

## FAIR ACCESS PROTOCOL REFERRAL FORM

Please be aware that parents can ask to see any information supplied, and if it is agreed for a school not to admit this pupil, this information could form part of the school appeal paperwork.

### 1. Child's details

First name (s)

Last name

Date of birth

Year Group

Address

Postcode

Last school/education provision attended

Please give details of any agencies involved with this child/family  
(e.g. locality team, social care, educational psychology, YOT, connexions, EOTAS etc.)

### 2. Reason for referral

#### EITHER

**2a.** The admissions authority is unable to offer an in-year transfer school place, even though there are spaces available, as the child has challenging behaviour and the application is not for the year of entry. This will normally only be appropriate where a school can provide evidence that it has already recently admitted via this protocol or has a particularly high proportion of children with challenging behaviour in that cohort and they can evidence that to admit a further child would be detrimental to other pupils in that class or cohort.

*For the purposes of the School Admissions Code, behaviour can be described as challenging where it would be unlikely to be responsive to the usual range of interventions to help prevent and address pupil misbehaviour or it is of such severity, frequency, or duration that it is beyond the normal range that schools can tolerate. We would expect this behaviour to significantly interfere with the pupil's/other pupils' education or jeopardise the right of staff and pupils to a safe and orderly environment*

#### OR

**2b.** The admissions authority has refused an in-year transfer school place, and believes the child falls under the Fair Access Protocol criteria:

**A** children either subject to a Child in Need Plan or a Child Protection Plan or having had a Child in Need Plan or a Child Protection Plan within 12 months at the point of being referred to the Protocol.  
*Child in Need Plans and Child Protection Plans are plans of help and protection to address safeguarding and welfare needs, where a child has been assessed by the local authority as being a child in need under Section 17 of the Children Act 1989 and/or as suffering or likely to suffer significant hardship under Section 47 of the Children Act 1989. See also statutory guidance Working Together to Safeguard Children (2018) (pages 35 and 48-49).*

**B** children living in a refuge or in other Relevant Accommodation at the point of being referred to the Protocol.

	The term 'relevant accommodation' is used in relation to the proposed local authority duty to provide support to victims of domestic abuse and their children. For the purposes of this Code 'relevant accommodation' is a safe place to stay for victims and their children fleeing domestic abuse. This can include, but is not limited to, refuges, specialist safe accommodation, sanctuary schemes and second stage accommodation.	
C	children from the criminal justice system.	
D	children in alternative provision who need to be reintegrated into mainstream education or who have been permanently excluded but are deemed suitable for mainstream education.	
E	children with special educational needs (but without an Education, Health and Care plan), disabilities or medical conditions.	
F	children who are carers.	
G	children who are homeless.	
H	children in formal kinship care arrangements. <i>As evidenced by either a child arrangement order not relating to either birth parent or a special guardianship order.</i>	
I	children of, or who are, Gypsies, Roma, Travellers, refugees, and asylum seekers.	
J	children who have been refused a school place on the grounds of their challenging behaviour and referred to the Protocol in accordance with paragraph 3.10 of the School Admissions Code 2021.	
K	children for whom a place has not been sought due to exceptional circumstances <i>It is for the local authority to decide whether a child qualifies to be placed via the Protocol on this basis, based on the circumstances of the case.</i>	
L	children who have been out of education for four or more weeks where it can be demonstrated that there are no places available at any school within a reasonable distance of their home. This does not include circumstances where a suitable place has been offered to a child and this has not been accepted nor does it include children who are registered as Elective Home Education.	
M	previously looked after children for whom the local authority has been unable to promptly secure a school place. <i>In most cases use of the Fair Access Protocol should be unnecessary for a previously looked after child. We would expect the local authority to aim to secure a school place particularly promptly for a previously looked after child and for admission authorities to cooperate with this. The local authority may consider swift use of their general powers of direction (under paragraphs 3.26-3.28 of the School Admissions Code 2021) or asking the Secretary of State to consider a direction (under paragraph 3.29 of the School Admissions Code 2021) to be the most suitable course of action if a school place for a previously looked after child cannot be agreed with an admission authority promptly.</i>	

### 3. Confirmation to applicant

Please tick if you have made the referral to confirm the admissions authority have informed the applicant about this referral.

### 4. Full report

Please provide or attach details of the unique circumstances at the school, which provides the reasoning for the admissions authority to make this referral under the Fair Access Protocol.

Please include evidence that the school has already recently admitted via this protocol or has a particularly high proportion of children with challenging behaviour in the relevant cohort and evidence that to admit a further child would be detrimental to other pupils in the relevant class or cohort.



**5. Referral made by:**

Name

Job title

School

Date

**6. Completed forms**

Please email your completed form to [SchoolAdmissions.Officer@n-somerset.gov.uk](mailto:SchoolAdmissions.Officer@n-somerset.gov.uk).

<b>Local Authority use only</b>		
FAP referral agreed and sent to the Inclusion Panel to be heard	<input type="checkbox"/>	Select date
FAP referral not agreed	<input type="checkbox"/>	Select date