Gateshead Council

educationGateshead
raising achievement for all

Primary Fair Access Protocols

Advice, Guidance and Support

August 2018

Contents

Page

Introduction 3

Memorandum of Understanding 4

Primary Fair Access Protocols 6

- General Principles 6
- Hard to Place Pupils 7
- Managed Moves - Clarification on the use of the 'B' code 8
- Complex Transfers 9
- Fair Access Protocol for Children Misisng from Education 9
- Fair Access Protocol and Elective Home Education 9
- The Protocol 10
- educationgateshead Monitoring Tool 11
- FAP Form 16
- Manages Moves 21
- Protocol Catergories 22
- Terms of Reference for Placement Panel 24

In Year Transfer Process 26

Fair Access Stages 27

Fair Access Process 31

Fair Access Support 32

Referral Form 33

Parental Consent Form 37

Risk Assessment 39

Information for Parents and Carers 42

Support Procedure 43

Introduction

Evidence from 'They Never Give Up On You' (2012) suggests that good practice into the prevention of and alternatives to exclusion, the development of the school workforce, the use of alternatives to exclusion and managed moves can be instrumental in preventing exclusions.

The consequences of being permanently excluded from school at whatever age, can be significant for the child or young person who is excluded. Many children and young people, who are excluded, especially if the exclusion is made permanent, do not re-engage with formal education before they reach school leaving age. This usually means they leave at a disadvantage compared with their peers and their lack of qualifications can severely limit their future life chances in comparison with the population as a whole.

When their circumstances were examined, 40% of 16-18 year olds who are not in education, employment or training (NEETs) had previously been permanently excluded from school. Over half of young offenders in custody have been excluded from school. Indeed, in a recent report by HM Inspectorate of Prisons on Resettlement Provision for 15-18 year olds in custody, 86% of those interviewed said they had been excluded from school at some point. (Always Someone Else's Problem, Office of the Children's Commissioner Report on Illegal Exclusions, 2013)

In order to support the most vulnerable children in Gateshead, the Primary Fair Access Panel was established in June 2014 and has now run for a full academic year. During this time there have been 61 children placed in schools by the Panel.

The Primary Fair Access Process is intended to be invoked and used for a number of reasons (as set out in the Admissions Code 2014);

1. Where there are particular difficulties in securing a school place or appropriate provision or where a child is at risk of permanent exclusion or
2. Following a permanent exclusion or to pre-empt a permanent exclusion or
3. For those children who are otherwise not on a school roll.

The Primary Fair Access Process is organic and will change to meet the needs of schools/academies, parents and children. Over the past academic year the Protocols have changed and developed to meet these needs through *learning outcomes*. These learning outcomes have informed the direction of the panel in relation to practice, procedures and protocols.

The Headteachers on the Panel have taken time and consideration over the placement of a child(ren) in a school, paying close attention not only to the needs of the child and the reason for a move, but also to the impact that child(ren) would have in the receiving school. At times the decisions have been challenging; often there is no right or wrong answer, but the Headteachers have ultimately reached a consensus of opinion on where best to place a child(ren).

The Panel has, in considering the placement of children recognised the high number of children with special needs who come to the Panel. They asked the School Forum to consider the de-delegation of funds from primary schools for a full time educational psychologist to work to the Fair Access Panel to address the need for assessment, training and support in specialist areas when placing a child in a school. This has been in place since April 2015 and will be reviewed on an annual basis. The Panel has also considered issues of cluster representation and decided that there should be a representative from every School Improvement Cluster on the Panel as well as the number of Headteachers needed to be present in order for the Panel to be quorate (5).

After lengthy discussion, Headteachers also decided that there was no right to appeal decisions made by the Panel; however recognising the need to understand the complexity and the impact of the placement of a child(ren) in a school, they asked for contextual information from each school where a child might be placed, be provided prior to the Panel meeting, in order to inform the decision making process.

This is the second revised version of the Primary Fair Access Protocols, rewritten to include the changes made through the *learning outcomes*, and the panels in 2014/15. The following document provides not only information on Gateshead's Memorandum of Understanding, which sets out the relationship between Gateshead's schools, academies and the local authority in working together to support improvements in behaviour (and attendance) in Gateshead, it also provides information on the Primary Fair Access Protocols, including information on:

- the Fair Access Panel process, including information on the Fair Access Categories
- the protocol for panel meetings
- the referral form (included a completed form for reference)
- information on risk assessments
- case studies highlighting support provided.

Memorandum of Understanding

Gateshead Primary Partnership, January 2014 (updated June 2017)

Scope

1. This Memorandum of Understanding concerns the relationship between Gateshead schools/academies, the Diocese and the local authority working collaboratively to support improvement in behaviour and attendance in Gateshead.

2. What we have come to understand is the need for a collective responsibility in meeting the needs of the children and young people within Gateshead, a collective ownership on the part of all schools/academies and the local authority around issues resulting in exclusions both fixed and permanent and the solution to these issues.

3. The Memorandum sets out the aims, roles and responsibilities, which underpin the Partnership.

4. The Partnership wishes to agree joint and collaborative action for shared priorities to improve behaviour and attendance in schools/academies. This action will include the identification and allocation of resources for those shared priorities.

5. All admissions authorities must participate in the Fair Access Protocols to ensure unplaced children are allocated a school place quickly. The Fair Access Protocols to be put in place will be for hard to place pupils, complex transfers and managed moves between schools, mainly, but not exclusively for children who are displaying difficulties with attendance and/or behaviour. These Protocols came into operation from 1 September 2014; they will operate alongside the in-year transfer system.

6. The Partnership will examine service delivery and provision options, and promote multi-disciplinary and multiagency working where appropriate.

7. The Partnership will evaluate whether these partnership arrangements can be used to develop more coherent, holistic and effective delivery of services and strategies.

Aims

The Partnership aims to:

i. ensure that all children in Gateshead are treated as the collective responsibility of all the schools/academies

ii. establish the conditions for sustainable continuous improvement in children and young people's behaviour and attendance in Gateshead's schools/academies

iii. develop teaching, learning and assessment processes that will support excellent achievement as a foundation for improvements in behaviour and attendance

iv. ensure an equitable distribution of relevant resources, expertise, strengths and difficulties as far as is possible with regard to support for behaviour and attendance

v. provide a mutually supportive environment for all pupils and staff

vi. ensure that staff are able to develop and share good practice and resources across schools/academies

vii. work hard to fulfil parental and governor expectations for children and schools/ academies

viii. provide leadership of the highest quality to support and inspire all children and staff

ix. make the best possible organisational arrangements for all forms of support for behaviour and attendance in the schools/ academies, including school and alternative provision, therapeutic and other interventions, and all forms of relevant advice and support.

Outcomes

The Partnership expects that this will:

- improve opportunities for children and young people whose behaviour is challenging
- significantly reduce exclusions in schools/ academies
- reduce persistent absence
- significantly improve the behaviour and attendance climate in all schools/academies
- build on the success and good practice developed
- ensure that education is delivered from day 6 for excluded students
- significantly improve Ofsted judgements on behaviour and attendance
- 100% attendance for all children and young people.

Accountability

The Partnership is accountable to all schools/ academies and their Governing Bodies.

Accountability will be achieved through an annual report to all schools/academies.

The Strategic Director of Care, Wellbeing and Learning will be kept informed of Partnership developments.

Headteacher Panel members will provide information to their School Improvement Clusters on a regular basis.

Support and provision for students

The Partnership intends to ensure better alignment of the needs of children in respect of behaviour with the provision available. To this end it will continue the processes of:

- pooling information about available resources
- implementing Fair Access Protocols for relevant groups
- considering the opportunities for additional provision for children at risk of disaffection and/ or exclusion
- using centrally held resources to support childrens' behaviour and attendance.

Other relevant documentation

The Partnership views the following documents as of particular relevance and importance in respect of this Memorandum of Understanding:

- The Children & Young People's Plan
- The Fair Access Protocols (2012 Guidance)
- The Common Assessment Framework
- Admission Criteria (2012 and 2014)
- Behaviour and Attendance Report (2016)
- Exclusion Guidance (2017)
- EHE Strategy (2016-2020)
- CME Strategy (2016-2020)
- Gateshead Vision (2030)
- Between the Cracks - Exploring In-Year Transfers in England (2013).

Primary Fair Access Protocols

General Principles

1. Every local authority must have a Fair Access Protocol, agreed with the majority of its schools/ academies, in which all schools (including Academies) must participate since it is binding on all schools. This protocol applies to children of statutory school age.

2. These protocols, together with the accompanying papers, attempt to give substance to the agreement on collaborative action - the Memorandum of Understanding - which the schools/academies in Gateshead are committed to, in order to ensure better educational outcomes for vulnerable children and young people.

3. It is important to emphasise that for the vast majority of children in schools/academies the protocol will not be necessary or relevant; it is intended to be invoked and used **where there are particular difficulties in securing a school place or appropriate provision or where a child is at risk of permanent exclusion.**

4. From a school's perspective, the purpose of these protocols is to establish a fair and transparent system, which ensures that all the schools/ academies participating in the Gateshead Partnership admit their fair share of children with challenging behaviour and educational needs on a turn-taking basis.

5. From a child's perspective, the purpose of the protocol is to ensure that access to education is secured quickly where there is no school/academy place and/or where a fresh start is indicated.

6. These protocols will play a key role in helping to deliver the five outcomes of "Every Child Matters". Their particular focus is to address the needs of vulnerable children with difficult and challenging behaviour, who seek admission to a mainstream school/academy **either following a permanent exclusion or to pre-empt such an exclusion, or who are otherwise not on a school roll.**

7. Our approach reflects a shared commitment, as exemplified in the Memorandum of Understanding, to promoting education and social inclusion, and to minimising the use of exclusion (fixed-term and permanent). Schools/academies, the local authority and other services will focus their efforts on early intervention and support for children experiencing difficulties, in order to avoid the need for exclusion and/or school transfer.

8. Our approach reflects a commitment by all the schools/academies to work in partnership with each other and the local authority , in the interests of securing the best outcomes for our chldren, and to support each other to address the challenges presented by these children.

9. In the event that the majority of schools/academies in an area can no longer support the principles and approach of the local Protocol, all the schools/ academies Headteachers should initiate a review with the local authority. The existing Protocol however remains binding on all schools/academies up until the point at which a new one is adopted.

10. Schools (including Academies) should work together collaboratively, taking into account the needs of the child and those of the school. There is no duty to comply with parental preference when allocating places through the Protocol but it is expected that the wishes of the parents are taken into account.

11. In October 2005 Gateshead's Admissions Forum agreed an outline Protocol with its secondary schools. The document ended with the comment that *"This Protocol will be further developed and extended as experience is gained by all those involved in its operation. It is recognised that some aspects of developing this approach will present difficulties and challenges, but schools, the Local Authority and other partners are committed to working together to overcome these and to meeting the Secretary of State's expectations in terms of collaborative approaches."*

12. This current document should be seen, therefore, as an update of the earlier one, which incorporates the earlier paper's "General Principles", but also develops the ideas within the context of the School Admission Code 2007, 2012 and 2014.

13. The Protocol is divided into three sections, each outlining the different areas covered by the Fair Access Protocol in the placement of; Hard to Place Pupils (HtPP), Managed Moves (MM) and Complex Transfers.

Primary Fair Access Protocols

Recognising the challenges that children moving info school can present both to the school and the child, Gateshead Headteachers have taken the decision to bring together Hard to Place Pupils, Managed Moves and Complex transfers under the banner of the Primary Fair Access Protocols, in order to minimise the disruption as much as possible of vulnerable children moving into schools

in a seemingly random process.

A. The Fair Access Protocols for Hard to Place Pupils

The Fair Access process for Hard to Place Pupils ensures that those pupils without a school place and who may be considered 'vulnerable' are offered a place in a suitable school as quickly as possible. The School Admissions Code 2014 clearly sets out the list of children which local authorities must include in their Fair Access Protocol these include:

- Children from the criminal justice system or PRU who need to be reintegrated back into mainstream school (which applies rarely to primary schools, hence we don't have a category for this)
- Children who have been out of education for two months or more (FAP 3)
- Children of Gypsies, Roma, Travellers, refugees and asylum seekers (FAP 16)
- Children who are homeless (usually captured in other categories)
- Children with unsupportive family back grounds for who a place has not been sought (FAP 5)
- Children who are carers (captured in other categories)
- Children with special educational needs, disabilities or medical conditions (but without a statement or Education, Health and Care Plan) FAP 17

Over the past few years Gateshead Headteachers have added a number of other categories to the list of children to be considered within the Fair Access Protocols, which include:

- Pupils without a school place and with a history of serious attendance problems (below 90%) at the point of referral. By history we mean the last 2 years of attendance. (This applies to pupils who move into Gateshead) (FAP 7)
- Pupils who move into Gateshead with complex behaviour issues (FAP8)-see complex transfers
- Pupils who move into the borough in the summer term of Y10 and/or in Y 11 (not pupils who move between Gateshead schools)-not appropriate to primary pupils
- Young people who were attending a PRU in another local authority and who move into Gateshead (PRU to PRU transfer)-not appropriate to primary pupils
- Young people who are looked after (FAP 20)

It is important to emphasise that for the majority of children however, securing a school place is accomplished via the normal admissions procedures. On occasion there will be children who move into the local authority, who have been out of school for longer than a term and/or those who have been home educated who might on occasion have difficulty in securing a school place. This doesn't mean that every home educated child who returns to mainstream schooling needs to be placed in a school/academy via the Fair Access process, nor does it mean that every child who moves into the local authority from outside of Gateshead needs to be placed into a school/academy via the Fair Access process.

If these children have additional needs which would mean that either the child or the receiving school would benefit from transitional support and if they fall within the following Fair Access categories then the panel will consider the appropriateness of the referral.

The Fair Access Categories include:

FAP3
who have been out of education for longer than one school term e.g. pupils who are home educated, parents have removed from school, pupils who choose not to attend who are not currently on a school roll (this does not apply to persistent absentees or to pupils who have been taken off a school roll due to non-attendance)

FAP5
with unsupportive family backgrounds, where a place has not been sought

FAP7
without a school place and with a history of serious attendance problems e.g. pupils who move into Gateshead

FAP17
children with special Educational Needs (but without a statement or EHCP) or medical condition

FAP8
who move into the area with complex behaviour issues

FAP16
children of Gypsies, Travellers, Roma, refugees and asylum seekers

FAP22
a year 6 child who transfers schools between the 1 April and the end of SAT's week

B. Fair Access Protocol for Managed Moves

The DfES guidance, "Improving Behaviour and Attendance", identifies a number of alternatives to exclusion that may be available to Headteachers in response to breaches of behaviour policy. These include "managed moves" to another school to enable the student to have a fresh start.

In the case of managed moves they will be children who are vulnerable to educational failure and for whom it is even more important that any move of school/academy takes place quickly.

15. Under the Admission Code 2012 and 2014 Managed Moves (MM) can be considered for the following reasons: those children who have been excluded from other schools and those who have challenging behaviour. It will also need to consider those children where the governing body of the receiving school does not wish to admit a child with challenging behaviour outside the normal admissions round, even though spaces are available.

16. Managed Moves are implemented in order to maintain the education of the child while at the same time protecting the receiving school from taking a child, where there is some doubt as to the outcome a move of school would have on the child's behaviour and/or attendance.

    A managed move via the Fair Access Panel ensures that the best interests of the child, their family and the school/academy are considered. There is also clarity between schools/academies involved over the responsibility of the child in relation to attendance and safeguarding, with a formal monitoring period agreed at the start of the process.

17. Managed Moves will be time limited. They will be no shorter than 6 weeks (unless there is a display of behaviour which warrants a permanent exclusion at the school/academy to which the pupil has been moved to) and no longer than 12 weeks (unless for exceptional reasons an extension of the managed move is agreed by all parties at the review meeting). However even when exceptional circumstances apply they will be no longer than 2 academic terms.

    For those categories marked with an asterix below, the school will need to consider the Behaviour Rating Tool on page 10.

    The following categories apply to Managed Moves:

    FAP1
    who have been permanently excluded and who are not in educational provision

    FAP4
    who are currently identified as a persistent absence pupil e.g. 80% attendance

    FAP11*
    who would otherwise be permanently excluded for a serious but one-off offence, pupils whose behaviour generally conforms to school rules, but who have on this occasion engaged in behaviour, which is unacceptable (summary evidence of permanent exclusion to be included in the documentation sent to panel)

    FAP12*
    who have a history of challenging behaviour but for whom an action plan has been unsuccessful and who are at increasing risk of permanent exclusion, pupils who have repeatedly challenged school rules (this behaviour is documented) and the school is able to evidence over a period of time, the types of interventions tried including an IEP, CAF and the involvement of outside agencies

    FAP13*
    whose behaviour is adversely influenced by their peer group to a significant extent and who would benefit from the opportunity for a fresh start provided by a change of school evidence can be provided that this is an ongoing situation and how a change in school will provide a change in behaviour

    FAP14*
    whose relationships with fellow children, parents and/or staff has broken down irrevocably evidence can be provided that the school have used a variety of interventions to prevent this breakdown from happening over a period of time

    FAP16
    children of Gypsies, Roma, Travellers, refugees and asylum seekers, children who are homeless

    FAP17
    children with special educational needs, disabilities and medical conditions (but without statement)

    FAP18
    children who are carers

    FAP21
    where staff relationships have broken down with parents.

A child will be considered as 'belonging' to a school after they have attended for 5 full days. It will be assumed that this has occurred unless the school notifies the ESO worker immediately if there is an issue with attendance.

C. Fair Access Protocols for Complex Transfers

18. The Admissions Code 2014 states that *'the list of children to be included in a Fair Access Protocol is to be agreed with the majority of schools in the area'.* For a number of children whose parents put in a transfer request, the receiving school may feel that there are enough issues raised regarding aspects of the child's circumstances that would warrant concern on the part of the receiving school. The Admissions Code 2012 and 2014 indicates that *'where a governing body does not wish to admit a child with challenging behaviour outside the normal admissions round, even though places are available, it must refer the case to the local authority Fair Access Protocol'*. For this reason the Complex Transfer Protocol was established. In order to standardise the process and make it more transparent, the following guidance has been developed for schools to use when considering an application to the Fair Access Panel under the category of a Complex Transfer.

    Guidance for a complex transfer **might** be:

    - Attendance below 80% with a historic pattern of attendance issues *(Families Gateshead Headline issue 2 - Children who have not been attending school regularly)*
    - History and evidence of disruptive behaviour including fixed term exclusions and lunchtime exclusions totalling more than 2 days in any one term . this includes information on behaviours, including evidence logs and behaviour action plans, what has worked and why and what hasn't worked and why *(Families Gateshead Headline issue 2 - Children who have not been attending school regularly)*
    - Direct involvement of the child with external agencies such as; Family Intervention Team (FIT), Youth Offending Team (YOT), Children and Young People's Service (CYPS), Platform (Drug and Alcohol Service); Educational Psychology Service (EPS), Primary Behaviour Support Team (PBST)- *(Families Gateshead Headline issue 3-Children who need help/Headline issue 6 - parents and children with a range of health problems)*
    - Relationships with pupils in the requested school and/or neighbourhood *(Families Gateshead Headline issue1-parents and children involved in crime or anti-social behaviour)*
    - Complexity of the year group/school in the receiving school in conjunction with other criteria
    - Inappropriate behaviour (sexualised) for whom a risk assessment is deemed necessary *(Families Gateshead Headline issue3-Children who need help)*
    - A CAF/TAF in place and Child in Need/CP in place in conjunction with one of the above *(Families Gateshead Headline issue 3 - Children who need help)*

    Complex transfers will generally be considered as a Managed Move when placing a child in a new school/ academy.

    FAP15
    Complex transfers where it is felt that the child would benefit from support to aid the transition process

D. Fair Access Protocol for Children Missing from Education

19. Children fall out of education for a number of reasons including poor attendance, exclusion, poor transition arrangements and disaffection. Education Support officers actively seek out and identify those missing education with the help and support of stakeholders and agencies within Children's Services. If/when primary aged children are found, the Primary Fair Access Panel is the means by which they will be supported to reengage with mainstream educational provision under the Hard to Place Pupils section of the Protocols.

F. Fair Access Protocol and Elective Home Education

20. Elective Home Education is the right of every parent. However on occasion parents are unable or unwilling to provide suitable and appropriate educational provision for their child(ren) and their child(ren) will need to return to mainstream school. For the majority of instances children will return to mainstream school under the normal admissions round. However evidence would suggest that some children who have not been provided with suitable home education might find the transfer back into a mainstream setting difficult for a number of reasons; social, academic etc. On those occasions, where a child who is in receipt of home education decides to return to mainstream school the Primary Fair Access Panel is the means by which they will be supported to reengage with mainstream educational provision under the Hard to Place Pupils section of the protocols.

    Headteachers have agreed that for children who have been electively home educated, they will go back on the roll of the last Gateshead primary school that they attended. If a parental request is made for a different school, the move will in the first instance be on a Managed Move basis until such time as the receiving school deems the Managed Move a success and they take them onto their school roll.

E. The Protocol

21. Requests for admissions for hard to place pupils, managed moves and complex transfers, will not fall evenly across the schools/academies in the borough. Nonetheless, the purpose of this protocol is to ensure easier and quicker access to education for individual children, within a fair and equitable context for schools/academies. The following paragraphs outline the methods for ensuring a fair distribution of hard to place pupils, managed moves and complex transfers.

22. Schools/academies will agree to deal with all admission requests promptly and in accordance with their own admissions policy, if appropriate and the School Admissions Code 2014. Where a school/academy or LA service believes that a request for admission falls within the scope of this protocol, or where it is perceived that it is necessary to make an admission request on behalf of a child, that request will be referred via the Education Support Service to the Primary Fair Access Panel for consideration (unless a school/academy can offer a place quickly i.e. before the next meeting of the Panel).

23. Where a child has appealed for a place within a school and the appeal has been dismissed and subsequently a referral is made to the Primary Fair Access Panel for a place at the same school, the school at which the appeal was lodged against and dismissed will be exempt from taking the child during that academic year.

24. The Primary Fair Access Panel will be constituted and operate according to the terms of reference. The role of the Panel will be to determine an appropriate placement/managed move and agree with the Education Support Service the way in which the placement will take place. This will include the issues of support, timing, and consultation with the child, parents or carers. The decisions of the Panel will be binding on schools.

25. Under the new Admissions Code (2014) there is no duty for local authorities or admission authorities to comply with parental preference when allocating places through the Fair Access Protocol. Although, it would remain 'best practice' to work with parents and parental choice.

26. In the case of managed moves, the Headteacher should approach the parent/carer of the child for their agreement to implementing the move. Only when the parent/carer has given consent should an application form be completed and the process commence.

27. Children with Statements of Special Educational Needs are not covered by this protocol as their needs are considered separately and are covered by specific legislation.

28. On occasion, if a child is placed in a school and their behaviour/attendance gives rise for concern (and meets one of the FAP categories) the school can request that the child be considered as a retrospective referral by completing the referral form and submitting it to the Panel.

29. Detail of the placement of children is recorded after each panel for that academic year and this information is one of the pieces of information which is used to inform future panel placement decisions. At the start of each new academic year a new list of placements will be recorded, with previous year's placement information being used as a reference document.

30. The scope of the protocol is for children who find themselves in one of the categories FAP 1-FAP 22.

31. The Behaviour Monitoring Tool (page 10) will be used to record the types of behaviours children are displaying when referred to the Panel.

32. In order to support the panel in making their decisions contextual information will be requested from all primary schools. This information will be requested at the start of each academic year. An update will be requested immediately before each panel sits should schools wish to update their contextual information.

educationGateshead Behaviour Monitoring Tool

Name of young person: _____ **School:** _____ **Year Group:** _____

Desired/Positive Behaviour	Level One	Level Two	Level Three
Behaviours which help children move along toward the goal of becoming well-adjusted, fully functioning adults; typical of a particular stage of development.	"anything that **FREQUENTLY** undermines the flow of your lesson without actually blowing it out the water"	"anything that **FREQUENTLY** disrupts the flow of the lesson or school day to where regular intervention is needed and the lesson or activity cannot continue"	"anything that constitutes an act of aggression or intimidation and/or poses a serious risk of harm to themselves or to others."
Typically positive behaviours: • Can express own needs and feelings calmly and appropriately • Listens with interest when the teacher explains something to the class • Listens and does what is required when the teacher addresses a simple positive request specifically to him/her • Listens and does what is required when the teacher addresses the class • Puts up hand to ask or answer a question • Takes appropriate care of something s/he has made or work s/he has done • Takes care of own possessions • Respects other people's property • Begins to clear up or bring to a close an enjoyable work or play activity when the teacher, with adequate warning, makes a general request • Maintains attention and focus on a task for a reasonable amount of time without being easily distracted • Completes work tasks in the time given	**Typically challenging Behaviours:** • Talking and chatting • Disturbing other children • Calling out • Fidgeting or fiddling with equipment • Taps, flicks or hits objects repeatedly. • Not having the correct equipment • Purposely making noises to gain attention • Changes in attention are triggered by small changes around the child. Easily distracted • Slow to complete learning • Swinging on chairs • Getting out of seat • Struggling to sit still • Excessive, insufficient or selective sensitivity to sounds	**Typically challenging Behaviours:** • Absconding from the classroom • Swearing within conversation or swearing at another student • Occasionally involved in physical fights or verbal altercations with other students • Intentional spitting at others • Frequently reacts angrily when forbidden something or when activities are interrupted. • Determined that everything shall remain unchanged. • Hiding under furniture • Destroying or defacing their own work • Work refusals • Not respecting other people's property • Answering back or questioning instructions • Takes no notice of what is said to them • Inability to accommodate others –turn taking, sharing, allow others to make decisions	**Typically challenging Behaviours:** • Frequent absconding from the school premises • Frequent verbal abuse of an adult (e.g. taunting, badgering, intimidation) • Frequent verbal abuse of another student or students (e.g. taunting, badgering, intimidation) • Frequently involved in physical fights or verbal altercations with other students • Swearing at an adult • Prejudice – frequent comments or intimidation based on race, ethnicity, religion, sex, sexual orientation, social grouping. • Bullying Behaviour – REPEATED actions intended to hurt someone either physically or emotionally in any form (physical assault, teasing, making threats, name calling, cyberbullying - bullying via mobile phone or online (for example email • Frequently destroying other people's work

Desired/Positive Behaviour Continued	Level One Continued	Level Two Continued	Level Three Continued
• Motivated to take part in learning and complete learning tasks to a satisfactory standard without direct and continuing support or pressure • Makes and accepts normal physical contact with others (e.g. holding hands in a game) • Makes appropriate use of the materials provided without the need for continuing direct support • Comes into class quietly and on time • Maintains acceptable behaviour and functions adequately when the routine of the day is disturbed and is secure enough to accept change • Makes an appropriate verbal request to another child who is in his/her way or has something s/he needs • Complies with specific verbal prohibitions on his/her personal use of classroom equipment, usually without sulking • Abides by the rules of a group game in the playground or school hall • Accommodates to other children when they show friendly and constructive interest in joining his/her play or game • Moves around the school safely and with due care • Is aware of other's personal space • Shows genuine interest in another child's activity or news	• Inordinate or inappropriate demands for time or attention • Coming into class late and/or noisily • Running in school • Boisterous or rough play without intent to cause harm • Lack of awareness of people's personal space • Tendency to bang or push into others without intent to harm • Constantly on the move **Other Behaviours which may be of concern:** • Keeps in his/her own world. • Indifferent to others • Passivity or lack of interest. • Difficulty in registering emotions. • Frequent wetting or soiling • Delayed response. • Seems not to hear others. • Cuts off communication.	• Frequently reacts very negatively (e.g. displays anger towards others, cries, shouts, storms off, refuses to participate, blames others etc.) to losing a game or competition. • Climbs everywhere, touches everything, constantly changing activities. • Very withdrawn and hard to reach or engage • Using mobile devices • Throwing or moving furniture or objects in frustration, without an intent to harm others • Struggles with change **Other Behaviours which may be of concern:** • Keeps to the edge of a group or isolates him/herself from the group • Pays no attention to others. • Nail biting, sweating, retention of breath. • Sudden fits or crying or whimpering. • Trembling. • Unprovoked fits of temper and laughter. • Abrupt behaviour changes (suddenly begins to cry, laugh, giggle with no apparent reason). • Handles stools/urine. Puts them in mouth. Smears stools/urine.	• Physical violence against another pupil with intent to cause harm • Physical violence against an adult with intent to cause harm • Throwing furniture or objects with intent to harm others • Frequently climbing on furniture or on buildings • Repeated non-compliance displayed as defiance and complete refusals of adult direction, resulting in major disruption to classroom activities and/or which may constitute a danger to themselves or others **Other Behaviours which may be of concern:** • Sexualised behaviour • Carrying a weapon • Use of drugs or alcohol in school • Suspected or possible eating disorders • Self-harm (hits head, bites, scratches or cuts themselves, or using some object, self-inflicted burns, falling to the ground heavily). • Risk taking behaviours outside of school within the community (e.g. Lack of parental/carer control, staying out very late, Parent/carers not knowing where the young person is, going missing, school refusal)

Desired/Positive Behaviour Continued	Level One Continued	Level Two Continued	Level Three Continued
• Engages in conversation with another child • Works or plays alongside a child who is independently occupied, without interfering or disturbing • Shows awareness of happenings in the natural world, is interested and curious • Is adequately competent and self-reliant in managing his/her basic personal needs i.e. clothes, toilet; food • Constructively adapts ideas and suggestions from other children • Accepts disappointments • Makes constructive and reciprocal friendships which provide companionship • Shows genuine concern and thoughtfulness for other people; is sympathetic and offers help • Engages in conversation with another child • Works or plays alongside a child who is independently occupied, without interfering or disturbing • Shows awareness of happenings in the natural world, is interested and curious • Is adequately competent and self-reliant in managing his/her basic personal needs i.e. clothes, toilet; food • Constructively adapts ideas and suggestions from other children			

Desired/Positive Behaviour Continued	Level One Continued	Level Two Continued	Level Three Continued
• Accepts disappointments • Makes constructive and reciprocal friendships which provide companionship • Shows genuine concern and thoughtfulness for other people; is sympathetic and offers help • Tells the truth about a situation and takes responsibility for their own behaviour • Can apologise to others • Accepts consequences when they are fair and reasonable • Sits reasonably still without talking or causing a disturbance when the teacher requests attention • Gives way to another child's legitimate need for classroom equipment by sharing it with him/her, or taking turns • Can manage competitive situations and accept when they don't win • Has a reasonably high regard for themselves; shows pride and can readily identify positive about themselves • Can accept praise • Can give compliments and identify positives in others • Develops positive and trusting relationships with adults			
Contextual Factors: Are there any known contextual factors (changes or situations at home or school) which may be contributing to deterioration or change in the young people's behaviour at this time?			

33. The Primary Fair Access panel has educational psychology time to support/assess children with special educational needs. Request to the Primary Fair Access Panel for EP involvement is through the referral form.

    Schools will need to allow a minimum of four weeks for the child to settle into a new placement.

    If there are concerns, after this 'settling in' period, and a feeling that the child would benefit from referral to the FAP EP, the Head Teacher or SENCo should fill in the attached form and return it to the Fair Access Admin Officer.

    The form must be signed by parents/ carers, with the understanding that the referral also has to be agreed by the panel before it can go ahead.

    The request will be presented at the next available Panel along with the form which will be made available with other papers on the Learning Platform prior to the Panel.

    The Panel will decide whether or not FAP EP time is required/ appropriate.

    If the referral is agreed, EPS will allocate the case to an EP who will contact the school in question to start the piece of work.

    If the referral is not agreed, the school will be contacted to explain the reason

FAP

Gateshead Council

Psychological Service

Request for Involvement of the Educational Psychologist (EP) allocated to the Fair Access Panel (FAP)

(Please note: Cases will only be accepted if referral to the FAP EP has been discussed and agreed by the FAP).

To comply with GDPR legislation please ensure you have parent/carer permission to share information with Gateshead Psychological Service

---

UPN:

Legal Surname: ..... Forename: .....

Also Known As: ..... Date of Birth: ..... Gender: ..... M/F

(Underline preferred name, if not legal surname)

Address: .....

..... Postal Code: ..... Tel: .....

School: .....

Child's First Language: .....

Parent(s) / Carer(s):

1. Title: ..... Forename: ..... Surname: .....

Address: .....

..... Postal Code: ..... Tel: .....

Relationship to Child: .....

2. Title: ..... Forename: ..... Surname: .....

Address: .....

..... Postal Code: ..... Tel: .....

Relationship to Child: .....

Children Act, 1989:

Status(if any) .....

Social Worker (if any) .....

Other Agencies Intervention

Please note names and role of other professionals who have been involved with dates and time period of intervention.

Name	Agency	Dates of Involvement	Contact Details

Relevant Contextual Information:
(Please include relevant background and historical information, such as family circumstances, why child came through FAP, etc.)

Date Child was Admitted to School via the FAP process……

Nature of Current Concern:
(*Please summarise your concerns clearly so that panel can consider this request for FAP EP time fully and fairly.)*

-
-
-

What Intervention Has Been Undertaken:
(in relation to concerns described above?)

What are the Child's Strengths / What is Going Well?

What do you hope will be the Outcome(s) of FAP EP Involvement?

If FAP EP time was not available, is this a child you would prioritise for involvement with your school EP?

Office Use Only

Date referral was discussed at panel…… Referral to FAP EP agreed by panel? Y / N

I understand that the information recorded on this form will be securely stored and used only for the purpose of providing a service to a child for whom I have parental responsibility.

I agree to the information on this form being shared with other people/services.

Please tick the agencies with whom Gateshead Psychological Service has permission to share information:

High Incidence Needs Team (HINT)	☐
Low Incidence Needs Team (LINT)	☐
Primary Behaviour Support Team	☐
Ethnic Minority and Traveller Service (EMTAS)	☐
Early Years Assessment and Intervention Team (EYAIT)	☐
Education Support Team (including Primary Fair Access and Pupil Placement Panels)	☐
Special Educational Needs and Disabilities Team (SEND)	☐
Social Care (including Early Help)	☐
Child and Adolescent Mental Health Service (including Children and Young People's Service)	☐
Speech and Language Therapy	☐
Physiotherapy	☐
Occupational Therapy	☐
Paediatrician/Child Development Clinic	☐
Other Educational Psychology Services	☐
Independent/Private Therapists/Agencies	☐

Consent to Educational Psychology Service Involvement

Signed: ..... Date: .....
(Parent / Carer)

Signed: ..... Date: .....
(Educational Psychologist)

Signed: ..... Date: .....
(Head Teacher / SEN Co-ordinator)

Signed: ..... Date: .....
(Child / Young Person – over 13 years)

34. **Groupings of schools/academies**

The Partnership of primary schools/academies will organise themselves into clusters/neighbourhoods for the purpose of placing children

Kingsmeadow Cluster
Brighton Avenue Primary
Caedmon Primary
Dunston Hill Primary
Riverside Academy
Lobley Hill Primary
St Aiden's C or E Primary
Bensham Grove Nursery

Whickham Cluster
Cloverhill Primary
Fellside Primary
Front Street Primary
Washingwell Primary
Whickham Parochial C of E Primary
Swalwell Primary

Thorp Cluster
Chopwell Primary
High Spen Primary
Highfield Primary
Rowlands Gill Primary
Parkhead Primary
Winlation West Lane Primary
Crookhill Primary
Emmaville Primary
Ryton Infant School
Ryton Junior School
Greenside Primary
Blaydon West Primary

St Thomas More Cluster
Corpus Christi RC Primary
St Philip Neri RC Primary
St Joseph's RC Primary, Blaydon
St Mary and St Thomas Aquinas
St Agnes' RC Primary
St Joseph's RC Primary, Highfield
St Mary's RC Primary
Sacred Heart RC Primary

Lord Lawson Cluster
Barley Mow Primary
Birtley East Primary
Kibblesworth Academy
Portobello Primary
Ravensworth Terrace Primary

Cardinal Hume Cluster
St Alban's RC Primary
St Anne's RC Primary
St Augustines's RC Primary
St Joseph's RC Infants, Birtley
St Joseph's RC Juniors, Birtley
St Joseph's RC Primary, Gateshead
St Oswald's RC Primary
St Peter's RC Primary
St Wilfrid's RC Primary

Heworth Grange Cluster
Bill Quay Primary
Lingey House Primary
Roman Road Primary
The Drive Primary
Whitemere Primary
Wardley Primary

Joseph Swan Cluster
Glynwood Primary
Harlow Green Primary
Kells Lane Primary
Oakfield Infant School
Oakfield Junior School
Kelvin Grove Primary

Thomas Hepburn Cluster
Colegate Primary
Carr Hill Primary
South Street Primary
Brandling Primary
Bede Primary
Falla Park Primary
Fell Dyke Primary
Larkspur Primary
Windy Nook Primary

On occasion the placement of children might reflect neighbourhoods (as opposed to clusters), especially when schools within two different clusters are adjacent to one another. With the Catholic clusters this may mean that the placement might be in the alternative Catholic cluster due to geography.

In the Protocol children attending Catholic schools will be allocated to Catholic schools.

35. Placing children

When placing children, schools will be asked to provide information to the Panel on the context of the class and the school. This information is crucial to the Panel decision making process as it allows the Panel to consider the impact a placement will have in a particular school. When placing children the Panel will consider:

- The percentage number of Fair Access placements in the current academic year
- The distance from home to school (and parent's ability to transport their child)
- The cohort/context of the individual class/ school-assuming this information is provided by the potential receiving school(s) when asked
- Statutory class size (see below)
- Family circumstances
- Sibling links

What will not be taken into consideration is parental preference of a secondary school.

Parents will also be asked for their school preferences, although the panel reserves the right to decide the most appropriate place for the child.

Whereas consideration will be given to the legal limit of class sizes in Key Stage 1, it may be necessary to admit children as exceptions through the Primary Fair Access Protocols. If pupils do not meet one of the excepted pupil criteria, as set out below, priority preference will be given for admissions over others on a waiting list or waiting appeal.

Infant class size-Infant classes must not contain more than 30 pupils with a single class teacher. Additional children may be admitted under limited exceptional circumstances. These children will remain an 'excepted pupil' for the time they are in an infant class or until the class numbers fall back to the current infant class size limit. The excepted children:

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

36. Funding

All schools and academies in Gateshead will be treated equitably regarding funding following permanently excluded pupils, managed moves and hard to place pupils. This means on a pro-rata basis according to the academic year:

- Per pupil funding will be deducted from the school or academy's funding, as per regulations
- Pupil premium (FSM element) will be deducted from the school or academy's funding, as per regulations
- If the school or academy admits a permanently excluded pupil, a hard to place pupil or a managed move become a success and goes on roll of the school/academy, funding will be paid to them as per regulations.Each school/academy will pay an agreed amount, which will be held centrally and used as and when needed e.g. to pay for translation of documents, translators etc.

In addition, after discussions with the School Forum, primary schools have agreed to the de-delegation of funding to support the employment of (or the time equivalent) an educational psychologist to work to the Primary Fair Access Panel to support:

- children who the Panel identify as having a need for an assessment and/or
- school who need advice and support
- training for staff before/during placement
- transition support
- any other aspect of special educational needs support that the Panel feel would support the placement of a child in school/academy and can be met by an educational psychologist within their role.

37. Attendance (for a Managed Move)

When a child is moved to another school/academy under a 'managed move' the schools will use the folowing to monitor attendance:

Registration Code B

Brief Description	Educated off site (NOTE Dual registration)
Statistical Meaning	Approved Educational Activity
Legal Meaning	Attending approved educational activity
Physical Meaning	Out of whole session
DfE Definition	Where a registered pupil on roll is currently being educated off-site at a supervised activity approved by the school
Relevant Regulation	6 (4)

Managed Moves

Clarification on the use of the 'B' code

Currently the agreement is that if a child is a 'managed move' to another school, the 'B' code would be used e.g. educated off site (page 9, article 27 of the Fair Access Protocols)

The definition of 'B' code is 'where a registered child on roll is currently being educated off-site at a supervised activity approved by the school'.

The 'B' code is being used because we are agreeing that in the case of a 'managed move' that goes through the Primary Fair Access Panel the child is a 'guest' of the second school (School B) until such time as the 'managed move' is agreed. At that point the status of the child on the Admissions Register would change from a 'G' a 'guest' to a 'C' current single registration. If the 'managed move' fails and the child returns to their main school (School A) then School B would remove them from their Admissions Register altogether.

The Guidance on applying the Education Pupil Registration Regulations stipulates that 'schools must record the details of every pupil in the admissions register. This includes pupils who are attending the school on a temporary basis e.g. travellers' children, children who are accessing facilities not available at their normal school and 'guest' pupils (page 6, article 24).

School A will record in their attendance register the pupil using the 'B' code after their attendance at School B has been confirmed.

School B will record in their attendance register the pupil present or absent (authorised/unauthorised) for the period of time that they are attending School B.

School B will feed this information back to School A on a weekly basis.

School B are responsible for safeguarding the needs of the pupil; undertaking First Day Response and making sure that if the pupil is not in school the reasons for this are known and that there are no safeguarding concerns which are not being addressed.

School A and School B need to work closely together to monitor the attendance and address the needs of the pupil; especially as School A will have a greater understanding of the history and issues surrounding the pupil.

In issues of poor or non-attendance it is the EWO or the attendance officer of School A (maintained school or academy) that is responsible for working with the pupil and their family to improve their attendance at School B.

School A will continue to include the pupil in their overall attendance figures.

In the collection of attendance data the use of the 'B' code would mean that the attendance of the pupil would be included in School A's attendance figures. If the 'managed move' is successful and the pupil goes onto the roll of School B, at such time they will count in the School B's attendance figures.

The use of the 'B' code can only apply if:

- The 'managed move' is through the Primary Fair Access Panel (for purposes of transparency and monitoring) or
- The Primary Fair Access Panel has been informed of the 'managed move' although managed moves via schools would not count towards the school's pupil allocation
- The Primary Fair Access Panel will report on this information on a regular basis
- The pupil is not dual registered-at which point the 'D' code must be used.

38. The Belonging Regulations relate to a child who is looked after by a local authority:
    - for whom an education statement is in place or
    - is registered at a special school or
    - who is a patient in hospital, and
    - receives education either in a special school established in a hospital or education referred to in section 298(1) of the Education Act 1993 otherwise than at school, or

- who is a further education student. In such cases the authority whom the pupil belongs to is the local authority area which looks after him/her.

In such circumstances where a child looked after by another authority is living in Gateshead and accessing education in Gateshead the home authority is financially responsible for the child's education and fees are accordingly recouped.

Monitoring and Quality Assurance

39. Financial information will be provided on the Learning Platform for each Panel on the funding used for alternative provision.

    Following each Panel notes will be sent to all school/ academies outlining the decisions made by the Panel and highlighting any learning outcomes from the Panel.

    An annual report will be provided to Panel members outlining the work of the Panel for the previous year.

The following is the list of Protocol Categories

FAP1 (Managed Move)

who have been permanently excluded and who are not in educational provision

FAP2*

not appropriate to primary schools

FAP3 (Hard to Place Pupil)

who have been out of education for longer than one school term e.g. pupils who are home educated, parents have removed from school, pupils who choose not to attend who are not currently on a school roll *(this does not apply to persistent absentees or to pupils who have been taken off a school roll due to non-attendance)*

FAP4 (Managed Move)

who are currently identified as a persistent absence pupil e.g. a pupil who by the end of the spring term (half term 4), has more than 52 sessions of absence in that school year

FAP5 (Hard to Place Pupil)

with unsupportive family backgrounds, where a place has not been sought

FAP6

who are referred by the Police, Connexions, Youth Offending Team or other similar agency

FAP7 (Hard to Place Pupil)

without a school place and with a history of serious attendance problems *e.g. pupils who move into Gateshead*

FAP8 (Hard to Place Pupil)

who move into the area with complex behaviour issues

FAP9*

not appropriate to primary schools

FAP10*

not appropriate to primary schools

FAP11 (Managed Move)

who would otherwise be permanently excluded for a serious but one-off offence *pupils whose behaviour generally conforms to school rules, but who have on this occasion engaged in behaviour, which is unacceptable (summary evidence of permanent exclusion to be included in the documentation sent to panel)*

FAP12 (Managed Move)

who have a history of challenging behaviour but for whom an IEP Behaviour Support Plan has been unsuccessful and who are at increasing risk of permanent exclusion *pupils who have repeatedly challenged school rules (this behaviour is documented) and the school is able to evidence over a period of time, the types of interventions tried including an IEP, CAF and the involvement of outside agencies*

FAP13 (Managed Move)

whose behaviour is adversely influenced by their peer group to a significant extent and who would benefit from the opportunity for a fresh start provided by a change of school *evidence can be provided that this is an ongoing situation and how a change of school will provide a change in behaviour*

FAP14 (Managed Move)

whose relationships with fellow children, parents and/or staff has broken down irrevocably, *evidence can be provided that the school have used a variety of interventions to prevent this breakdown from happening over a period of time*

FAP15 (Managed Move)

complex transfers where it is felt that the child would benefit from support to aid the transition process

FAP16 (Managed Move)

children of Gypsies, Roma, Travellers, refugees and asylum seekers, children who are homeless

FAP17 (Managed Move) or (Hard to Place Pupil)

children with special educational needs, disabilities and medical conditions (but without statement)

FAP18 (Managed Move) or (Hard to Place Pupil)

children who are carers

FAP19*

not appropriate to primary schools

FAP20

Looked After Child

FAP21

Where staff relationships have broken down with parents

FAP22

a year 6 child who transfers schools between September and 1 April and the end of SAT's week

* Please note the gap in FAP numbering is due to previous categories being removed as they are no longer needed.

Terms of Reference for Placement Panel

. All schools/academies in the Partnership will participate in the Primary Fair Access Panel. Each School Improvement Cluster (SIC) will be represented by a Headteacher from their cluster. The Headteacher will lead discussions within the SIC on the Fair Access process and Panel decisions. Where necessary the Headteacher of the cluster will advocate on behalf of their schools.

   The School Improvement Cluster will nominate one headteacher to sit on the Panel and a second Headteacher to deputise for them in their absence (see role description).

2. Panel meetings will be scheduled on a regular cycle. The Education Support Service will assist in and facilitate such meetings.

3. A Panel shall be constituted of five Headteachers who must all take part in any decision to make the meeting quorate.

4. The Education Support Service shall ensure that adequate documentation from schools/academies, agencies, services, young people and parents/carers is available to consider each case.

5. The LA shall ensure that members of the Education Support Service is available at the meeting to offer additional information and to carry forward the Panel's decisions.

6. The decisions of the Panel will be binding on the receiving school/academy, although parents may choose not to accept the first placement offered.

7. **Groupings of schools/academies**
   The Partnership of primary schools/academies will organise themselves into clusters/neighbourhoods for the purpose of placing children:

Kingsmeadow Cluster
Brighton Ave Primary
Caedmon Primary
Dunston Hill Primary
Riverside Academy
Lobley Hill Primary
St Aiden's C or E Primary
Bensham Grove Nursery

Lord Lawson Cluster
Barley Mow Primary
Birtley East Primary
Kibblesworth Academy
Portobello Primary
Ravensworth Terrace Primary

Whickham Cluster
Cloverhill Primary
Fellside Primary
Front Street Primary
Washingwell Primary
Whickham Parochial C of E Primary
Swalwell Primary

Cardinal Hume Cluster
St Alban's RC Primary
St Anne's RC Primary
St Augustines's RC Primary
St Joseph's RC Infants, Birtley
St Joseph's RC Juniors, Birtley
St Joseph's RC Primary, Gateshead
St Oswald's RC Primary
St Peter's RC Primary
St Wilfrid's RC Primary

Thorp Cluster
Chopwell Primary
High Spen Primary
Highfield Primary
Rowlands Gill Primary
Parkhead Primary
Winlation West Lane Primary
Crookhill Primary
Emmaville Primary
Ryton Infant School
Ryton Junior School
Greenside Primary
Blaydon West Primary

Heworth Grange Cluster
Bill Quay Primary
Lingey House Primary
Roman Road Primary
The Drive Primary
Whitemere Primary
Wardley Primary

Joseph Swan Cluster
Glynwood Primary
Harlow Green Primary
Kells Lane Primary
Oakfield Infant School
Oakfield Junior School
Kelvin Grove Primary

St Thomas More Cluster
Corpus Christi RC Primary
St Philip Neri RC Primary
St Joseph's RC Primary, Blaydon
St Mary and St Thomas Aquinas
St Agnes' RC Primary
St Joseph's RC Primary, Highfield
St Mary's RC Primary
Sacred Heart RC Primary

Thomas Hepburn Cluster
Colegate Primary
Carr Hill Primary
South Street Primary
Brandling Primary
Bede Primary
Falla Park Primary
Fell Dyke Primary
Larkspur Primary
Windy Nook Primary

On occasion the placement of children might reflect neighbourhoods (as opposed to clusters), especially when schools within two different clusters are adjacent to one another. With the Catholic clusters this may mean that the placement might be in the alternative Catholic cluster due to geography.

In the Protocol children attending Catholic schools will be allocated to Catholic schools.

When placing children consideration will need to be paid to the following:

- Percentage number of fair access placements in the academic year
- Distance from home to school (and parents ability to transport child)
- Cohort/context of individual class/school
- Family circumstances
- Statutory class size (see below)
- Sibling links

What will not be taken into consideration is parental preference for secondary school.

Whereas consideration will be given to the legal limit of class sizes in Key Stage 1, it may be necessary to admit children as exceptions through the Primary Fair Access Protocols. If pupils do not meet one of the excepted pupil criteria, as set out below, priority preference will be given for admissions over others on a waiting list or waiting appeal.

Infant class size-Infant classes must not contain more than 30 pupils with a single class teacher. Additional children may be admitted under limited exceptional circumstances. These children will remain an 'excepted pupil' for the time they are in an infant class or until the class numbers fall back to the current infant class size limit. The excepted children:

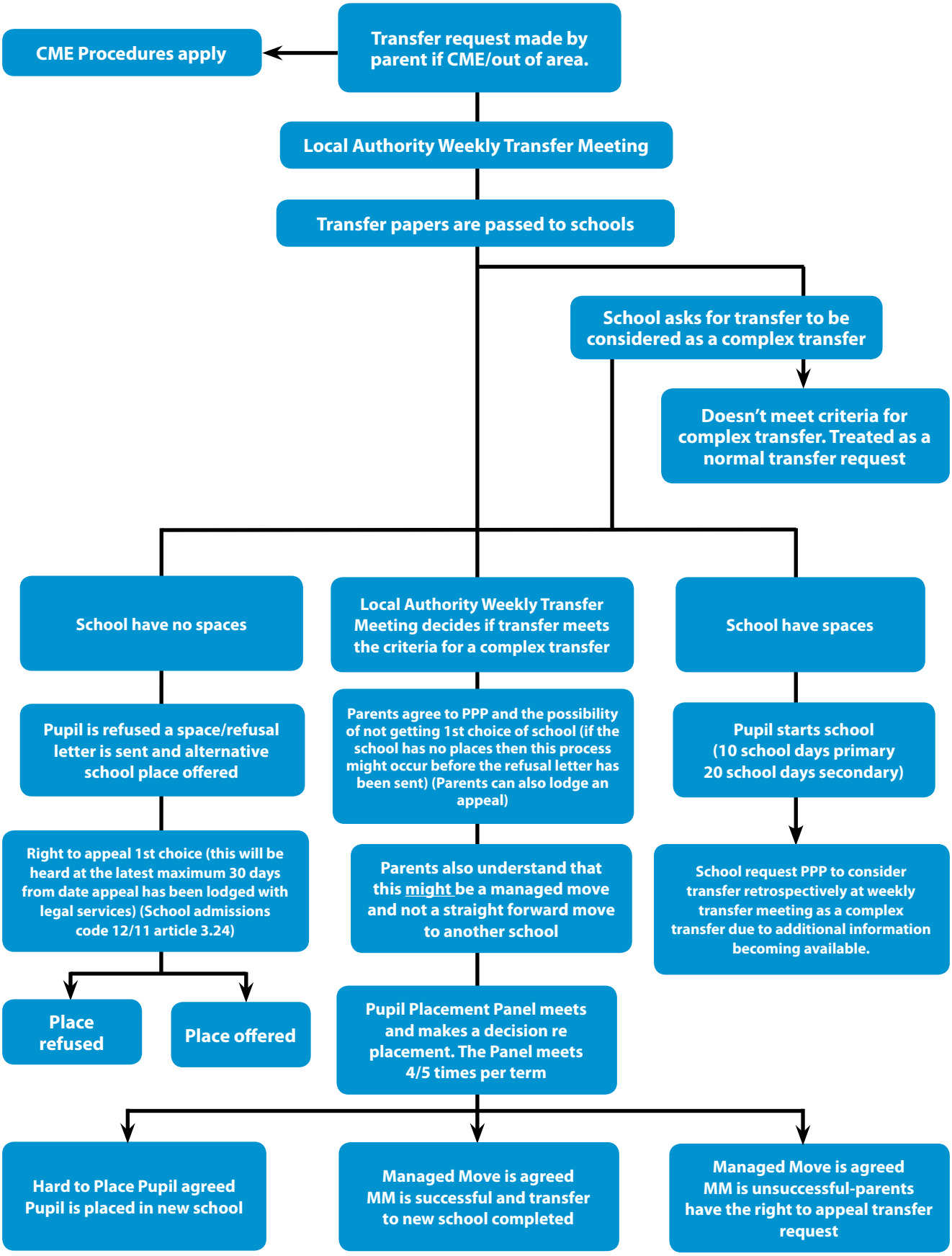
- Children admitted outside the normal admissions round with statements of special educational needs specifying a school
- Looked after children and previously looked after children admitted outside the normal admissions round
- Children admitted, after initial allocation of places, because of a procedural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

Headteacher Representative on the Fair Access Panel

Role Description

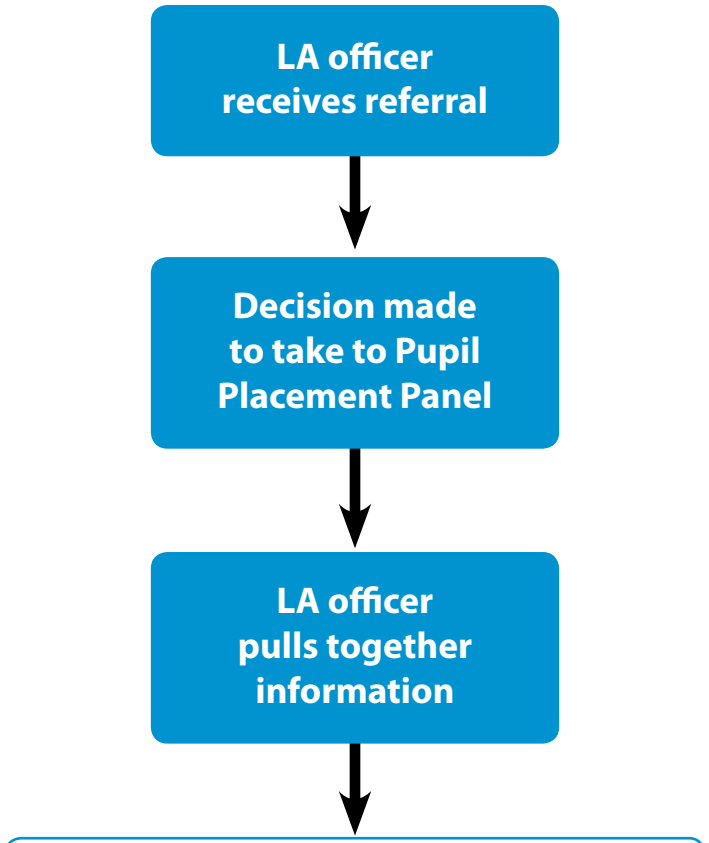
1. Represent the cluster at the Primary Fair Access panel
2. Arrange for another HT from the cluster to deputise at the panel in their absence
3. Be the point of contact from other HT's in their cluster to pass information to the panel about individual children referred
4. Be the point of contact from other HT in their cluster who want to provide additional contextual information on their schools in relation to receiving children
5. Ensure that the Fair Access Process is on the agenda of School Improvement Cluster agenda's in order for information to be pass to the panel and from the panel to the cluster HT
6. In situations where HT are reluctant to provide information to the panel to discuss this with these HT to ensure that sufficient paperwork is provided in time for the panel to make a decision. This includes situations where one school is reluctant to fill out paperwork because they don't feel that it should come to the panel.
7. To discuss with HT the reasons for panel decisions if/when they are unhappy wand/or refusing to accept the panel decision regarding the placement of a child.

In Year Transfer Process



Fair Access Placement

Stage 1: Information Collection

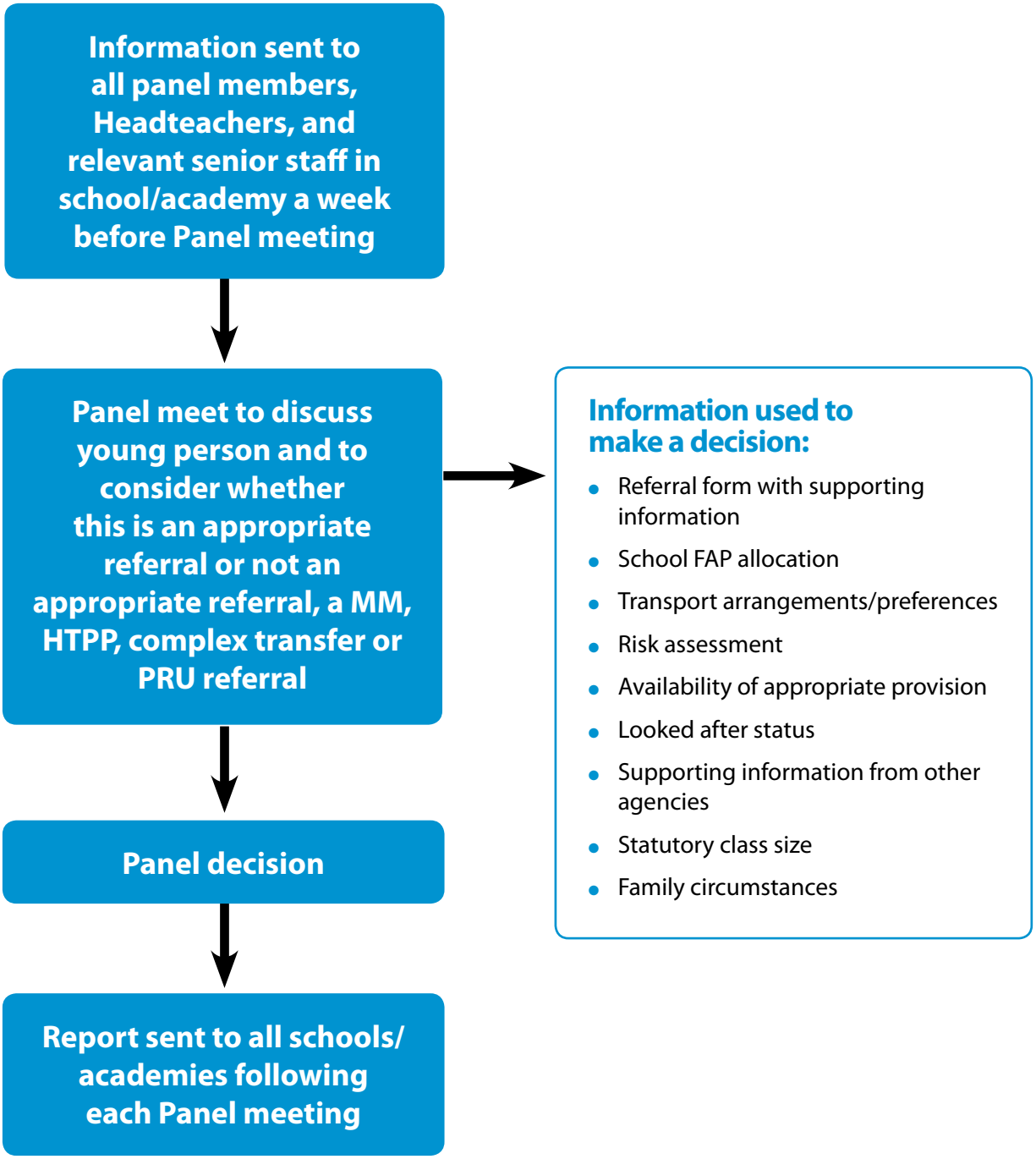


What information:

- Attendance
- Behaviour
- Exclusions (FT/Perm)
- Attainment (GCSE, SATs)
- Previous schools/movement including PRU info
- Info on additional support
- External agency involvement
- EPS
- Key worker
- SEN
- LAC
- Schools intervention and support programmes
- Pupils strengths/areas for development
- YOT
- Child Protection
- CAF
- FIT

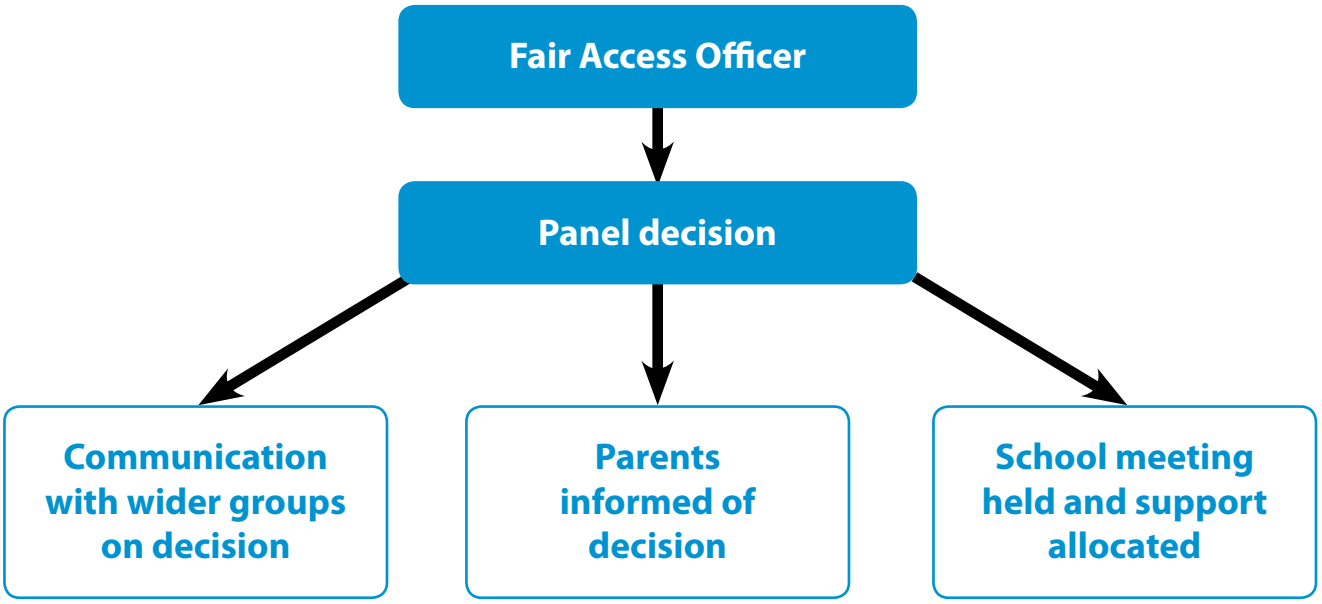
Fair Access Placement

Stage 2: Information Sharing



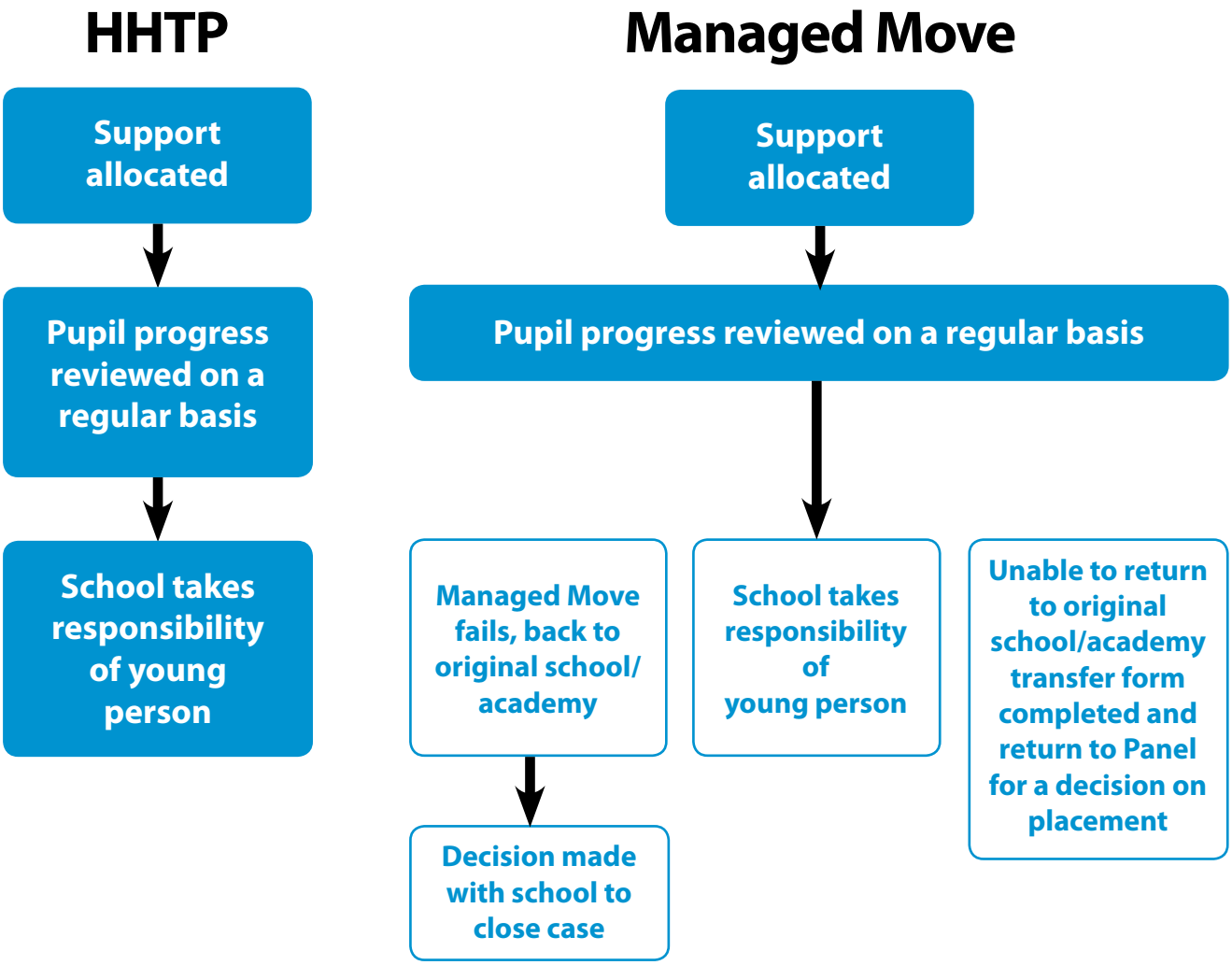
Fair Access Placement

Stage 3: Decision



Fair Access Placement

Stage 4: Decision Implementation



Fair Access Placement Process

Individual referrals to Panel

1. Information sent out to all panel members and agenda sent out to all Headteachers

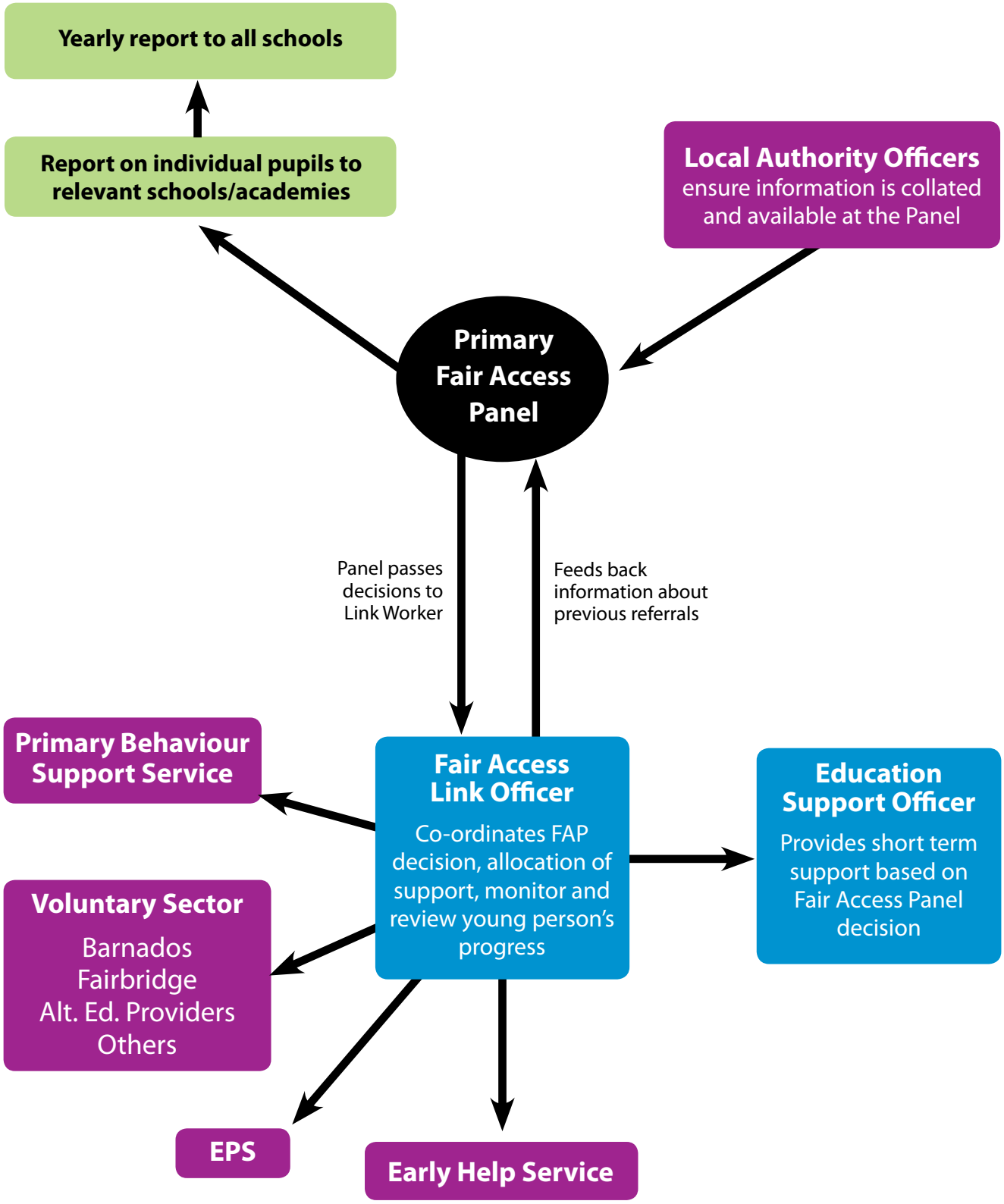
2. Standard Agenda

- **Apologies and introductions**
- **Overview of referrals**
- **Updates**
- **Individual referrals:**
  Any appropriate additional information from other agencies
  Appropriate referral?

Yes	No
Issues? (MM/HtPP/Complex Transfer/Catholic)	What feedback?
Is this a Families Gateshead family?	Who?
Questions about the information so far?	
Placement. When and how?	
Support and possible risk assessment	
Actions and who is responsible	
Learning outcomes	
Yes - but is it appropriate to move the child at this time or should the Panel consider other options e.g. EP assessment in the current school, involvement from Primary Behaviour Support Team	

- **Reintegration of Permanently Excluded**
- **Learning outcomes from session**
- **Date of next meeting**

Fair Access Placement Panel Support



Referral Form

Guidance for completing the Referral Forms for the Primary Fair Access Panel

- **Details of Young Person and Parents/Carers**. Please include all relevant information.
- **Details of referral**. A summary of the young person's difficulties with key incidents is useful.
- **Previous Schools**. Include all known Primary and Secondary Schools attended.
- **Document**. Please indicate which documents are attached. A summary of key behaviour incidents is more useful, rather than a full record.
- **Additional Support/Strategies provided in school**. Brief descriptions would be helpful.
- **External Agency Involvement and Key Worker**. Please include a reason for this outside agencies involvement (if known).
- **Family and environmental factors, strengths and needs**
- **Child's Views**. Self explanatory (where appropriate)
- **Parent/Carers Views**. Could be gathered when permission for the referral is sought.
- **In the case of complex transfer it is the responsibility of the sending school to liaise with the Behaviour and Attendance Improvement team in providing information for the completion of the referral form.**

Prior to referrals going to Primary Fair Access Panel the following questions would be asked of the information submitted.

Is it clear:

- what impact a move to another school would have on the child's behaviour/attendance?
- what strategies the school has applied to address behaviour/attendance issues? What is the impact of these strategies?
- how the child plans to contribute to improving their behaviours/attendance in the new school?
- that parents are supportive of the move?
- that parents are willing to engage in support via a CAF/TAF?
- that we have current information on attainment and levels?

Referral to: **Primary Fair Access Panel**

FAP@gateshead.gov.uk

FAP Category ☐

Details of Child

Name	**Date of Birth**
UPN	**Year Group**
Gender **Male** ☐ **Female** ☐	**Ethnicity** White/British

Current school

School Address:	**Telephone No.**
	Mobile No.
Post Code	

Details of Parent/Carers with Parental Responsibility

Name	**Name**
Address	**Address**
	Postcode
Contact telephone no	**Contact telephone no**
Relationship to Child Mother	**Relationship to Child**

Parent/Carer permission given?	Yes ☐	No ☐
LAC status	Yes ☐	No ☐
Statement of Special Educational Needs	Yes ☐	No ☐
Child Protection Plan	Yes ☐	No ☐
Catholic (if requesting a Catholic School) **Baptismal certificate attached**	Yes ☐	No ☐

Documentation

Please attach copies of the following:		
Behaviour plan(PSP, IBP) ☐	**Attainment record and recent school report** ☐	**Attendance record** ☐
Exclusion record ☐	**IEP** ☐	**CAF/TAF** ☐

School View of Referral

What has led this child being referred	How would the change of educational provision benefit the child?

Any Additional Support/Strategies provided in school with outcomes

(LSU Support, TA, LM, Support Workers)

Strategy implemented within school and Outcome
SEN Support - Does the child receive any additional support due to SEN?
Do the family meet the Family Gateshead criteria?

External Agency Involvement & Key Worker

(Including YOT,LIT, FIT, EPS, EWBT CAMHS etc)

Agency	Key Worker

Family and Environmental Factors

Family history, functioning and well being, wider-family, housing, employment and financial considerations, social and community elements and resources, including education.

Strengths	Needs

Child's Views of the Referral (If appropriate)

Person Making Referral

Name **Address** **Post Code**	**Designation** **Organisation** Tel no.

Email Address

Signed		**Date**	

A signed copy of the Parental Consent Form must accompany this application form or the referral will not be considered at the Primary Fair Access Panel.

Parental Consent form

With your permission, we would like to refer your child to the Primary Fair Access Panel; the Panel considers requests by schools and the local authority and can offer a school place for your child in a mainstream school/academy.

Your view of your child's issues in their current school and how a move of schools might resolve them is important information which will be shared at the Panel. The Panel will consider this information alongside information from your child's current (and if appropriate previous school) in making their decision on the best educational placement for your child.

The panel can decide several outcomes for your child:

- The panel may decide that a move of schools is not in the best interest for you or your child at this time and that they should remain in their current school.

  If you are unhappy with this decision you can appeal for a place in your preferred school via the independent school appeal process for a place in your chosen school, should you so which to.

- The Panel can agree to move your child to another school. This can happen in two ways:
  - First, if your child is in reception, Y1 or Y2 **they will move to a new school on a permanent basis.**
  - Second, if they are in Y3, Y4, Y5 or Y6 **they will move school on a on a managed move basis.** This means that your child will attend another school for a trial period, to see if the move has a positive impact on your child's behaviour and/or attendance.
    - In the case of a Managed Move, your child will be a guest on the roll of the new school until such time as the Managed Move is a success, in which case they will go on the roll of the new school.
    - If the Managed Move fails then your child will return to their original school. If they were at risk of a permanent exclusion, their original school may choose to permanently exclude them.

If your child is at risk of a permanent exclusion and you decide not to accept the panels offer, your child's Headteacher may decide to permanently exclude your child.

As a parent you can express a view to which school you would like your child to attend but by engaging with the fair access process the panel reserves the right to decide on the most appropriate school for your child, which might not be one of your choosing.

School preferences are _____ / _____ / _____

You are not obliged to accept the Panel's offer.

You still have the right to an independent school appeal for a place in your chosen school, should you so wish to.

Your consent is required for your son/daughter to be referred to the panel. Your consent is also required for information to be shared with other agencies.

☐ I understand the information provided on this form.

Continued on next page

I give my consent for my child's information to be shared other people/services (please tick all agencies that we have permission to share information with):

- ☐ children with disabilities team
- ☐ Higher Incidents Needs Team (HINT)
- ☐ Lower Incidents Needs Team (LINT)
- ☐ early help
- ☐ educational psychology
- ☐ early years assessment and intervention team (EYAIT)
- ☐ looked after children's team (REALAC)
- ☐ ethnic minority and traveller achievement service (EMTAS)
- ☐ social care
- ☐ legal department
- ☐ other local authorities if you move house (education, social care)
- ☐ your child's school/academy staff
- ☐ schools/academies
- ☐ for post 16 transition-staff at your child's further education college, sixth form college and university
- ☐ Child and Mental Health Services (CAMHS)/Child and Young Peoples Services (CPYS)the First-tier Tribunal (SEN and disability)
- ☐ other third-party organizations, as allowed by law
- ☐ other partner agencies that provide services on our behalf
- ☐ agencies with whom we have a duty to co-operate, such as police

If you do not agree to this information being shared, please state who it cannot be shared with.

If as a parent you wish at any time to revoke your consent for information to be shared please contact Rachel Conway rachelconway@gateshead.gov.uk and let us know that you would like to withdraw consent.

I/we have read and understood the above and agree that my child can be referred for discussion at the Primary

Sign _____

Name (print) _____ Date _____

Risk Assessment

Primary Fair Access
Risk Assessment Guidance

As with all risk assessments the key task is to identify the nature and severity of any actual or potential hazards along with assessing the likelihood that they will occur. However in the case of a child with behavioural difficulties the task is further complicated by a number of interactive and contextual factors, which will need to be taken into account. Along with considering a range of information the Panel will use the Risk Assessment Proforma to determine any level of risk which the child presents and also decide upon the sort of strategies and support required to meet the needs of the situation.

Once this overall level of need has been agreed the Panel will decide whether it:

1) Can be dealt with using the usual arrangements available within a mainstream setting

2 Requires additional short-term resources/support. (N.B. any longer term implications would need to be addressed through existing school and Local Authority Procedures)

3) Is so great that it is not safe and/or reasonable for the pupil to be admitted into a mainstream setting. Alternative arrangements would be proposed with clarification of what would need to change for the pupil to be reconsidered for a mainstream placement. (N.B. the longer term implications of such a decision would need to be considered).

Primary Fair Access Panel - Pre-Risk Assessment

Name of young person: | **Year group:**

Current/previous schools:

Identification of risk	**Evidence**
Description of foreseeable risk	
Is the risk potential or actual *(e.g child may have threatened to do something)*	
Who is affected by the risk *(e.g the child, other young people, staff etc)*	
Assessment of risk	**Evidence**
In which situations does the risk usually occur and which does it not occur	
How likely is it that the risk will arise	
If the risk occurs who is likely to be injured / hurt	
What kind of injuries or harm are likely to occur	
How serious are the potential outcomes	

Risk reductions interventions tried	**Description**	**Outcome**
Proactive interventions to prevent risk		
Early/ Immediate interventions to manage risk		
Reactive interventions to respond to adverse outcomes		

Completed by: | **Designation:**

Date:

Pupil Placement - Risk Assessment

Name: | Date of birth:

Current school:

Proposed Placement:

Rate-severity/consequences	Rate - Likelihood
Extremely harmful = death, major injury, major damage or loss to property or equipment Harmful = over 3 day injury, damage to property or equipment Slightly harmful = minor injury, minor damage to property or equipment	Highly likely = extremely or highly likely to occur Likely = frequent, often or likely to occur Unlikely = slight chance of occurring

Risk A Rating Chart			
	Extremely harmful	**Harmful**	**Slightly harmful**
Highly likely	Unacceptable	High	Medium
Likely	High	Medium	Low
Unlikely	Medium	Low	Trivial

Potential risk -

Potential risk -

Primary Fair Access

Information for parents and carers

Why have you been given this leaflet?

Gateshead schools have a shared commitment to promote education and social inclusion. One way of doing this is through the Primary Fair Access Panel.

Your child has been referred to the Primary Fair Access Panel. This might have been for one of many reasons. These include:

- Being out of education for a considerable period of time
- A history of challenging behaviour including fixed term exclusions
- A history of poor attendance (below 80%)
- Events which indicate that a fresh start would be better for your child
- At risk of exclusion
- Permanent exclusion
- …and others

Your child's school should discuss the referral with you.

If you would like to speak to a member of the Education Support Service before you give consent to the referral being made; you can contact the number below and a member of the team will be glad to discuss your options with you.

Your child's school or a member of the Education Support Service should have discussed the referral with you.

Who is on the Primary Fair Access Panel?

The Panel is made up of Local Authority officers from the Education Support Service, Education Psychology Service, Behaviour Support Services, Headteachers and other services.

What happens in the Fair Access process?

Once the school has spoken with you and you have agreed in writing to the referral being made to the Primary Fair Access Panel the Referral Form explaining all the circumstances is sent by the school to the Panel. As part of this process you will be given an opportunity to contribute your views.

The Panel discusses the case and decides the best place for your child.

Sometimes the Panel decides the referral isn't best helped by the Panel - in that case school will discuss options open to you.

This decision depends on many things including location, the reasons leading up to the transfer and the placement of other children.

What happens next?

Once the decision is made by the Panel, you will be contacted by the Education Support Service with the outcome.

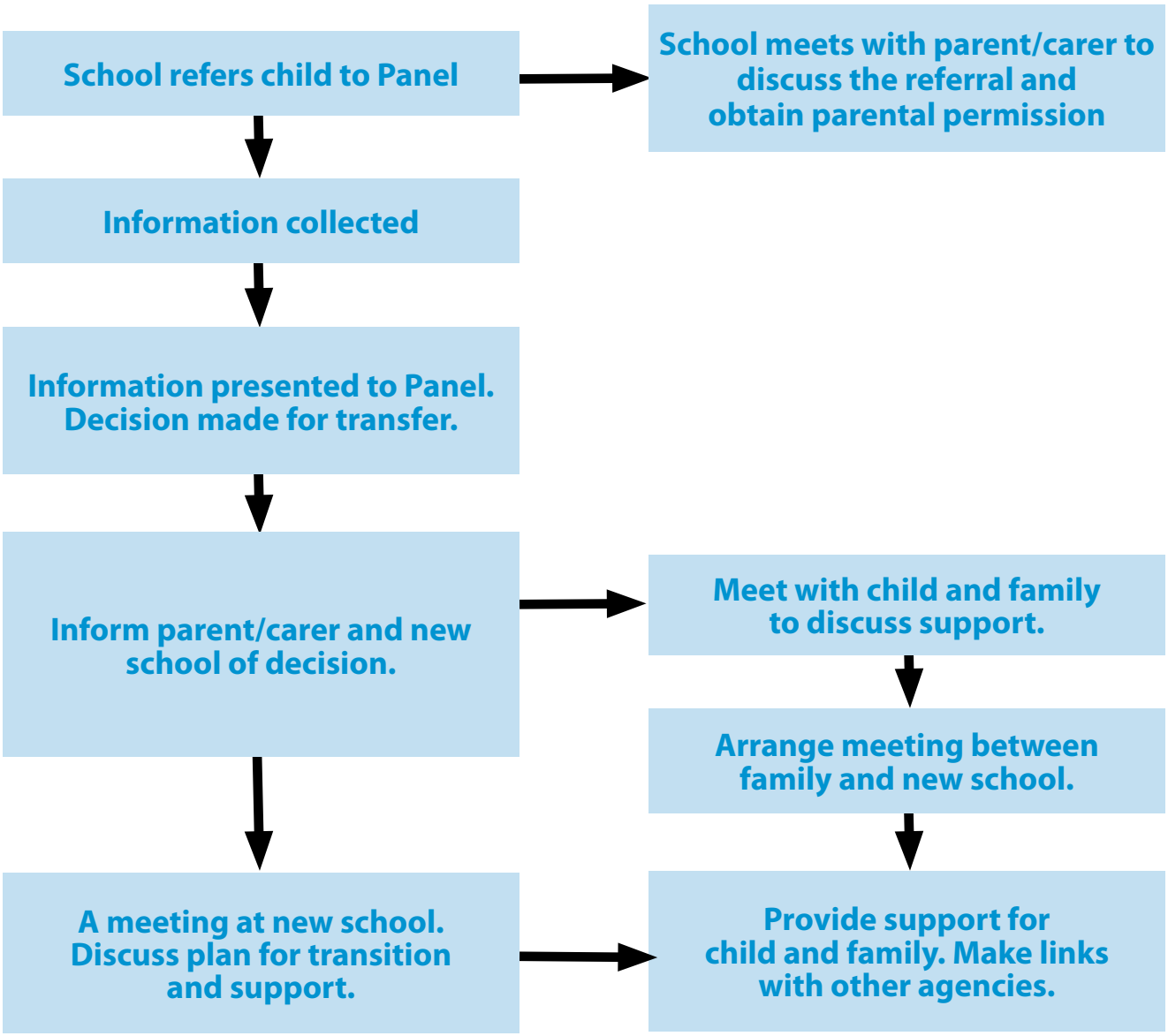
Members of this team will work with you, your child, the new school and other agencies, to help your child get settled in to the new school.

A smooth and speedy transition will help your child's education.

For further information

Telephone 0191 433 8758

Primary Fair Access Support Procedure



Your Support Worker is: _____

Telephone number: _____

Information recording and sharing

The Team will record and store information relating to your child. This will be used to help provide the best possible service for your child and will only be shared with relevant agencies. You can have access to this information if required.

Gateshead Council

educationGateshead
raising achievement for all

Produced by Gateshead Council educationGateshead
1291-JH-Aug2018