick list)
  - Court order/Bail?
  - Courses currently being followed and exam boards if applicable.
- 3 To ensure no young person goes missing from education the LA will issue the DCC In Year Admission Application Forms to parents. Those Academies that are their own admission authority may also request that parents complete a school transfer form to support the admission process
- 4 A “Why Change Schools?” information leaflet for parents has been produced by the LA and held in schools to be given to parents making enquiries. To include for example:
  - Issues re the best interest of child
  - Until transfer completed home school responsible. The pupil remains on roll and should be attending school.
- 5 An LA/Head Teacher/Parent Conference will be convened at the current school for those pupils if requested by any party.  
To be held within 15 working days of concern arising.  
The purpose is to provide the parent with Best Advice including consideration of what added value there would be in effecting a transfer and focussing on resolving underlying issues.
- 6 In most cases pupils at risk of permanent exclusion will be discussed through the Behaviour and Inclusion Partnership Panel arrangements, however, should a parent apply for an In-Year transfer for their child to avoid a permanent exclusion, the request may be considered through Managed Move Protocols (Annex 3)
- 7 Pupils with an attendance record of less than 65% for 6 months or more prior to the transfer request and there are no genuine reasons for the absences (medical reasons etc.) may be required to complete a 3-week probationary period before agreement on a formal transfer is made
- 8 Where possible, pupils returning from Elective Home Education within a 6 month period, would in the first instance return to their previous school, this would include schools with oversubscribed year groups. Any in year transfer request would be managed through the in year transfer protocol once on roll of their previous school.

**Annex 1**

- 9 In cases of continued difficulty the LA/schools will discuss whether any further action might be appropriate.

## Annex 2

### Local Funding Protocols

#### a) **In-Year Secondary School Transfers**

For in year transfers of pupils between County Durham schools the LA arranges for the transfer of funding, for the remainder of the year, from the previous school to the receiving school. This includes the AWPU, on a pro rata basis and if they have it, Pupil Premium.

#### b) **Excluded Pupils**

Durham LA ensures that full-time provision is made available for all permanently excluded pupils from Day 6. DASH (Durham Association of Secondary Head Teachers) have formally agreed a Voluntary Agreement to contribute to the cost of provision when a pupil is permanently excluded. The amount agreed is £5,000 per annum in addition to the transfer of the AWPU (all pro rata), and if they have it Pupil Premium.

The remaining funding ( AWPU and £5000) pro rata for pupils reintegrating to a new school following a permanent exclusion within the same financial year of the exclusion will be transferred to the new school.

Since September 2007 schools must arrange and pay for full-time provision for pupils excluded on a fixed term basis from Day 6.

## **1 Purpose of Managed Move**

To offer schools an alternative way forward other than excluding a pupil from school. This involves the pupil moving onto a new placement in a planned and supported manner.

Head Teachers can in discussion with parents and the LA consider a Managed Move for a pupil at the point where all strategies have been tried and exhausted.

Managed Moves can only take place with the agreement of all parties, pupil, parents, and both schools. The Inclusion and Alternative Provision Coordinator, Children and Young People Services, must facilitate and co-ordinate the move.

In a Managed Move the focus is on finding a way forward in response to the pupil's difficulties - and so the process is a solution - orientated rather than punitive one. Only in exceptional circumstances should a pupil have more than one managed move.

## **2 The Process**

- (a) Meeting at home school with parents/carers and pupil to review strategies to avoid the need for exclusion and discuss the possible option of a Managed Move as a way forward to seek a 'supported fresh start' at a new school. Parents to be given a copy of the Managed Move and Behaviour Inclusion Panel leaflet. Where possible a member of the LA should be invited to be part of this discussion whether present at the meeting or by having a conversation with the parent later, but prior to the panel referral being made.

Parental preferences are sought, support strategies and targets for success agreed and all possible outcomes considered.

Minutes of the meeting, including a full record of the strategies used to try and prevent the need for exclusion are taken (copy of Pupil's File) and included as part of the referral form to be considered at the Behaviour and Inclusion Panel following this meeting if all parties are in agreement.

- (b) The representative from the home school completes the Behaviour and Inclusion Panel referral form to include all relevant information on the pupils, including support required, and targets for success to allow a discussion with schools around the possibility of a Managed Move and to secure a suitable school's agreement to the move in principle.

The pupil must continue to attend the home school during this period.

- (b) The Inclusion and Alternative Provision Co-ordinator / Managed Move Inclusion Officer will convene a Managed Move admissions meeting of all relevant parties to agree a support plan including targets for success, allocation of a key member of staff in the new school, and strategies to support the move, start and review dates, monitoring procedures, expectations and exit plans should the move breakdown.

A contract providing full details of the move is agreed and signed by parents and pupil

- (d) The Managed Move commences as a 12-week trial period reviewed at 3-week intervals and a final decision over whether the move can become permanent

at the end of the 12-week trial. The trial period may only be extended under exceptional circumstances. This will be determined on an individual basis.

A key member of staff from the receiving school will meet with the pupils regularly to review progress. This will provide an opportunity to talk about what has gone well and how to continue to be successful. The key staff from both the home and new school, parents, pupil and LA rep who attended the original meeting will be invited to each review to talk about the pupil's progress, any concerns about the placement, the support in place and any new strategies to help them settle at the new school.

After the final review, if the managed move has been successful, the pupil will transfer to the new school permanently.

Should the managed move break down, the new school must provide full details of the reasons for the failure and supporting evidence. In most cases a managed move should not be failed without discussing with the LA rep to allow intervention actions to be put in place. The return to school plan agreed at the initial meeting should then be actioned.

- (e) Oversubscription will not automatically prevent a school from entering into a Managed Move agreement.

### **3 Registration**

The home school will keep the pupil on roll during the trial period and must be included in all attendance statistics. The pupil should be recorded as 'educated off site' in the register for the sessions that they attend the trial school and absent for those that they do not.

The trial school should record the pupil as a guest. Although not yet placed on its roll, the trial school is responsible for recording the pupil's attendance, following up non-attendance as it would for other pupils and for feeding information back to the home school on a weekly basis. A copy of this update should be forwarded to the LA representative who is assigned to the case.

Once it is agreed that the move is to be made permanent, the pupil will be removed from the home school's roll and placed onto the new school's roll.

### **4 Funding**

For successful managed moves the LA arranges for the transfer of funding, AWPU and if they have it, pupil premium for the remainder of the year, from the home school to the new school on a pro rata basis.

### **5 Transport**

The LA will provide free transport to the next nearest suitable school in the view of the LA, if it meets the distance criterion within the Home to School Transport policy.

### **6 Exceptions**

Children with an Educational Health and Care Plan or Statement of Special Educational Needs would not be part of this protocol, but a placement could be reviewed in line with the SEN Code of Practice.

Similarly, Children Looked After would be an exception to this protocol but subject to emergency review.

### **Permanently Excluded Pupils 1% Rule**

- Schools with up to 100 pupils in a year group can admit 1 permanently excluded pupil.
- Schools with 101 to 200 pupils in a year group can admit 2 permanently excluded pupils.
- Schools with over 200 pupils in a year group can admit 3 permanently excluded pupils.

The Local Authority and DASH have agreed a reintegration protocol to support permanently excluded pupils returning to mainstream education.

