



WENSLEY FOLD CE PRIMARY ACADEMY FAIR ACCESS ADMISSIONS

PURPOSE

To seek Governing Body/Trust agreement to the revised Fair Access Protocol.

BACKGROUND

The Department for Education requires each local authority to have a Fair Access protocol agreed with the majority of schools. All schools (including academies and free schools) must participate in the protocol as it is binding on all schools, to ensure that unplaced children, especially the most vulnerable, are offered a place at a suitable school as quickly as possible. This requirement should ensure that no school – including those with available places – is asked to take a disproportionate number of children who have been excluded from other schools, or who have challenging behaviour.

The School Admissions Code gives local authorities and schools, including academies, the freedom to develop and agree protocols which best serve the needs of children in their area. It is for participating schools to ensure that the local protocol works for them and is reviewed as required with the Local Authority.

It has been a number of years since the current Fair Access Protocol has been reviewed. The dioceses have been consulted as part of the review process.

KEY ISSUES

The DfE stipulates that any 'Fair Access' protocol must include, as a minimum, children who fall into one of the following categories.

Schools and Local Authorities are also free to include other categories to meet the needs of children residing in the area. Following discussion with schools and the dioceses, it is proposed to include other local criteria as follows:

It is proposed that four Fair Access Panels are set up within Blackburn with Darwen – one in Darwen and 3 in Blackburn (based around geographical or neighbourhood areas). The Panels would comprise of headteachers (or their representatives) and a Local Authority officer.

Governing bodies, trust schools, academies and free schools remain the admission authority of the school or academy. However, by having Fair Access Panels, largely comprising headteachers, it is hoped that governing bodies and trusts will agree to the protocols to allow for the admission of the various categories of 'fair access' children. The current protocols also allow for such decisions to be made by headteachers.

A local authority has the power (s.96-97 of the School Standards and Framework Act 1998) to direct the admission authority for any maintained school in its area to admit a child even when the school is full (within prescribed parameters) and can ask the Secretary of State to intervene in the case of academies and free schools.

By agreeing to the Fair Access Protocol, the need for Local Authority direction or intervention by the Secretary of State should be avoided as schools will be agreeing to a fair and equitable distribution of such children and to accept the decision of colleagues on the Fair Access Panel.

RECOMMENDATIONS

For Action

All governing bodies/trusts are asked to agree:

- the proposed Fair Access Protocol and process
- that Headteachers or their representatives participate in the Fair Access Panel

Signed Date.....
John Leigh (Chair of Governors) November 2017