

**REPORT FOR: Education Strategy
Consultative Forum**

Date of Meeting: 30 January 2013

Subject: **INFORMATION REPORT –**
Fair Access Protocols, Department for
Education Advice

Responsible Officer: Adrian Parker, Head of Education Strategy
and School Organisation

Exempt: No

Enclosures: Appendix 1. Fair Access Protocols (FAP):
Principles and Process, Departmental
Advice, November 2012
Appendix 2. Harrow Council's Proposed
FAP
Appendix 3. Directions flowchart

Section 1 – Summary

This report highlights a report issued by the Department for Education (DfE) regarding Fair Access Protocols.

FOR INFORMATION

Section 2 – Report

INTRODUCTION

1. Following the changes in legislation removing the requirement to have an Admission Forum, Harrow Council agreed that admission related issues would be presented to Education Strategy Consultative Forum for their advice and consideration.
2. All Local Authorities, in line with School Admissions Code 2012, must have a Fair Access Protocol (FAP). The Protocol must be agreed with the majority of schools in its area to ensure that - outside the normal admissions round - unplaced children, especially the most vulnerable, are offered a place at a suitable school as quickly as possible.
3. In November 2012, the Department for Education (DfE) issued advice regarding the Principles and Processes of FAP's. This report outlines the advice to the Forum. A copy of the advice is provided at Appendix 1.

HARROW COUNCIL'S Fair Access Protocol (FAP)

4. Harrow Council has a FAP which has been agreed by the majority of schools. The Council has a panel consisting of three Members and two headteacher representatives, which meets every two weeks. The panel consider cases that the Admissions Service are unable to place via the in year application process. These cases are considered by the panel and, based on the information provided, decisions are made as to which school the family are offered. Harrow uses the FAP regularly to place children in school without delay.
5. Harrow Council is consulting on their FAP for 2014/15 as part of the consultation on admission arrangements. The change that is being proposed is to ask all schools, regardless of their designation, to take children in line with the FAP. The proposed wording to be included in the FAP is in italics below
 - Wherever it is possible, and if specifically requested by the parent/carer, children will be allocated a school of their faith provided a Supplementary Information Form (SIF) has been submitted to the school providing relevant supporting information and where the school agrees the child meets the faith criterion. *Notwithstanding the above VA schools will be required to admit their fair share pupils under this protocol regardless of whether a SIF is completed if the Panel deems the placement to be appropriate.* A copy of Harrow's proposed FAP is provided at Appendix 2.

DFE Advice

6. The DfE advice provides eight principles and clarifies the expectations on all parties, i.e. schools and Local Authorities to ensure the FAP operates effectively. There are expectations and timelines for directions if required. If a school refuses to take a pupil referred by the Fair Access Panel the local authority can issue a direction or for Academy schools, apply for a direction from the Secretary of State via the Education Funding Agency. Before issuing a direction the local authority must consult the governing body of the school and the parent. Following the consultation if the local authority is minded to seek a direction they must inform the school. The advice clearly sets out timescales and information that is required for a direction. If an Academy school has not agreed a start date within 15 calendar days, the local authority can apply for a direction. For all other types of schools, e.g. maintained schools the governing body can appeal to the Schools Adjudicator within 15 calendar days. For further information please refer to the directions flowchart provided at Appendix 3.

Section 3 – Further Information

7. The DfE have circulated their advice together with case studies and directions flow chart which is available on their website (www.dfe.gov.uk)

Section 4 – Financial Implications

8. There are no financial implications

Section 5 – Equalities Implications

9. An Equalities Impact Assessment will need to be completed regarding the proposals to change the admission arrangements.

Section 6 – Corporate Priorities

10. This report and the consultation process contribute to the corporate priorities:
 - United and involved communities: A Council that listens and leads.
 - Supporting and protecting people who are most in need.

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| Name: Emma Stabler | <input checked="" type="checkbox"/> | on behalf of the Chief Financial Officer |
| Date: 10 th January 2013 | | |

Section 7 - Contact Details and Background Papers

Contact: Rajeshree Parmar, Admissions Service, Team Manager

Background Papers: Fair Access Protocols: Principles and Process
Departmental Advice, November 2012