

Islington Fair Access Protocol

2021-22

SUMMARY

The purpose of Fair Access Protocols is to ensure that, outside the normal admissions round, **unplaced and vulnerable children, and those who are having difficulty in securing a school place in-year**, are found suitable education provision as quickly as possible.

Fair Access Protocols aim to ensure that all schools take their fair share of children who are considered for admission under the local authority's Fair Access Protocol.

START DATE

September 2021

REVIEW DATE

September 2022

RELATED LEGISLATION

- School Admissions Code, 2021 and Appeals Code, 2012
- School Standards and Framework Act, 1998
- Section 436A of the Education Act 1996 (as amended by section 4 of the Education and Inspection Act 2006)
- Section 19 of the Education Act 1996 (as amended by section 3 of the Children, Schools and Families Act 2010)
- The Education (Pupil Information) (England) Regulations 2005
- The Education (Pupil Registration) (England) Regulations 2006

WHO DOES THE PROTOCOL APPLY TO?

- Islington Council
- Community Schools
- Foundation and Trust Schools
- Voluntary Aided Schools
- Academies and Free Schools
- Parents

SCOPE

- **Statutory categories of unplaced and vulnerable children, and those who are having difficulty in securing a school place in-year only**

OPERATION

- The protocol will be administered by the Primary and Secondary Securing Education Boards.

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LEGAL DUTIES AND RESPONSIBILITIES

➤ LOCAL AUTHORITIES

1. Local authorities have a legal duty to ensure all children of compulsory school age, regardless of their circumstances and needs, are in receipt of full-time suitable education provision (Section 19, Education Act 1996) unless reasons that relate to their medical condition mean that this would not be in their best interests (Section 3 of the Children, Schools and Families Act 2010).
2. Every local authority must have a Fair Access Protocol, agreed with the majority of its schools to ensure that outside the normal admissions round **unplaced and vulnerable children, and those who are having difficulty in securing a school place in-year**, are allocated a school place as quickly as possible. (Paragraph 3.14, School Admissions Code 2021).
3. The Protocol must be consulted upon and developed in partnership with all schools in the local authority area. Once the Protocol has been agreed, all admission authorities must participate in it. 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. (Paragraph 3.15, School Admissions Code 2021).
4. Fair Access Protocols must also set out how the needs of children who have been permanently excluded, and children for whom mainstream education is not yet possible, will be met. (Paragraph 3.16, School Admissions Code 2021).
5. The local authority must 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 (Paragraph 3.16, School Admissions Code 2021).

➤ SCHOOLS

6. All admission authorities must participate in the local authority's Fair Access Protocol which is binding on all schools and academies in the area (Paragraph 3.15 School Admissions Code 2021).
7. Admission authorities must tell the local authority within 7 days whether they are willing to admit a child allocated under the local authority's Fair Access Protocol arrangements (Paragraph 3.27, School Admissions Code 2021).
8. Where a governing body does not wish to admit a child with challenging behaviour outside the normal admissions round, even though there are places available, it must refer the case to the local authority for action under the Fair Access Protocol (Paragraph 3.10 School Admissions Code 2021) without delay (within a maximum of 5 school days).

9. There is a statutory requirement for educational records and common transfer files to be transferred to the new school no later than 15 school days after a pupil is removed from the school's roll (Regulation 9, The Education (Pupil Information) (England) Regulations 2005).
10. Pupils must not be removed from the school's roll until the deletion is confirmed by the local authority (The Education (Pupil Registration) (England) Regulations 2006). This is to ensure that no pupil 'slips through the net' and written confirmation has been received that the pupil has started at a new school.

➤ **PARENTS**

11. Parents have a legal responsibility to ensure that all their children of compulsory school age are receiving a suitable education (Section 7, Education Act 1996).
12. It is expected that parents will work collaboratively with schools and the local authority to ensure the most suitable provision is identified for their child, sharing relevant information in order to secure good attendance and behaviour at the allocated education provision.
13. Although there is no duty to comply with parental preference (Paragraph 3.19, School Admissions Code 2021), parents' views will be taken into account and every effort made to meet parental preference where practical. However, in order to ensure that no school, including those with places available, is asked to take a disproportionate number of children who are placed via the Fair Access Protocol, it may not always be possible to allocate the parent's preferred school.
14. Eligibility for admission under the Fair Access Protocol does not limit a parent's right to make an in-year application for their child to any school. The parent will continue to have the right of appeal for any place they have been refused, even if the child has been offered a school place via the Fair Access Protocol (Paragraph 3.18, School Admissions Code 2021).

PRINCIPLES IN ACHIEVING FAIR ACCESS

15. Islington's Fair Access Protocol is based on meeting the statutory requirements of the School Admissions Code and does not include the coordination of managed moves for secondary-age pupils. With parental agreement, managed moves for secondary-age pupils are still available by private arrangement between individual head teachers or groups of schools. Managed moves for primary-aged pupils will continue to be centrally coordinated via the Primary Securing Education Board.
16. In line with mandatory requirements, Islington's Fair Access Protocol will only be used to place specific categories of unplaced vulnerable and/or hard to place children, who

are having difficulty in securing a school place in-year, and it can be demonstrated that reasonable measures have been taken to secure a place through the usual in-year admission procedures.

17. Schools will work together collaboratively, sharing information honestly in order to secure the best possible outcome for children.
18. The local authority will ensure that no school is asked to admit a disproportionate number of unplaced children who have been permanently excluded from other schools; who display challenging behaviour; or who are placed via the Protocol.
19. Schools will not automatically be expected to admit a child via the Protocol in the place of a child permanently excluded from the school (Paragraph 3.20 School Admissions Code 2021).
20. Pupils will be allocated to both under and oversubscribed schools on a fair, equitable and consistent basis. Allocations will be overseen by an Independent Chair for the Secondary Securing Education Board and by head teacher representatives for the Primary Securing Education Board.
21. Oversubscribed schools can be asked to admit three additional pupils in each year group at Key Stages 3 and 4, and one additional pupil at Key Stage 2. Key Stage 1 is exempt however due to Infant Class Size legislation.
22. There is no duty to comply with parental preference when allocating places through the Fair Access Protocol but the wishes of parents are taken into account. 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. This information is a repetition in paragraph 14 above
23. All partners will work together to ensure that Islington's Fair Access Protocol is not used as a means to circumvent the normal in-year admissions process.
24. It is expected that all parties will act with a sense of urgency to identify a school place for any child eligible for admission under Islington's Fair Access Protocol.
25. Schools are expected to respond to requests for admission under Islington's Fair Access Protocol within 7 calendar days as required in law.

SCOPE

26. Islington's Fair Access Protocol will only be applied in the case of **unplaced** children from one or more of the statutory categories where it can be demonstrated that reasonable measures have been taken to secure a place through the usual in-year

admission processes (Paragraph 3.17 School Admissions Code 2021). This includes children who:

- a) have been subject to a CIN or CP Plan within the last 12 months
- b) are living in a refuge or in other 'relevant accommodation'
- c) are known to the criminal justice system
- d) have been permanently excluded or being reintegrated from a PRU
- e) have SEND or medical conditions (but without an EHCP)
- f) are carers
- g) are homeless
- h) are in formal kinship care arrangements
- i) are Gypsies, Roma, Travellers, refugees, and asylum seekers
- j) have been refused a school place on the grounds of their challenging behaviour (Paragraph 3.10 School Admissions Code 2021)
- k) a place has not been sought due to exceptional circumstances
- l) have been out of education for four or more weeks where there are no places available at any school within a reasonable distance
- m) are previously looked after (including those who appear to have been in state care outside of England) and have not been offered a school place.

27. All other children applying in-year will be admitted to the highest preferred school with a vacancy. This process will be administered directly by schools in line with Islington's agreed in-year protocols for 2021/22. A copy of the in-year admissions protocol is attached as **Appendix 3**.

28. Children looked after and children with an Education, Health and Care plan must be admitted to the allocated/named school and do not form part of Fair Access admission arrangements as required by law (Paragraph 3.12 School Admissions Code 2021).

29. Criteria for each of the Fair Access categories listed above are attached as **Appendix 1**.

OPERATION

30. All admissions made under Islington's Fair Access Protocol are administered via the Primary or Secondary Securing Education Boards. The Primary Securing Education Board will be chaired by a head teacher representative and the Secondary Securing Education Board by an Independent Chair.

31. A Pupil Summary, Risk Assessment, Strengths and Difficulties Questionnaire and New River College Personal Assessment Tool will be provided to assist the Securing Education Boards in making decisions about whether mainstream schooling is a suitable option.

32. Where the Board agrees that a child's admission should be made under the Fair Access Protocol, the Board must allocate a school place within 20 school days.

33. Once the Board has allocated a school place via the Fair Access Protocol, arrangements should be made for the child to start at the school as soon as possible.
34. Allocations under Islington's Fair Access Protocol are made on a fair share basis to ensure no school is asked to admit a disproportionate number of pupils with challenging behaviour.
35. Where a governing body refers a case back to the local authority for consideration under Islington's Fair Access Protocol, the Securing Education Boards will take into account the needs of the child and those of the school in deciding whether the admission of an additional pupil would prejudice the provision of efficient education or the efficient use of resources, on a case by case basis.

PROVISION FOR PUPILS NOT READY FOR MAINSTREAM

36. Fair Access Protocols must include how the local authority will use provision to ensure that the needs of pupils who are not ready for mainstream schooling are met (Paragraph 3.16, School Admissions Code 2021).
37. In Islington, alternative provision, pupil referral units and on occasions individual tuition are all used to assess a pupil's readiness for a return to mainstream where there are concerns that the pupil's needs cannot be met in mainstream schooling or where there is insufficient evidence to allow the Securing Education Boards to make an informed decision on suitable provision.

APPEALS AND DISPUTES

- 34 The allocation of a place in accordance with a Fair Access Protocol does not override a parent's right of appeal against refusal of a place at any school for which they have applied (Paragraph 3.18 School Admissions Code, 2021).
- 35 Where a governing body refers a case back to the local authority for consideration under Islington's Fair Access Protocol, the Securing Education Boards will take into account the needs of the child and school in deciding whether the admission of an additional pupil would prejudice the provision of efficient education or the efficient use of resources, on a case by case basis.
- 36 If an application has been refused despite there being places available, the governing body must present their case for refusal, demonstrating how admission of the child would prejudice the provision of efficient education or efficient use of resources. This provision will normally only be appropriate where a school has a particularly high proportion of children with challenging behaviour or previously excluded children.

- 37 The governing body's case will first be considered by the appropriate Securing Education Board which will decide whether the local authority should support the school's case at admission appeal or direct the governing body to admit the pupil. In coming to a view, the Board will take into account the following contextual information:
- The child's needs and the school's curriculum offer;
 - The total number of pupils on roll and total pupil capacity;
 - The total number of pupils previously admitted via the Fair Access Protocol and the breakdown by year group over a three-year rolling period;
 - The total number of pupils with an Education and Health Care Plan;
 - How all of the above compares with other Islington schools.
- 38 If the local authority agrees to support the governing body's refusal to admit the pupil, the parent will be offered the right of appeal.
- 39 In line with the School Admissions Code, the case will be considered by an independent appeal panel whose decision is binding on the school, local authority and parent.
- 40 When considering such an appeal, in addition to considering the appellant's arguments for their child to be admitted, the independent appeal panel must take account of the requirements set out in the local authority's Fair Access Protocol. The panel must carefully consider whether the presenting officer has clearly proven that admission of the child would be prejudicial to the school or other children (Paragraph 3.24 School Admissions Appeal Code, 2012).
- 41 In the case where a governing body does not wish to admit a child that has been allocated to the school under Islington's Fair Access Protocol, it **must** refer the case back to the local authority for review. In such cases, the application will be reconsidered by the appropriate Securing Education Board at the next available meeting.
- 42 Islington Council will put in place interim education provision from Day 20, for any child who is without a school place until a new school/provision is allocated.
- 43 Looked after children/previously looked after children and children with an Education and Health Care Plan **must** be admitted to the allocated/named school. The local authority will seek a direction from the Schools Adjudicator (maintained schools) or Secretary of State (Academies) if a school refuses to admit such pupils.
- 44 Admission authorities **must not** refuse to admit a child thought to be potentially disruptive, or likely to exhibit challenging behaviour, on the grounds that the child is first to be assessed for special educational needs (Paragraph 3.13 School Admissions Code 2021).

- 45 The Corporate Director, People has ultimate responsibility for ensuring children are placed in appropriate provision and that schools comply with the terms of Islington's Fair Access Protocol.
- 46 Where the appropriate Securing Education Board decides to pursue admission to the allocated school the matter will be referred to the Corporate Director, People.
- 47 If it is agreed to seek a direction, the local authority must inform the governing body and head teacher of the school in writing via a 'minded to direct' letter.
- 48 The school has 15 days from the local authority's 'minded to direct' letter to appeal to the Schools Adjudicator whose decision is binding on all parties (Paragraph 3.24, School Admissions Code 2021).
- 49 **Appendix 2** includes further details regarding these processes.

ADDITIONAL RESOURCES

- 50 Schools are expected to use their funds for pupils with additional needs including their pupil premium allocation to support the needs of children admitted under Islington's Fair Access Protocol. In addition, Islington's Schools Forum has agreed to top slice school's budgets to create a 'funding pot' to support the integration of pupils admitted under the Fair Access Protocol (please see Appendix 1 for details).
- 51 Where an unplaced pupil is admitted by a school through the normal in-year process and the school considers the pupil should have been admitted under Islington's Fair Access Protocol, an application can be made to the Securing Education Board for **retrospective consideration**. Where the admission is agreed retrospectively, the pupil will count as a Fair Access admission, and the school will receive additional resources as outlined in Appendix 1 to support the pupil's placement at the school.

Appendix 1: Fair Access Criteria

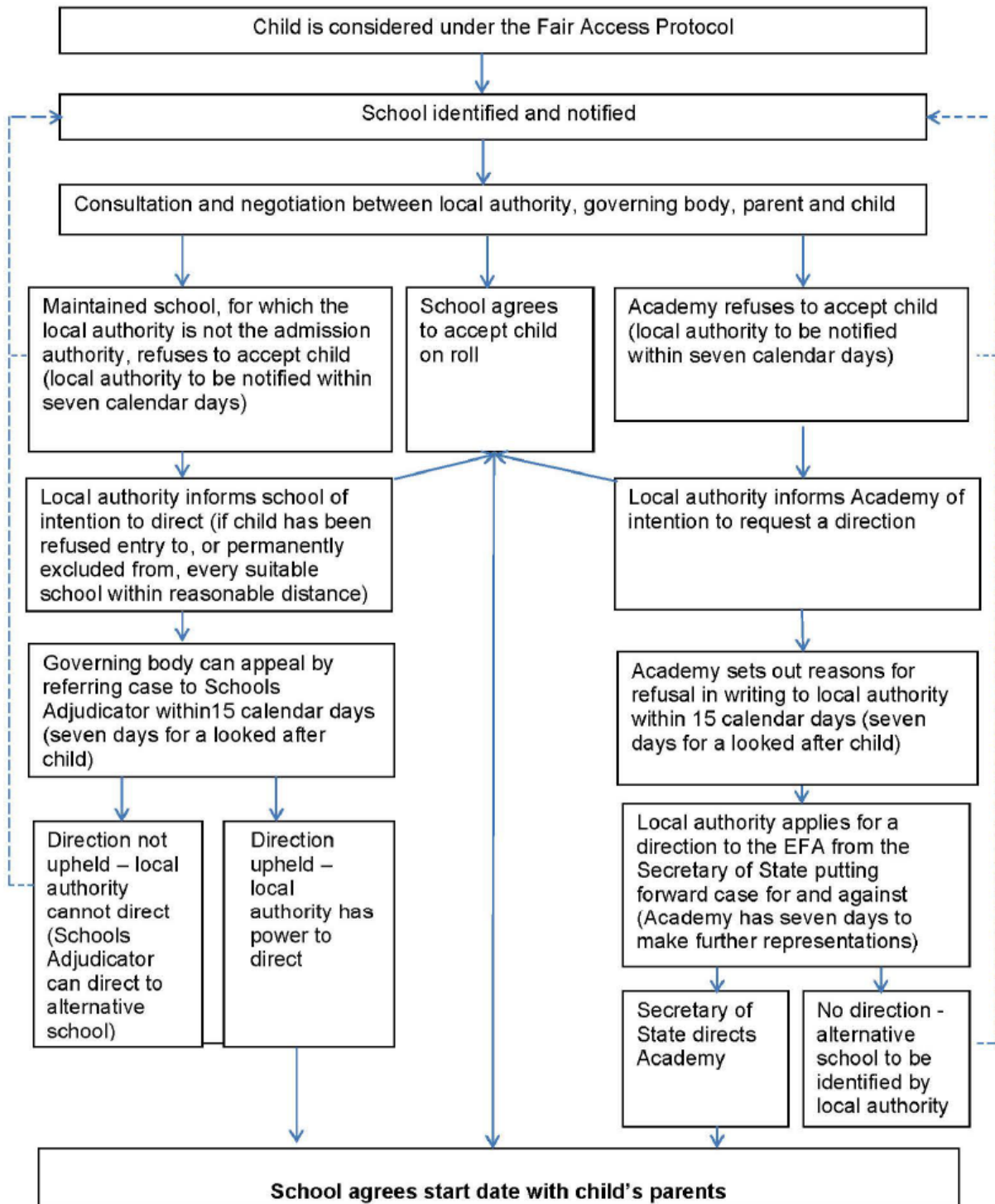
FAIR ACCESS CRITERIA AND SUPPORT

- Islington’s Fair Access Protocol will be applied to the admission of UNPLACED children from one or more of the following statutory categories that has been substantiated by professionally supported evidence
- Where more than one category applies, only one bursary will be paid once child once the pupil is placed on the school’s roll

Fair Access Protocol Category	Funding Allocation	Other support available
a) have been subject to a CIN or CP Plan within the last 12 months	£1k	Social worker Advice/Support from Virtual School Head TAC
b) are living in a refuge or in other ‘relevant accommodation’	£1k	Solace key worker or equivalent TAC
c) are known to the criminal justice system	£3k	YOS case manager Safer Schools Officer TAC
d) have been permanently excluded or being reintegrated from a PRU	£3k	Bespoke support package from NRC Dual registration with NRC for duration of the school placement
e) have SEND or medical conditions (but without an EHCP)	£1k	Specialist Outreach Support School Nursing Service TAC
f) are carers	£1k	Bright Futures TAC
g) are homeless	£1k	Bright Futures TAC
h) are in formal kinship care arrangements	£1k	Bright Futures TAC
i) are Gypsies, Roma, Travellers, refugees, and asylum seekers	N/A	If funding is required, give reasons No recourse to public funds team KS4 EAL Access Course
j) have been refused a school place on the grounds of their challenging behaviour (Paragraph 3.10 School Admissions Code 2021)	£3k	Bespoke support package Bright Futures TAC
k) a place has not been sought due to exceptional circumstances	£1k	Bespoke support package Bright Futures TAC
l) have been out of education for four or more weeks where there are no places available at any school within a reasonable distance	£1k	Bespoke support package Bright Futures TAC
m) are previously looked after (including those who appear to have been in state care outside of England) and have not been offered a school place.	£1k	Advice/Support from Virtual School Head TAC

Appendix 2: Directing an Admission

Directions flow chart (overview of process)



* Note: A community or voluntary controlled school cannot refuse to admit a pupil if requested by its own admissions authority.



Background

Is this a request for a Secretary of State direction following the conclusion of the locally agreed Fair Access Protocol?

Is the child being placed outside the normal admission round?

Has the academy been consulted as set out in "Fair Access Protocols in School Admissions" document?

Has the legal guardian been offered an appeal for the academy you are requesting a direction to?

What date is/was the appeal hearing held?

What was the outcome of the appeal?

Please provide a statement explaining the specific steps, as defined in your locally agreed Fair Access Protocol, you have followed in allocating this child a place. Please detail the timeline, main contacts, outcome of negotiations, any referral to a Placement Panel, rationale if no referral was made, rationale for identifying the academy as the most suitable for the child.

Please provide a statement explaining why the local authority considers the academy to be the most appropriate place for the child having considered the academy's reasons for refusal

Child's details

Child's name

Child's date of birth

Local authority child is resident in

Year group the child is to be admitted to

Name and address of previous school

Is this a request following the move of address within the same local authority area?

Is the child currently in mainstream education?

Please state the reason(s) for the child not being in mainstream education

Is the child being placed under the Fair Access Protocol because the governing body of the academy has referred the case to the local authority for action under 3.12 of the Schools Admissions Code (child with challenging behaviour)?

Academy details

Name of academy the direction is being sought for

Distance from home (in miles)

How has the LA calculated the distance of the academy from the child's home?

Is public transport available that will reasonably enable the child to attend every day?

Why does the local authority consider the academy to be within a reasonable distance?

Current published admission number at the academy

Current number on roll of year group child to be admitted to

Number of in-year Fair Access Admissions agreed for current academic year for the year group the child to be admitted to

Number of in-year Fair Access Admissions agreed for previous 2 academic years for the year group the child to be admitted to

2019/20

2020/21

Number of in-year Fair Access Admissions agreed for current academic year for the whole academy

Number of in-year Fair Access Admissions agreed for previous 2 academic years for the whole academy

2019/20

2020/21

Has the academy been asked to take a high number of children under the Fair Access Protocol in the last 2 years, relative to other local schools?

Other school details

Have you considered other alternative schools (including academies) within a reasonable distance from the child's home?

Name of school

Distance from home (in miles)

Has the same calculation method been used as for the preferred academy?

Is public transport available that will reasonably enable the child to attend every day?

Why does the local authority consider the school to be within a reasonable distance?

Current published admission number at the school

Current number on roll of year group child to be admitted to

Number of in-year Fair Access Admissions agreed for current academic year for the year group the child to be admitted to

Number of in-year Fair Access Admissions agreed for previous 2 academic years for the year group the child to be admitted to

2019/20

2020/21

Number of in-year Fair Access Admissions agreed for current academic year for the school

Number of in-year Fair Access Admissions agreed for previous 2 academic years for the year group the child to be admitted to

2019/20

2020/21

Name of school

Distance from home (in miles)

Has the same calculation method been used as for the preferred academy?

Is public transport available that will reasonably enable the child to attend every day?

Why does the local authority consider the school to be within a reasonable distance?

Current published admission number at the school

Current number on roll of year group child to be admitted to

Number of in-year Fair Access Admissions agreed for current academic year for the year group the child to be admitted to

Number of in-year Fair Access Admissions agreed for previous 2 academic years for the year group the child to be admitted to

2019/20

2020/21

Number of in-year Fair Access Admissions agreed for current academic year for the school

Number of in-year Fair Access Admissions agreed for previous 2 academic years for the year group the child to be admitted to

2019/20

2020/21

Would you like to upload a document to support your request, eg a map?

File name

Nearest school beyond a reasonable distance from child's home (according to LA definition)

Name of school

Distance from home (in miles)

Has the same calculation method been used as for the preferred academy?

Is public transport available that will reasonably enable the child to attend every day?

Why does the local authority consider the school to be within a reasonable distance?

Current published admission number at the school

Number of in-year Fair Access Admissions agreed for current academic year for the year group the child to be admitted to

Number of in-year Fair Access Admissions agreed for previous 2 academic years for the year group the child to be admitted to

2019/20

2020/21

Number of in-year Fair Access Admissions agreed for current academic year for the school

Number of in-year Fair Access Admissions agreed for previous 2 academic years for the year group the child to be admitted to

2019/20

2020/21

Does the local authority consider this to be a suitable placement?

Your details

Name:

Position:

Local Authority:

Email address:

Are you the primary contact for this application?

Referrals of the intention of a local authority to direct a school to admit a particular child

A local authority has the power to direct the admission authority for a local-authority-maintained school in its area for which it is not the admission authority to admit a child even when the school is full. The local authority can only make a direction in respect of a child who has been refused entry to, or has been permanently excluded from, every suitable school within a reasonable distance.

A local authority also has the power to direct a local-authority-maintained school for which it is not the admission authority in any part of England to admit a looked-after child. The local authority cannot make such a direction in respect of a school from which the child has been permanently excluded.

Before deciding to give a direction, a local authority must consult the governing body of the school, the parent of the child and the child if they are over compulsory school age. If, following consultation, the local authority decides to direct, it must inform the governing body and headteacher of the school of its intention to direct. The governing body can appeal the intention to direct the school to admit the child to the OSA within:

- 7 days for a looked-after child
- 15 days for a hard-to-place child

Please note that these timescales are actual days, not working days, and include weekends, bank holidays and school holidays.

If you wish to appeal against a direction to admit a child please contact the OSA at osa.team@schoolsadjudicator.gov.uk.

Appendix 3: In-Year Admissions Protocol 2021/22

GLOSSARY

Admission Authority: The body responsible for setting and applying a school's admission arrangements. For community schools, the local authority is the admission authority; and for foundation or voluntary aided schools, the governing body of the school is the admission authority. For Academies and Free Schools the Funding Agreement states who is responsible for applying admission arrangements which can only be set or altered with the prior agreement of the Secretary of State.

Home Local Authority (HLA): The authority area in which the child lives.

Maintaining Local Authority (MLA): The authority area in which the school is located.

➤ PRINCIPLES

1. The aim of these protocols is to establish a fair, clear and simple process for Islington parents wishing to apply for a place at an Islington school.
2. The protocols have also been designed to safeguard children from 'slipping through the net' and being left without a school place.
3. To this end there will be a single process for admission to any school in Islington, including community, academy and voluntary-aided schools.
4. The administrative responsibility for processing in-year applications has been delegated to schools. For community schools however, the local authority remains the admission authority and retains overall responsibility for the allocation of school places.
5. Schools will work in partnership with Islington LA both in its capacity as HLA and MLA to safeguard children and to ensure a fair, clear and simple process for Islington parents.

➤ APPLICATIONS

6. Applications for all Islington schools, from children resident in Islington will be made on Islington's online In-Year School Admissions Application Form. This will include all the fields and information specified in **Schedule A** which has been previously agreed by all PAN London Authorities and is compliant with the School Admissions Code.
7. The In-Year School Admissions Application Form will be available as an online application form at: www.islington.gov.uk/admissions. Alternatively, a paper form can be requested from the Islington School Admissions Team by telephone on 020 7527 5515 or in person at the Council Offices at 222 Upper St, N1 1XR.
8. As Islington schools will be responsible for making offers and holding waiting lists, an individual application must be made to each preferred school so that preference order is not disclosed.
9. Parents can apply for schools in Islington or in other local authorities and can select up to three preferences for Islington schools.
10. Islington schools will forward applications for children living elsewhere in England to Islington MLA who will liaise with the child's HLA and share the outcome of the application.

11. Islington LA will allow parents to submit an online enquiry via email to express an interest in applying for an In-Year school place.
 12. Own admission authorities within Islington will only use supplementary forms where the information available through the School Admissions Application Form is insufficient for consideration of the application against their published oversubscription criteria.
 13. Supplementary forms will be available from the Islington school concerned, on Islington's website and from the Islington School Admissions Team.
 14. Any supplementary forms must advise parents that they must also complete their HLA's School Admissions Application Form. Islington's online composite prospectus/admissions brochure and website will indicate which Islington schools require supplementary forms to be completed and where they can be obtained.
 15. Where an admission authority in Islington receives a supplementary form, it will consider it to be a valid application, and the parent will also be asked to complete their HLA's School Admissions Application Form.
 16. Where there is no waiting list and only the HLA's Application Form is received, Islington schools MUST admit the child. If there is a waiting list, a supplementary form should be completed where relevant in order for the application to be ranked correctly.
 17. Any Islington school that operates a banding system that requires testing to take place must ensure appropriate arrangements are made for this to happen in a timely manner.
 18. Islington MLA will accept any preference received from a HLA for a maintained school or Academy in Islington.
 19. On request from an Islington school, Islington LA will undertake to carry out address verification and measuring of home to school distances. This service will be provided at no additional charge to Islington schools and academies.
 20. Where Islington HLA is not satisfied as to the validity of an address of an applicant whose preference has been sent to a MLA, it will advise the MLA as soon as it becomes apparent.
 21. On request, Islington HLA will confirm the status of any resident child for whom it receives an Application Form stating that s/he is a 'Child Looked After' by a local authority in England or 'Previously looked after', including those who appear to have been in state care outside of England, and has recently been adopted (or made subject to a child arrangements order or special guardianship order) immediately after being looked after and provide evidence to the MLA in respect of a preference for a school in its area.
 22. The same will also apply for any previously looked after child, including those who appear to have been in state care outside of England, who have been adopted (or made subject to a child arrangement order or special guardianship order) immediately after being looked after, in respect of a preference for a school not in Islington MLA as soon as it is received.
- **PROCESSING**
23. Applicants with children resident in Islington must complete and return Islington's online In-Year School Admissions Application Form, a copy of which is sent directly to the preferred Islington school and School Admissions Team.
 24. Islington schools will be responsible for ranking and decision-making in relation to which child is to be offered a place in accordance with their published admission criteria.

25. Islington schools will also be responsible for maintaining their waiting lists in admission criteria order. Waiting lists will be cleared at the end of each term and parents notified that they should submit a fresh application if they wish to remain on the waiting list.
26. Continuity in a child's education is of significant importance. Islington's head teachers are committed to working in partnership with each other and Islington LA to minimise disruption to a child's education through changing schools mid-year, unless it is in the child's best interest to do so.
27. Where an application is received from a child who attends another Islington school, the head teacher of the preferred Islington school will inform the current Islington school of the application. This will provide the current Islington school with the opportunity to discuss with the parent their reasons for wishing to change schools.
28. Schools must notify the MLA of any completed In-Year School Admissions Application Form, and inform the HLA of which children are to be offered a school place and similarly which children are not being offered a school place. This is an important safeguarding process to ensure no child is left without a school place. Islington schools will provide Islington LA with a copy of the application form to enable the HLA to verify the address and calculate distances where requested as detailed above.
29. Islington schools will send out their own offer (**Schedule F**) or no offer letter (**Schedule G**) and provide Islington LA with a copy.
30. Where an Islington school informs Islington LA that they are unable to offer a place, parents will be informed of their right of appeal and which Islington schools have suitable vacancies.
31. Islington schools must keep SIMS up to date as vacancy information will be based on this data. On request from Islington MLA, schools will provide vacancy numbers within 2 school days. This will ensure Islington MLA maintains an overview of pupil numbers and vacancies across the borough so that any unplaced children can be allocated a suitable school place quickly.
32. Islington schools not transferring their data directly to Islington LA via the 'B2B' link will provide admission and vacancy information as requested by Islington MLA.
33. Applications from children resident outside Islington will be processed in accordance with the Home LA's arrangements.
34. Similarly, Islington residents wishing to apply for a school in another MLA will be advised of how to do so. Islington HLA will work with other London authorities to ensure these pupils are tracked from receipt of the application to the offer of a school place.
35. Where it is not possible to offer an Islington resident one of their preferred schools, Islington LA will allocate a suitable Islington school place within 20 school days of receiving the application. Applicants will also be advised of their right of appeal.

➤ **OFFERS**

36. Islington schools will send out their own offer (**Schedule F**) or no offer letter (**Schedule G**) using the templates provided as a guide and provide Islington LA with a copy.
37. Islington MLA will aim to share the outcome of an application for one of its schools with the HLA within 10 school days of receiving the data. Where it is clear to Islington that no vacancy exists for the child, Islington MLA will inform the HLA as soon as possible after receipt of the application data. If it has not been possible to make a decision within

10 school days, Islington MLA will undertake to send details of the outcome of an application for one of its schools to the HLA as soon as a decision is made, but within 20 school days of receiving the application data.

38. Where it has not been possible to share the outcome of an application for an Islington school within 10 school days of receiving the data, Islington MLA understands that the HLA may send an outcome letter advising the parent that a decision has not yet been made in respect of an Islington school.

39. Where Islington HLA has not received an outcome for a school within another MLA, Islington as HLA, will case manage that application to ensure that no unplaced child is left without a school place.

40. Where a parent moves from one HLA to another after submitting an application, the previous HLA will pass responsibility to the new HLA which, once it is satisfied that the applicant has moved into its area, will accept responsibility for that applicant.

➤ **POST OFFER**

41. Islington schools/HLA will request that resident parent/s accept or decline the offer of a place within two weeks.

42. Where a parent does not respond within this timeframe and the application is for an out of borough school, schools (or Islington HLA) will make every reasonable effort to contact the parent directly or via the MLA.

43. Only where the parent fails to respond and schools (or Islington HLA) can demonstrate that every reasonable effort has been made to contact the parent, will the offer of a place be withdrawn.

44. Where a parent resident in Islington accepts or declines a place in a school maintained by another LA, Islington HLA will forward the information to the MLA as soon as it is received.

45. For school to school transfers between Islington schools that do not require a house move, or where there is no need for an immediate move, Islington schools will be able to defer admission to the next half term if both head teachers agree that this is in the child's best interest.

46. Islington MLA will aim to inform the HLA whether a child offered a place at a school in its area has been placed on roll at the school within 5 working days of being placed on roll.

47. Islington MLA will notify the HLA of any appeals that are upheld for Islington schools.

➤ **WAITING LISTS**

48. Islington schools will hold waiting lists in the published criteria order and provide a copy for the Islington MLA.

49. Where a place is available to be offered from the waiting list to a child resident in another LA, schools will make the offer and inform Islington MLA who will liaise with the HLA.

50. Where Islington HLA is informed that another MLA is able to offer a place from the waiting list to one of its residents, it will track the pupil from offer to admission.

51. Children will remain on the waiting list of Islington schools for one term. After this period, all waiting lists will be cleared. Applicants wishing to remain on the waiting list after this

point will need to submit a fresh application for the school in question using Islington’s [In-Year Application Form](#).

➤ **TIMING OF ADMISSION**

52. For school to school transfers from one Islington school to another that do not necessitate a house move or an immediate start at a new school (as agreed by both head teachers), admission can be deferred to the start of the next half term as follows:

SCHOOL TO SCHOOL TRANSFERS BETWEEN ISLINGTON SCHOOLS NOT REQUIRING A HOUSE MOVE OR IMMEDIATE START

Application date	Admission date
June-August	Start of the Autumn Term
September-October	First week after October Half Term
November-December	Start of the Spring Term
January-February	First week after February Half Term
March-April	Start of Summer Term
May	First week after May Half Term

53. When a child leaves an Islington school, schools should ensure they follow Islington’s procedures for removing pupils safely from roll, including updating SIMS with the named destination and completing the **LA Pupil Deletion Notification** or **Missing Pupil Alert** as appropriate. For further information please email in-year@admissions.gov.uk.

54. When a child joins an Islington school, schools should ensure they notify the School Admissions team within 5 school days either via the direct transfer of pupil data to the LA or by completing a New Starter Notification. For further information please email in-year@admissions.gov.uk

55. The pupil’s CTF and main school file should be transferred swiftly to the new school, in line with local guidance. This is particularly important for pupils subject to a child protection plan or who have a separate child protection file. This file must be transferred within **5 school days** of the pupil starting at the new school in line with guidance issued by Islington Council. For more information, please email in-year@admissions.gov.uk

➤ **FAIR ACCESS ADMISSIONS**

56. Islington residents deemed to be **unplaced and vulnerable, and those who are having difficulty in securing a school place in-year**, will be admitted to an Islington school under Islington’s Fair Access Protocol by the Primary and Secondary Securing Education Boards which meet approximately once a month.

57. The Securing Education Boards determine whether pupils should be admitted under Islington’s Fair Access Protocol and which schools should be allocated.

58. All schools and academies must take part.

59. Schools are allocated on a 'fair share' basis to ensure equity across all Islington schools and academies and not just those with vacancies.
60. Where possible parental preference is accorded but cannot always be guaranteed.
61. Schools allocated pupils under the Fair Access Protocol may, in some circumstances be provided with additional resources to support the pupils' reintegration.
62. Admissions will be scrutinised by the Primary and Secondary Securing Education Boards to ensure the Fair Access Protocol is being applied equitably.
63. Where schools are approached for a place and believe the application should be considered under Islington's Fair Access arrangements, the case should be referred to the Senior Officer, Children Out of School without delay to ensure the child does not go missing from the system.

➤ **CHILDREN OF UK SERVICE PERSONNEL (UK ARMED FORCES)**

64. For families of service personnel with a confirmed posting in Islington LA, or crown servants returning from overseas to live in Islington LA, we will:
 - allocate a place in advance of the family arriving in Islington provided the application is accompanied by an official letter that declares a relocation date and a Unit postal address or quartering area address;
 - describe Islington's arrangements for the admission of children of UK Service Personnel in our composite prospectus/admissions brochure;
 - ensure our arrangements do not disadvantage service children through an annual review of existing procedures.
65. Applications will be processed in line with Islington's school admissions procedures as described above.
66. Where possible, a place will be offered at the applicant's highest preferred school as listed on the application form.
67. Where it is not possible to offer a place at one of the preferred schools, a place will be allocated at the child's nearest Islington community school with a vacancy and the family offered the right of appeal.
68. The allocated place will be held open for a period of up to two school terms in advance of the family's move to the UK. This may be extended in individual circumstances.
69. The child will be placed on the waiting list for any higher preference school than the one offered as described above.

➤ **CHILDREN OUT OF CHRONOLOGICAL YEAR GROUP**

70. Islington MLA's policy is that every child should be taught in their chronological year group, although it is acknowledged that in exceptional circumstances placing children out of chronological year group may be in the child's best interests.
71. Parents may seek a place for their child outside of their normal age group, for example, if the child is gifted and talented or has experienced problems such as ill health.

72. Placing children out of chronological age group is ultimately a matter between the school and parents. For any child with special educational needs however, the expectation is that advice will be sought from any outside specialists involved with the child.
73. A decision regarding a child with an Education, Health and Care Plan (EHCP) must be referred to the HLA via the SEN Annual Review process. In the event that the HLA determines that the child should be taught out of chronological year group the EHCP will be amended accordingly.
74. Parental requests for children to be placed out of chronological year group must be put in writing to the head teacher.
75. The head teacher must provide a written response outlining the reasons for the decision. The decision will be binding on all other schools for which the MLA is responsible. In cases where it is agreed, it should never be more than one year below or above their chronological age.
76. Although parents have a statutory right to appeal against the refusal of a place at a school for which they have applied, the right does not apply if they are offered a place at the school but it is not in their preferred age group.

Schedule E: Islington's Online In-Year Application Form: 2021/22

CHILD DETAILS

First name and Last name

Gender and DoB

Address and Postcode

Is your child currently looked after (LAC)?

Does your child have an Education Health Care Plan?

Is your child currently living in the UK?

Date child moved to UK?

PARENT'S/CARER'S DETAILS

First name and Surname

Telephone number – Home / Mobile

Email address

Postcode

Relationship to child

Do you have parental responsibility for this child?

If no, is this child subject to a Private Fostering arrangement?

Are you a member of the Armed Forces or a Crown Servant applying for a school place as a result of a posting?

SCHOOL INFORMATION

What is the name of your child's current or most recent school?

What is the address/postcode of this school?

Is your child still attending this school? Date child last attended previous school

Child's year group

Please state which school you wish to apply for:

Does your child have brothers or sisters living at the SAME ADDRESS currently attending the school you are applying to?

Have you discussed your reasons for wanting to move your child to a different school with the Head Teacher or Head of Year at your child's current school?

FAIR ACCESS

a) Has your child been subject to a CIN or CP Plan within the last 12 months?

b) Is your child living in a refuge or in other similar accommodation?

c) Is your child known to the criminal justice system?

d) Has your child been permanently excluded or being reintegrated from a PRU?

e) Does your child have Special Educational Needs, disabilities or medical conditions (but without an EHCP)?

f) Is your child a young carer?

g) Is your child homeless?

h) Is your child in formal kinship care?

i) Is your child Gypsy, Roma, Traveller, Refugee, or Asylum seeker?

j) Has your child been refused a school place on the grounds of their challenging behaviour?

k) Are there exceptional circumstances why you have not sought a school place for your child?

l) Has your child been out of education for four or more weeks?

m) Was your child previously in state care / looked after?

OTHER

Is your child aged between 14 and 16 and English is not your child's first language (please give the first language below)?

Are you applying to this school for social/medical reasons?

DECLARATION

I confirm that the information I have provided on this form is correct.

I understand that you may request further evidence to verify the information provided.

I understand that this information may be shared in accordance with Islington's [Privacy Notice](#).

Schedule F: In-Year Offer Letter

PRIVATE & CONFIDENTIAL

Parent name and address

Date

Dear [Parent's name]

OFFER LETTER

Thank you for your application for a place at [School Name]. I am pleased to inform you that we are able to offer [Child's Name] a place at our school.

Accepting the offer of the school place

It is important that you confirm as soon as possible that you wish to accept a place at our school. Please complete the reply slip below and return it by [Deadline Date]. If you do not accept the place by this deadline, we may withdraw the offer.

Once your acceptance is received, we will contact you to provide further information about our joining arrangements.

Sibling applications

If you have any other children applying for a place at this school, please inform us immediately so we can prioritise their application as a sibling.

I look forward to receiving your acceptance.

Yours sincerely

Head teacher / Principal
Cc. Islington School Admissions Team

REPLY SLIP

Please return this form by [deadline date] to:

CONTACT NAME

SCHOOL NAME AND ADDRESS

CHILD'S FULL NAME

Please choose as appropriate:

- I wish to accept a place for my child at your school
- I do not wish to accept a place for my child at your school

Parent signature

Date

Daytime contact number

Please return this form by [deadline date] to:

Schedule G: In-Year No Offer Letter

PRIVATE & CONFIDENTIAL

Parent name and address

Date

Dear [Parent's name]

NO OFFER

Thank you for your application for a place at [School Name]. I am sorry to inform you that it was not possible to offer [Child's Name] a place at our school as the relevant year group [Year X] is currently full. If you would like further information about this, please do feel free to contact me.

Waiting list

[Child's Name] has been placed on our waiting list, and will remain on the waiting list until the end of the Autumn/Spring/Summer Term (*delete as appropriate*). Children on the waiting list will be ranked in the following order, in line with our published admission criteria: (*applies to community schools only*)

1. Looked-after and previously looked after children: Children who are in the care of a local authority in England and children who have been adopted or made subject to a child arrangements order or special guardianship order immediately after being looked-after including those who appear to have been in state care outside of England
2. Siblings
3. Exceptional medical, social or special educational needs
4. Distance

Distance will be used as a tiebreaker for over-subscription criteria 1- 3 or 1-4. If only one place is available and two or more children live an equal distance from the school, the child who will be offered the place will be determined by random allocation using a computerised system.

For full details of our admissions policy, please see <https://www.islington.gov.uk/children-and-families/schools/apply-for-a-school-place/school-admissions-information> and click on the relevant determined admission arrangements.

Please note that all offers will be made in strict accordance to our published admission criteria, and that your child's waiting list position can go down as well as up. Should a place become available for your child at our school then we will contact you immediately.

Appeals

You have the right of appeal under the School Standards & Framework Act 1998 against the refusal of a place at any school for which you have applied. If you wish to appeal for an Islington community school place please complete the [online appeal form](#) [*for own admission authority schools state where an appeal form can be obtained*]. Alternatively, please ring the Islington School Admissions team on 020 7527 5515.

The outcome of your appeal will not be influenced by the acceptance of a place at an alternative school. If you have any further queries, then please do not hesitate to contact me.

Yours sincerely

Head teacher / Principal

Cc. Islington School Admissions Team

In-Year Admission Criteria to Islington Community Schools: 2021/22

Applicants with an Education, Health and Care Plan (EHCP) will be admitted (via the SEN process as outlined in Section 324 of the Education Act 1996) to the school named in the EHCP. In the event of over-subscription to a community primary or secondary school, the following criteria will be applied in the order listed below:

- 1) **Looked-after and previously looked after children:** Children who are in the care of a local authority in England and children who have been adopted or made subject to a child arrangements order or special guardianship order immediately after being looked-after, including those who appear to have been in state care outside of England.
- 2) **Siblings:** A sibling is defined as a brother or sister, half brother or sister, step brother or sister or adopted brother or sister whose main residence is at the same address. This criterion will apply to applicants with a sibling living at the same address who is on the roll of the preferred school (Years 7 to 11) at the time of proposed admission in the new academic year.
- 3) **Exceptional Social, Medical or Special Educational Needs:** The Director of Children's Services, on an individual basis, may give priority to applicants who can demonstrate that admission to a particular school is necessary on the grounds of professionally supported *exceptional* medical, social or special educational needs. Parents must supply details of any such special factors at the time of the original application (together with recent supporting documentation) to enable these factors to be considered.
- 4) **Distance:** Applicants who live nearest to the preferred school. Nearness to the school will be determined by a computerised mapping system using a straight line distance measurement. Routes will be calculated from the home address, including flats (as defined by the Land & Property Gazetteer) to the midpoint of the school grounds (as determined by Islington Local Authority).

Distance will be used as a tiebreaker for over-subscription criteria 1- 3.

Tie Break: If only one place is available and two or more families live an equal distance from the school or tie within any of the other criteria, then the allocation of that place will be determined by random allocation using a computerised system.

Multiple Births: If only one place is available at the school and the next child who qualifies for a place is one of multiple birth siblings, or has a sibling eligible for admission to the same year group, we will ask community schools to admit the siblings and go over their published admission number to support the family. For KS1 children, schools will admit the siblings and go over their published admission number to support the family as required by the School Admissions Code 2021¹. These children will be deemed as 'excepted' pupils under KS1 class size legislation.

¹ 2.16 Infant class size - excepted children are: g) children whose twin or sibling from a multiple birth is admitted otherwise than as an excepted pupil;

Appendix 4: Request for Retrospective Agreement (Fair Access Protocol)

The Securing Education Board will consider whether **within a term** of a pupil being admitted to an **Islington School** whether the pupil should have been admitted under Islington's Fair Access Protocol (FAP) arrangements. **Please provide as much detail as possible and evidence to support your request.** *NB. Please note that non-Islington schools are unable to apply for retrospective funding or recognition of an admission under Islington's FAP.*

REQUEST TYPE <i>(Please highlight all that apply)</i>		
Fair Access Funding (£1,000)	Fair Access Recognition (Tally of admissions)	Both
<p style="text-align: center;">Which FAP category are you applying under?</p>	<ul style="list-style-type: none"> a) subject to a CIN or CP Plan within the last 12 months b) living in a refuge or in other 'relevant accommodation' c) known to the criminal justice system d) has been permanently excluded or being reintegrated from a PRU e) has SEND or medical conditions (but without an EHCP) f) is a carer g) is homeless h) is in formal kinship care arrangements i) is a Gypsy, Roma, Traveller, refugee, or asylum seeker 	<ul style="list-style-type: none"> j) has been refused a school place on the grounds of their challenging behaviour (Paragraph 3.10 School Admissions Code 2021) k) a place had not been sought due to exceptional circumstances l) has been out of education for four or more weeks where there are no places available at any school within a reasonable distance m) was previously looked after (including those who appear to have been in state care outside of England) and had not been offered a school place.

PUPIL DETAILS			
First Name		Surname	
Gender		Ethnicity	
DOB		Year Group	
Is the child out of chronological age group?	Yes/No	Does the pupil live in Islington?	Yes/No

SCHOOL DETAILS		
School Name	Date of pupil admission	Is this within a term or 12 school weeks of the application being made?
		Yes/No

REASON FOR REQUEST
What are the school's concerns?
How have the pupil's needs been supported to date?
How effective have these strategies and interventions been?
Are external agencies involved in supporting the child and family?
Please list the supporting evidence included with this application.