



CYC Fair Access Handbook

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Table of Contents

Fair Access Meeting Protocols.....	3
Fair Access Meeting Passport.....	20
Fair Access Meeting Flow Chart for Primary.	21
Exclusions Letter Pack.....	24
Off Site Direction and Managed Moves Protocols.....	26
Permanent Exclusions Protocols	478
Roll Change Protocols.....	54
Reduced Timetables Best Practice Guidance	64
Elective Home Education Policy	76
EHE Parent Leaflet	96
Supporting Asylum Seeker and Refugee Placements.....	97
Attendance Flow Charts	979
Graduated Attendance Responses	100
Attendance Leaflet for Parents.....	101
Attendance Schools.....	102
Attendance SEF.....	103
Attendance Fast Track	105
AP Directory.....	108



AP Commissioning	108
AP Placement Visit Form	109
QA	11010
Reference List	1144
Appendix.....	1166

Fair Access Meeting Protocols 2023/24 School Year

Introduction

- 1 This protocol complies with and operates within the City of York In Year Coordinated Admissions Scheme for all schools in the City of York Council local authority area.
- 2 This protocol complies with the Department for Education School Admissions Code 2021 and all relevant guidance on school admissions.
- 3 The admission of pupils with an Education, Health and Care plan is covered by different admission regulations, and decisions on the entry to school of these pupils should be

directed to the relevant Local Authority Special Educational Needs team.

4 **Which pupils are covered by the protocol?**

All school aged pupils whose parent/carers are requesting a place in a City of York school/academy **outside** the normal “admissions round”. The admissions rounds are the coordinated process of applications for either a place in reception year.

- 5 The protocol is split into two parts. **Part A** covers the admission of unplaced ‘hard to place’ pupils and **Part B** covers the admission of pupils who have had no previous attendance or behaviour problems but whose parent/carers are seeking a change of school and they cannot be placed in a setting within a reasonable distance from their home.

6 **What is the purpose of the protocol?**

The purpose of the Fair Access Protocol is to ensure that any unplaced children and young people, especially the vulnerable are found a school place quickly and fairly, so that the amount of time any child is out of school is kept to the minimum. The protocol also makes sure that all schools and academies admit their fair share of vulnerable children. The School Admissions Code 2021 requires there to be a Fair Access Protocol in

operation in every local authority area and for all schools to be part of this.

Part A - A protocol for considering the admission of hard to place pupils to a school within the City of York Council area.

- 1. The following pupils are covered by Part A of this protocol if unplaced by normal admissions:**
 - 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;
 - b. children living in a refuge or in other Relevant Accommodation at the point of being referred to the Protocol;
 - c. children from the criminal justice system;
 - d. children with special educational needs (but without an Education, Health and Care plan), disabilities or medical conditions;
 - e. children who are carers;
 - f. children who are homeless;
 - g. children in formal kinship care arrangements

- h.** children of, or who are, Gypsies, Roma, Travellers, refugees, and asylum seekers;
- i.** children who have been refused a school place on the grounds of their challenging behaviour and referred to the Protocol in accordance with the School's Admission Code 2021;
- j.** children for whom a place has not been sought due to exceptional circumstances;
- k.** 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. If an application is received and referred to FAM, they could be out of school for more the four weeks.
- l.** previously looked after children for whom the local authority has been unable to promptly secure a school place.

The following students will always be considered by Fair Access protocols for placement in schools:

- a.** children in a PRU/alternative provision who need to be reintegrated into mainstream education or who have been

- permanently excluded but are deemed suitable for mainstream education by the Local Authority
- b. pupils attending a City of York school who have met threshold levels of consideration (see paragraphs 2 & 3)
 - c. pupils who have attended a school outside of the City of York Council area who has met the same thresholds to those set out in paragraphs 2 & 3.

This list is not exhaustive, and it is recognised that some pupils not included on this list will be considered hard to place and may be required to have their case considered through this part of the protocol.

The School Admissions Code states that admission authorities must not refuse to admit children in the normal admissions round on the basis of their poor behaviour elsewhere. The Code also states that where a governing body does not wish to admit a pupil with challenging behaviour outside the normal admissions round, even though places are available, it must refer the case to the local authority for action under the Fair Access Protocol. The protocol therefore seeks to protect schools with vacancies from taking a disproportionate number of children with challenging behaviours.

Whilst it is recognised that admission requests for year 6 & year 11 pupils may be more problematic because of national tests, this factor is not, in itself, a reason for refusing admission.

Whilst it is recognised that those pupils that have English as an additional language may require additional support, it is not accepted that this is a factor, in itself, for refusing admission.

2. **Threshold levels for consideration of move through Fair Access (Behavioural):**

- Permanent Exclusion, upheld by Governor Panel and if necessary independent review panel for a single significant incident or for persistent breaches of the behaviour policy.
A child/young person may be brought for a full place at mainstream or a dual registered place alongside the PRU as deemed fit by the Local Authority unless the child/young person had had two permanent exclusions in the last three years.
or
- Evidence of a long term graduated response by the school including the use of school commissioned Alternative Provision
- Repeated amount of suspensions have been used within the last 12 months
- Timetable and curriculum changes have been put in place to avoid repeated incidents that have increased the risk for the pupil
- A plan to review cycle (MSP or equivalent) must have been created and reviewed at least twice with targets that are

relevant to the need. The plan should consider the increased use of support staff as an intervention.

- An Early Help Assessment (EHA) should be in place where there are relevant social care issues with suitable engagement with outside agencies unless the case is held at CIN or CPP level
- The case has met appropriate levels of intervention as document in the City of York graduated response for SEMH

3. Threshold levels for consideration of move through Fair Access through attendance concerns:

Evidence from a Hospital Consultant or Child, Adolescent Mental Health Service (CAMHS) Doctor confirming the pupil/student cannot be in a mainstream school environment will mean support from the Home Tuition team

Further to this, Fair Access will consider requests for support where there is:

- Evidence of a long term approach within the local Graduated Responses for attendance provided by the school including the use of school commissioned Alternative Provision
- Serious attendance problems of less than 50% for a minimum period of at least one term that can be shown when we ask for the annual attendance percentage.

- Timetable and curriculum changes have been put in place to avoid repeated incidents that have increased the risk for the pupil/student
- Appropriate support has been sought from the School Attendance Adviser with relevant action taken
- A plan/do/review cycle (MSP or equivalent) must have been created and reviewed at least twice with targets that are relevant to the need. The plan should consider the increased use of support areas or staff as an intervention.
- An EHA should be in place where there are relevant Social care issues with suitable engagement with outside agencies unless the case is held at CIN or CPP level
- Fair Access will not place students in the PRU setting for Attendance reasons but will consider requests for change of mainstream setting

4. Children in Care

Children in Care are given the highest priority for admission. The Virtual School Head after consultation with other agencies will gather preferred preferences for their education. The views of the schools identified as a preference, and any potential prejudice as a result of the placement will be considered. However in most circumstances a Child in Care will be offered a place at the school recommended by the Virtual Head, in agreement with the school or the Academy, even

if the year group is full or oversubscribed. They will not come through the Fair Access Protocols.

5. Principles

All schools and academies must participate in the Fair Access Protocols since it is binding on all admission authorities within the City of York area. The City of York Council will operate the protocol on a day to day basis for all pupils by coordinating all in-year admission requests.

Schools and academies should work together collaboratively, taking into account the needs of the child and those of the school/academy. There is no duty to comply with parental preference when allocating places through the Protocol but it is expected the wishes of the parents and young people are taken into account and that all pupils will be placed on a school roll.

When seeking to place a child under the Protocol, all schools and academies should be treated in a fair, equitable and consistent manner. No school should be asked to take a disproportionate number of children.

The Fair Access Protocols should not be used as a means to circumvent the normal in-year admissions process. 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.

For the protocol to operate in accordance with statutory requirement schools/academies will continue to admit pupils whose parents apply for an available place, under normal admission arrangements but pupils identified as cases under Fair Access Protocols will be given priority for admission over others on the waiting list or awaiting an appeal.

6. The Fair Access Meeting

Referred fair access cases will be discussed at the Fair Access Meeting. By agreeing to adopt the protocol, it is established that the Fair Access Meeting will consider and resolve all fair access cases.

The Secondary Fair Access Meetings comprise all Secondary schools and academies in the City of York area. The panel will have an independent Chair.

The Primary Fair Access Meetings comprise of all Primary Schools and academies in identified clusters. The panel will have an independent Chair.

In order to discuss and resolve fair access cases the following people will be invited to attend:

i. The Secondary Panel

- Headteacher or senior representative from each of the Secondary schools within the locally based secondary admissions area.
- Headteacher or representatives of Alternative Education Provider(s)
- The independent Chair
- Representative from the City of York Council School Admissions Team
- Relevant multi agency representation to support the discussions and meeting outcomes.

ii Primary Panel

- Headteacher or senior representative from each of the Primary schools within the locally based primary admissions area.
- Headteacher or representatives of Alternative Education Provider(s)
- The independent Chair
- Representative from the City of York Council School Admissions Team
- Relevant multi agency representation to support the discussions and meeting outcomes.

iii Procedures

- Fair Access Meeting members will receive referrals for school places from those categories of pupils set out in paragraph 2.
- Use their best endeavours to ensure children resident in their area receive appropriate educational provision.
- Organise the collection of all appropriate information about the cases in front of them to assist with the decision making of the group.
- Agree the allocation of a school and a relevant start date in response to a request for placement at a school in the City of York Council area. Alternatively, the meeting may decide that the pupil remains at their current school.
- Each school/ academy will have one vote at any meeting. The Chair has a casting vote.
- Ensure a record is kept of referrals and their outcomes.
- Ensure parents/carers are informed of their decisions as soon as possible after the meeting.

iv Considerations

- The distance and ease of travel from home to school.
- The fairness of the placement and proportion of pupils that have been allocated by previous panels over the last 12 months.

- The school(s) that are the parent/carer's preferred choice; i.e. the religious affiliation of the pupil (where possible and on the receipt of a supplementary information form)
- Genuine concerns about the admission, e.g. a previous serious breakdown in relationship between the school and the family
- Parents/Carers and pupil's views, but they will not override the decision of the meeting if the preferred school is not allocated.
- Whether good quality alternative provision may provide a more suitable solution
- Whether to consider assistance with transport, normally limited to provision for attending school beyond walking distance.
- Where appropriate, what support for transition could be provided.
- Any doubts about a pupil's suitability for mainstream education and whether an opportunity for further assessment should be considered.

7. Timescales for admission decisions

- When a parent makes an application for a maintained and or an academy place, the decision to decline the application and refer to the Fair Access Process must be made by the relevant admissions authority within 15 school days of the application

being accepted by CYC. The parent/carers can appeal this refusal.

- Once the application case has been referred to the Fair Access Process, a decision regarding allocation must be made within 20 school days of the original application refusal decision and referral to the Fair Access Process. This decision will almost always be made in a scheduled Fair Access meeting but there may be a necessity for an additional meeting if timescales cannot be reasonably met.

8. School Admission Appeals

The allocation of a place in accordance with the Fair Access Protocol does not override a parent's right to appeal against refusal of a place at any school for which they have applied. A parent can apply for a place as an in-year admission at once the decision letter is sent and the application is referred to the Fair Access Meeting or is entitled to an appeal when a place is not offered from the Fair Access Meeting.

9. Monitoring and Review

The monitoring and review of the protocol's effectiveness will be the responsibility of the York Schools and Academies Board.

Part B – A protocol for allocating pupils a place at a City of York school outside of the normal admissions round.

1 Pupils who are covered by this part of the protocol:

- a. pupils who have moved into the City of York Council area;
- b. pupils who are currently in a maintained York secondary school or academy and whose parent/carers are requesting another maintained York secondary school or academy;
- c. pupils who reside outside the City of York Council area who parent/carers are requesting a place in a City of York maintained school or academy;
- d. pupils not covered by Part A of this protocol.

2 Key Principles:

- a. to ensure that no pupil is without the offer of a school place within 35 school days of submitting an application for a school place;
- b. to co-ordinate all admission requests, ensuring parent/carers have one place where they can access for all information and advice;

- c. to allow the York School and Academies Board to have access to all the relevant information on in-year admissions, allowing them to monitor the fairness and equity of all secondary schools' admissions policies and processes in the City of York Council area;
- d. to enable good and timely co-ordination of admission requests and to allow the scope to seek managed moves for pupils that schools/academies believe would thrive in a new placement.

3 Application Process and Allocation of Places

- a. The parent/carers should complete an application for a school place either online or by paper form and this should be forwarded to the City of York Council School Admissions team;
- b. The City of York Council in consultation with the other school admission authorities within York will where possible try to meet one of the parent/carers preferences. Before making any decision, consideration will be given to the number of pupils in the year group within the parent/carers' preferred schools; which schools are accessible or are within a reasonable distance of the home address, taking into account transport links to the school; and which of the preferred schools have places;

- c. The admissions authority for each secondary school/academy considers each application in line with its own admissions policy and either allocates a place or arranges to send a letter/email to the parent/carer refusing a place and advising them of the right of appeal;
- d. The City of York Council is responsible for ensuring that all pupils of secondary school age are allocated a school place or alternative education provision so those schools which are their own admission authorities need to advise the School Services team when they allocate a pupil a place or when they refuse a pupil a place;
- e. If a parent/carer wants to change their child's school other than because of a change of address, it would be expected that the parent/carer had discussed the possible move with the child's current school before submitting an application.

Fair Access Meeting Passport

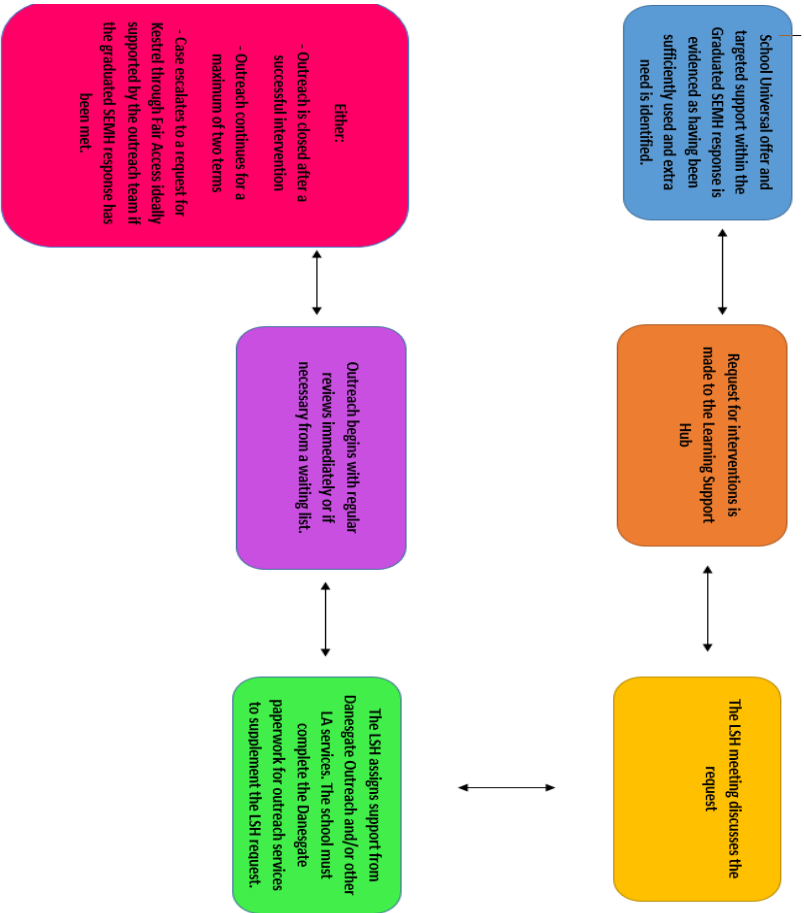
Please see attached an example of the blank pupil passports needed for bringing pupils to Fair Access Meetings.



Blank Passport.pdf

Fair Access Meeting Flow Chart for Primary Schools.

Referral pathway for PFAM





Please see embedded file below for a clearer version of the flow chart.



PFAM flow chart
2023.24.docx

Exclusions Letter Pack

Please see below for embedded file containing the Exclusion Letter Pack. This contains the following:

1. Model letter from head teacher notifying parent of a suspension of five days or fewer in one term, and where a public examination is not missed.
2. Model letter from head teacher notifying parent(s) of a suspension of more than five and up to and including 15 school days in total in one term.
3. Model letter from head teacher notifying parent of a single suspension of more than 15 school days in one term, or any suspension that takes the total of suspended days to over 15 days for one term.
4. From the head teacher of a primary, secondary or special school notifying the parent(s) of a pupil of compulsory school age of that pupil's permanent exclusion.



CYC Suspensions
and PEX.docx

Please find below the EX1 form you need to complete for every exclusion or suspension.



EX1 FORM.docx

Finally, please see below for the DfE suspension codes document. These codes should be used for each suspension issues. Please ensure you are coding the suspension correctly in line with guidance.



DFE-Exclusions-Codes-2020.pdf

Off Site Direction and Managed Moves Protocols

Quick reference guide

Off Site Direction – no consent	Single reg at sending school. Guest at receiving school. Reviews at 8 and 16 weeks Can end or progress to Managed Move.
Off Site Direction - consent	Main reg at sending school. Subsidiary reg at receiving school. Reviews at 8 and 16 weeks Can end of progress to Managed Move.
Managed Moves	Single reg at receiving school. Permanent moves.

Definitions:

Off Site Direction (OSD)

Action taken by a Headteacher to direct a Child or Young Person off site for their education for a temporary period of time, with or without parental consent (if a maintained school or academy empowered within its Articles of Association to take such action).

Managed Move

A permanent move from one school roll to another settings roll with the full consent of parents/carers. This may follow a successful period of Off Site Direction or be an immediate move agreed as an intervention to prevent a permanent exclusions or to respond to escalating challenges.

1. Statutory Guidance

Off Site Direction (OSD)

‘Off-Site Direction is when a governing board of a maintained school requires a pupil to attend another education setting to improve their behaviour.²¹ Whilst the legislation does not apply to academies, they can arrange off-site provision for such purposes under their general powers. Where interventions or targeted support have not been successful in improving a pupil’s behaviour, off-site direction should be used to arrange time-limited placements at an AP or another mainstream school.

During the off-site direction to another school, pupils must be dual registered. Code B should be used for any off-site educational activity, if the provision is an approved educational activity that does not involve the pupil being registered at any other school' DfE guidance September 2022

Such temporary periods at another school defined as Off Site Direction can occur with or without parental consent for Maintained School and Academy Settings that include the following in their Articles of Association:

5. In furtherance of the Objects but not further or otherwise the Academy Trust may:

(f) co-operate with other charities, other independent and maintained schools, academies and institutions within the further education sector, voluntary bodies and statutory authorities operating in furtherance of the Objects and to exchange information and advice with them

(j) provide educational facilities and services to students of all ages and the wider community for the public benefit. DfE Academy Articles of Association Model One, Updated June 2021.

The model Articles further provide at Article 105 that any delegation of powers by the Trustees must be in writing.

Managed Moves

‘A managed move is used to initiate a process which leads to the transfer of a pupil to another mainstream school permanently. Managed moves should be voluntary and agreed with all parties involved, including the parents and the admission authority of the new school. If a temporary move needs to occur to improve a pupil’s behaviour, then off-site direction (as described in 35 to 46) should be used. Managed moves should only occur when it is in the pupil’s best interests’, DFE guidance September 2022

Full managed moves should only be undertaken with the full knowledge and co-operation of all the parties involved, including the parents and the Local Authority, and in circumstances where it is in the best interests of the student concerned rather than the school.

2. Key Principles

The educational needs of the student should be paramount in any decision to instigate an Off Site Direction or managed move.

The objective of an Off Site Direction should be to initiate a formal process leading to the temporary transfer of a student to the provision of a different school or setting. It should be ratified at the appropriate Fair Access Meeting with a clear indication of whether parental consent is in place.

A full managed move must occur with the consent of the parents and both the sending and receiving schools and is a permanent move of schools. It should be ratified by the appropriate Fair Access Meeting.

Off Site Directions or Managed Moves should be preceded by high quality information sharing between the sending and receiving schools, including data on prior and current attainment academic performance, relevant risk assessment, SEN plans including MSPs, relevant CPP/CIN/FEHAs and advice on managing the student's needs successfully. This must be done using the CYC Off Site Direction paperwork, and for Managed Moves through the Fair Access passport.

Any Off Site Direction or Managed Move should be approved and monitored by the Fair Access Meetings, to avoid suggestions of school collusion, to ensure equity of movement across the Partnership's schools and to allow access to extra resources, where these are required to support or provide an alternative to any Off Site Direction or Managed Move.

3. When is Off Site Direction appropriate?

- As a time limited alternative where the young person to reduce the risk of a child/young person being permanently excluded.
- Where the school's own behaviour management

strategies have been implemented to address a series of behavioural concerns and a Plan/Do/Review cycle meeting at the point of at least the second review has concluded that a temporary period of education at a different school would be the most positive intervention strategy to maintain the student in education.

- Where there are well documented instances of other interventions and support strategies which have already been tried and are proving unsuccessful. These should be evidenced through a completed Graduated Response for SEMH
- Where the relationship between the student and either a particular group of fellow students and/or staff has broken and needs time to repair, and this is agreed at FAM
- Embedded attendance issues exist that are believed to be linked to the current educational provision and need a short-term change to address.

4. When is a Managed Move appropriate?

- As an alternative where the young person is likely to be permanently excluded.
- Where the school's own behaviour management strategies have been implemented to address a series of behavioural concerns and a Plan/Do/Review cycle

meeting at the point of at least the second review has concluded that a permanent fresh start in a new school would be the most positive intervention strategy to maintain the student in education.

- Where there are well documented instances of other interventions and support strategies which have already been tried and are proving unsuccessful. This should be evidenced in the Fair Access paperwork.
- Where the relationship between the student and either a particular group of fellow students and/or staff has broken down to an irrevocable degree and this is agreed at FAM
- Embedded attendance issues exist that are believed to be linked to the current educational provision.

5. When is a Managed Move or Off Site Direction not appropriate?

A Managed Move to another mainstream should not generally be sought for a student in Year 11. A modified programme, which might include full or partial referral to alternative provision, may be more appropriate. Off Site Directions may be more appropriate but consideration should be given to the impact on the child or young person's curriculum study and gaps that may develop prior to formal examinations.

A Managed Move or Off Site Direction should not normally be instigated for a student with a Child Protection plan, unless the

proposed move forms part of this plan. In all cases of students with clear safeguarding needs the managed move must not increase risk and should be designed to reduce it through improved engagement with education.

A Managed Move or Off Site Direction should not be instigated for a student with an Education Health Care Plan (EHCP), as this could undermine the statutory review of the EHCP. The consideration of the appropriateness of the student's current placement and provision is always undertaken as part of the review process. Provision changes for students with EHCPs are managed by the SEND services team and do not go through the Fair Access Meeting as the Local Authority is the Admission Authority. The SEND Code of Practice is paramount and there must be a formal review of the EHCP before a change of provision can be agreed.

Managed Moves and Off Site Directions should only be considered for a child in care, with the consent and support of the Head of the Virtual School. The Off Site Direction or Managed Move should form part of the student's care plan and PEP. No moves for CYPIC students are not covered by the FAM process whether temporary or permanent.

6. All Managed Moves Arrangements should be with parental consent.

When the Headteacher makes the decision to consider proceeding with a Managed Move, an approach should be made to the parents of the student for their agreement to implement the strategy. Only if the parent/carer is in full knowledge and has given approval should the process go ahead. If the parent/carer refuses, the school can record the refusal but must then use its behaviour policy and school disciplinary procedures to manage the student as normal. In this instance, the Headteacher must adhere to the statutory guidance on managing exclusions; ‘However, the threat of exclusion must never be used to influence parents to remove their student from the school.’ If a parent wishes a managed move but the school does not support the move parents are entitled to seek a casual admission. The Fair Access Meeting will be the decision makers in this situation if the case meets their criteria, if not normal admissions will be employed.

7. Off Site Directions can proceed without consent for maintained schools and academies with the correct articles of association – but consent is always encouraged.

Parental consent is not required for Off Site Directions but is encouraged to maximise the chance of success of any intervention. Where consent is offered, full access to the receiving school’s curriculum should be offered as soon as possible. Where

consent is not offered, provision may need to initially be within support/withdrawal offers within the receiving school as confidence and relationships are built. Regular review cycles should underwrite any Off Site Direction with meetings at least every eight weeks. The Fair Access cycle will expect the majority of Off Site Directions to cease after eight or sixteen weeks with the child or young person returning to their roll school or the Off Site Direction converting to a Managed Move. The Off Site direction may be curtailed at any point but joint agreement by the school, or by the decision of any Fair Access Meeting. If a parent removes previously offered consent, then the two schools should hold a review meeting to decide if the Off Site Direction should end, or if the direction is to continue without consent.

8. Instigating a Managed Move or Off Site Direction.

Schools should use the Fair Access Meeting as the broker for Managed Moves and Off Site Directions as this allows for collective decision making and access to appropriate support packages and resources.

The Inclusion Advisor will act in a gatekeeping role to ensure that thresholds have been met and will liaise with the school, School Services and the Headteacher of relevant Alternative Provision (Danesgate) to see if the case can be held at the referring school with increased support. Any MSP (or equivalent evidence) and any CPP/CIN/FEHA should be submitted for consideration at the

meeting, together with a student passport (including a completed Graduated SEMH response) as an executive summary and there should be no attempt made to minimise the nature and extent of the challenge the student may represent. Where a school has referred a student to panel, for consideration, under this Protocol, the school must send a representative to advocate for the student. All information will be summarised at the Panel meeting with full information passed onto the receiving school when the decision has been made.

When the Managed Move is requested as an immediate full roll transfer this is agreed in the meeting and the student cannot return to the school that they have left. The receiving school will receive credit for taking the student by the allocation of a point under the agreed ins and outs points system. These points should be used to assist the Fair Access Partnership in ensuring managed moves are distributed fairly although it is understood that some schools may have more needs than others depending on their catchment and intake.

When an Off Site Direction is requested or agreed in place of a requested managed move and full roll transfer, a clear rationale must be established for an improvement in the behaviour and/or attendance of the student at the receiving school that may allow the Off Site Direction to progress to a full Managed Move. This

should be supported by high quality information sharing between the sending and receiving schools.

On occasion parents may request a transfer of school by completing a parent application form and under the normal admission procedures it has been established that the student has triggered the Fair Access Criteria. In these cases, the parents will be informed that the case will be considered by the next available Fair Access Meeting. The student must not be removed from roll under these circumstances until a decision is made through the FAM process around a potential full managed move or off site direction. Synergy attendance will not be amended unless the change becomes a Managed Move.

9. A Model Process for Off Site Directions

Step 1

When a school feels an Off Site Direction may be an appropriate option, they should hold a review through the existing in school review process (MSP or equivalent) with the student, family and any agencies who have worked with the student and family. If necessary, a FEHA (Family Early Help Assessment) should be considered to ensure there is a complete assessment of the needs of the student concerned.

The review plan (MSP or equivalent) should include notes of any discussion relating to an Off Site Direction and indicate the

agreement or not of the parent/ carer and the students' views. A signed agreement should also be signed by the school, student and parent and provided on request to the Local Authority. The school can ask for preferences for an alternative school which the Fair Access Meeting will take into consideration; however, the school must make it clear that the Meeting will have to make the decision based on a range of factors; for example the balance of managed moves and Off Site Directions between schools. The referring school must explain to the parent and student that the final decision on the Off Site Direction placement rests with the Fair Access Meeting and that, although they will take preferences into account, it is not possible to guarantee one of their choices. If the direction is without parental consent, then there may not be parental preferences offered.

Off Site Directions may also arise through parental requests for cases that meet Fair Access criteria. The agreement that such cases are appropriate for Off Site Directions is made by FAM.

Step 2

A referral to the Fair Access Meeting should then be made. The Inclusion Advisor will act in a gatekeeping role to ensure that thresholds have been met and will liaise with the school, the Head of School Services, the Headteachers of relevant Alternative Provision (Danesgate) to see if the case can be held at the referring school with increased support. The review detail (MSP or

equivalent) and any CIN/ CPP/ FEHA should be submitted for consideration at the meeting, together with a student passport as an executive summary and there should be no attempt made to minimise the nature and extent of the challenge the student may represent. All information will be summarised at the FAM meeting with full information passed onto the receiving school when the decision has been made.

Step 3

The FAM meets and decides on the best placement for the learner. This is communicated to the parent by either the referring or receiving school by agreement and by the Friday of the same week. The student and parent should be informed that they are to start on a definite date no later than eight school days after the FAM meeting (the second Monday).

The receiving school will receive credit for taking the student by the allocation of a point under the agreed ins and outs points system. These points should be used to assist the Fair Access Meeting in ensuring managed moves and off site directions are distributed fairly although it is understood that some schools may have more needs than others depending on their catchment and intake.

Step 4

A meeting is held at the receiving school. The meeting should be attended by the student and parent(s), as well as the relevant professionals from both schools. If the provision made for the student is to include support from any Specialist/Alternative Provision then they should also be represented at this meeting.

The purpose of the meeting should be:

- To welcome the student into the school
- To underline the receiving school's expectations in terms of behaviour and/or attendance
- To detail the programme of support to be put in place for the student, with review dates.
- To detail the student and family's contribution towards making the Off Site Direction a successful one on either a temporary or longer term basis
- To agree practical arrangements such as starting date, tutor group, timetable, travel and uniform

The Off Site Direction form should be completed as part of this meeting and held by both schools, as well as being provided to the family.

Step 5 - The move to a new school

Whilst the Off Site Direction takes place the sending school maintains legal responsibility for the student. The receiving school

should supply daily attendance data and progress updates and link in crucially regarding safeguarding and exclusion events.

A member of the receiving school staff will normally meet the student regularly to review their progress within the Off Site Direction and to keep under review any intention to convert the direction to a full Managed Move. This gives the student the chance to identify what has gone well and how to replicate success.

The FAM meeting will be informed of progress after 8 and 16 weeks and this should be linked to a review process or meeting within the receiving school.

If it appears that the Off Site Direction is failing between review periods, the receiving school will need to call an interim review with parents and the sending school to discuss options.

Step 6 - At the 8 Week Review

All commitments agreed at the initial meeting need to be reviewed. School staff will share reports about the student's progress towards the targets. Any supporting agencies will report on the commitments they made. Staff, parents, and other professionals may make adjustments to their commitments if necessary. The targets set for the student usually stay the same for the 16 week period but can be adapted to reflect challenges in the first 8 weeks.

Focusing on solutions is the key to success. If the current provision does not meet the student's needs, further measures should be identified at the review to help the student sustain their place in the receiving school. Occasionally the targets set for the student at the initial meeting are not relevant in the new setting whilst other issues have arisen that threaten the success of the placement. In such cases the receiving school should liaise with the sending school, the parents, and other professionals (if involved). This can happen without the need for another meeting unless the receiving school feel it is necessary.

Step 7 - A successful placement - At the 16 Week review

If an Off Site Direction is still in place by week 16, it is expected that the receiving school will deem it has been successful. The 16 week review is an opportunity to congratulate all concerned for making the placement a positive one, including the student who has responded to the support offered.

A joint decision should then be made around whether the student is to return to the sending school or if they are to make a permanent managed move to the receiving school.

When a receiving school decides that a student is to join the new school permanently, they should hold a review with all relevant parties. The review should formally recognise the placing of the student on roll at the receiving school. The receiving school should

inform the Local Authority and the Fair Access Partnership at the next meeting so the managed move can be agreed and recorded.

The receiving School staff may well continue to support and monitor the student's behaviour as in most cases the student will continue to have challenging behaviour despite the progress they have made.

10 Roll Status

Off Site Directions with parent consent should have the following arrangements in place

Code D: This attendance code is not counted as a possible attendance in the School Census. The law allows for dual registration of students at more than one **registered** school. This code should be used to indicate that the student was not expected to attend the session in question because the student was scheduled to attend another school at which they are also registered.

When the placement has been arranged and agreed with a start date, the sending school marks the attendance register using 'D'; the receiving school marks the register with actual attendance.

Schools **MUST** have in place arrangements whereby all unexplained and unexpected absence is followed up promptly.

Off Site Directions without parental consent should have the following arrangements in place:

Code B: This is where a pupil is receiving education elsewhere but remains fully on the role of the sending school. The receiving school should hold the pupil as Guest Status. If consent changes, then the advice above should be followed and should be seen as the preference.

Enrolment status

During the period of an Off Site Direction with parental consent to a registered school

It is recommended that for the duration of the Off Site Direction period:

- the sending school maintains the student's record with an enrolment status of 'M' (current main - dual registration)
- the receiving school maintains the student's record with an enrolment status of 'S' (current subsidiary - dual registration)

During the period of an Off Site Direction without parental consent to a registered school

It is recommended that for the duration of the Off Site Direction period:

- the sending school maintains the student’s record with an enrolment status of single registration.
- the receiving school maintains the student’s record with an enrolment status of Guest.
- Synergy attendance and inclusion on Synergy reports will not be updated until a school change is a permanent Managed Move.

Exclusions and breaches of the school discipline codes.

Both school behaviour policies apply to the student and as such all disciplinary action should be reported to the sending school.

In the case of suspensions, a copy of the exclusion letter should be sent to the Headteacher of the sending school who will report the exclusion to the Governing Body and Local Authority. Exclusions should be marked as ‘E’ on both registers.

Placement breakdown

Again, prevention and early action will achieve the best results, but it is recognised that this is not always possible.

Should an Off Site Direction be at risk of breakdown the receiving school should alert the sending school and the Inclusion Advisor and arrange for this to be discussed at the next Fair Access Meeting

At no time should the receiving school ask the student to leave the school or inform parents that their student has to return to the sending school without this going through the FAM process or being the joint position of both schools.

Schools should consider in the initial meeting what success looks like for the Off Site Direction. Schools should consider what does a failed Off Site Direction look like and what are the early indicators regarding behaviour or attendance.

If a trial Managed Move does break down with the outcome that the receiving school ends the Off Site Direction without prior consultation with the sending school and parents, the Fair Access Meeting will need to evaluate the facts of the case and where appropriate provide peer challenge to the school for not following these protocols.

11. Failure to attend an Off Site Direction

Should a student refuse to attend a trial managed move placement, the sending school should carry out the usual procedures for non-attendance. A return to the sending school due to attendance concerns must have the agreement of both Headteachers and the Fair Access Meeting who should be provided with valid reasons as to why it should be considered and why attempts to mitigate the non-attendance are at an end.

12. Funding Implications

While attending the receiving school the sending school can be asked to make a contribution of the AWPU equivalent for that student to cover additional costs.

The Local Authority is unable to arrange the transfer of funds on behalf of schools. Financial arrangements should be confirmed and conducted by schools, if appropriate following the initial and final Managed Move meetings.

Please find below the reviews form for Off Site Direction and Managed Moves.



FAM Off Site
Direction and Mana

Please find below the Off Site Direction or Managed Move initial meeting form.



Off Site Direction
and Managed Move

Permanent Exclusions Protocols

Protocols around Permanently Excluded students in the City of York – September 2023

Protecting students, families and schools and meeting statutory expectations when a student has been permanently excluded by a mainstream school.

Process for the school

- The Headteacher, generally in consultation with the Chair of Governors/Trustees, decides that a student requires a permanent exclusion. This may be from a one-off serious incident or the culmination of incidents over time despite the interventions of the school and its engagement with outside partners.
- The school informs the parent by letter and phone call of the decision to permanently exclude the student.
- The school informs the LA (Dan Bodey, Inclusion Advisor and Education team) by email on the same day and through the completion of the EX1 form.

- The school informs the Headteacher of Danesgate, by email on the same day and arranges a meeting (with Danesgate) during the first five days of the exclusion to agree provision that must start no later than **DAY 6 and must remain in place until the permanent exclusion is resolved and the student returns to the school or moves to Danesgate roll.** Schools should provide work for the first five days of the exclusion directly to the parent and are asked as a good will gesture to provide work for further days to Danesgate for use in Post Day 6 provision as the student remains on the school roll. This can include online lessons and resources.
- The school is liable for transport and AWPU transfer for Post Day 6 provision until the student is taken off roll.
- A governors hearing to ratify the permanent exclusion must be held no more than fifteen days after the exclusion.
- Paperwork for this hearing must be provided five days prior to the meeting to the family, the panel of Governors and the Local Authority.
- If the permanent exclusion is not upheld, then the student must return to school at the earliest opportunity.
- If the permanent exclusion is upheld, then an appeal may be made for an independent review within fifteen days of the original hearing.
- If the appeal upholds the decision, the parent provides written evidence that they are not going to appeal, or the

parents do not appeal within fifteen days then the student is removed from the school roll and placed on **Danesgate roll**. This roll change may take place when any of the above conditions are satisfied and as soon as this is the case.

- If the appeal does not uphold the decision, it may return the case for a further governors consideration (again within 15 days) or it may quash the exclusion (the student should return to school at the earliest opportunity unless the school pays the costs to not reinstate the student).
- Once the student has moved to Danesgate roll, an assessment will be made between Dan Bodey, Inclusion Advisor and the Headteacher of Danesgate, around the next steps for the student. Wherever possible this will involve a discussion of the student at the next FAM meeting to agree a return to mainstream education at another school. **The excluding school will be required to provide the paperwork for this FAM meeting and to liaise with the parent re their choices for a new school. Where relationships have broken down, Dan Bodey (Inclusion Advisor) or Danesgate will source these choices from the parent.**

Process for the Local Authority

- The LA will record detail of the permanent exclusion on the system as soon as this is reported.

- The LA will support all parties in the Governors meeting for Maintained Schools to consider the permanent exclusion. Academy meetings are attended on the request of the school or parent.
- When a neutral venue is required for this hearing, this will be provided.
- The Inclusion Advisor will, where necessary, attend the meeting planning Post Day 6 provision for any student permanently excluded.
- The LA will support the school in informing the parent about their rights of appeal if the Governors ratify the permanent exclusion.
- The LA through the Inclusion Advisor will liaise with the Headteacher of Danesgate to address the future education of any student whose permanent exclusion has been finalised.
- Where the student can be returned to mainstream education fully or partly, the LA will ensure that the case is discussed at the next available FAM meeting and future education is agreed.

Process for Danesgate Community

- Danesgate is the commissioned Post Day 6 provider by the LA.

- Post Day 6 Provision for the student must be in place through Danesgate from Day 6 and be in place continuously until the student is moved to Danesgate roll following the finalisation of the permanent exclusion process above, including time needed for any appeals made.
- Danesgate must meet with the school, family and where necessary the School Inclusion Advisor in the first five days of the exclusion to agree the provision that is to be put in place. The school may be asked to provide work for Danesgate as a goodwill gesture.
- Provision offered should total no less than 25 hours per week for the duration of the Post Day 6 provision.
- Provision should take place either 1:1 or in a small group alongside other students who are on Post Day 6 provision. It should not generally be through the student joining full time Danesgate students on their existing provision to keep the Post Day 6/Danesgate populations on defined and separate provision until the PEX is resolved. Differences to this can be agreed by the Inclusion Advisor and Headteacher of Danesgate.
- In consultation with the Inclusion Advisor, the Headteacher of Danesgate will advise on the suitability of the student for a full or partial return to mainstream education. Where this is the case, the Headteacher will support the LA in securing this through the FAM process.

Key Contacts

LA Inclusion Advisor: Dan Bodey dan.bodey@york.gov.uk

Education Support School Services or Admissions Team:
education@york.gov.uk

Headteacher of Danesgate: Chris Nichols chris.nichols@york.gov.uk

**This advice applies to all Maintained Schools and Academies at
Primary and Secondary school level within the City of York**

Roll Change Protocols

Guidance for schools on roll changes and necessary communication regarding these

Purpose of this guidance

- To protect schools and the Local Authority in meeting their Legal and Statutory responsibilities regarding roll changes for a child between settings.
- To keep information about children in the school system continually up to date.
- To ensure that there are no risks of off rolling allegations or children missing out on education through any lack of awareness of their ownership within the system.
- To track the movement of children within the system throughout the year between mainstream providers and into specialist/alternative provision and better inform need and financial planning as a result.

Roll Changes

- Any roll change that occurs between educational providers, whether a full roll change or a move to dual registration, should be communicated to the Local Authority by both

parties immediately after it has been agreed. This should be sent to education@york.gov.uk. These will not occur outside of the FAM or EHCP process apart from in highly exceptional circumstances and may be subject to challenge if so to protect schools and the LA from off rolling allegations.

- When the roll change is for a Hard to Place child (who has had repeated exclusions in the last year or is below 50% attendance) then roll changes must go through the Fair Access Protocols or follow direct discussions led or agreed by the Inclusion Advisor with both settings to reach agreement.
- If a child is placed on 'Guest Status' on another school or providers roll this must also be communicated to the inclusion advisor immediately and is most likely to have followed an agreement made through Fair Access routes or direct payment by the school for a service such as the Skills Centre. DfE guidance on Guest Status states 'The pupil/child attends this school for some of their lessons, but **predominantly takes lessons at their main school.**' Guest pupil/children are not registered at the school and short stay provision/regularly reviewed school commissioned small scale alternative provision (one day a week equivalent) are the only movement around this from national research of practise in other authorities and advice from ASCL. For longer term, more

sustained (one day a week plus) and formal shared responsibility arrangements **‘Dual registration’ should be used.**

Dual Registration expectations on providers

- This should be used when the child has formal dual registration across two settings to reflect that the child is attending both settings for defined sessions.
- The Main setting should generally be the one where the majority of time is spent on roll unless otherwise agreed by both settings and the Local Authority (through the Inclusion Advisor).
- Both providers should establish robust arrangements with each other to promote the effective and timely sharing of individual pupil attendance and progress information, to ensure they fulfil their legal and safeguarding responsibilities and to apply the correct registration codes consistently in both settings.
- There should be regular reviews of the programme that is in place on at least a half termly basis where the appropriateness of, and if necessary, changes to, the programme are agreed.

Movements between School Rolls and Danesgate through Fair Access

This guidance should be read alongside the Fair Access Protocols

The following movements are permitted as decisions within FAM in agreement with the Headteacher of Danesgate, CYC Inclusion advisor and School Services:

- At secondary phase only, a move to Single Registration at Danesgate from the Dual Registration (Single/Double) roll of a Mainstream school if thresholds have been met and the meeting **and parent/carer** support this arrangement.
- A move to Dual Registration (Main or subsidiary) at Danesgate from the Single Registration roll of a Mainstream school if thresholds have been met and the meeting **and parent/carer** support this arrangement.
- A move to Dual Registration (Main) at Danesgate from the Dual Registration (Main) roll of a Mainstream school if thresholds have been met and the meeting **and parent/carer** support this arrangement.
- A move to Single Registration at a Mainstream School from

the Single Registration roll of Danesgate if thresholds have been met and the meeting **and parent/carer** support this arrangement.

- A move to Dual Registration (Main or subsidiary) at a Mainstream School from the Single Registration roll of Danesgate if thresholds have been met and the meeting **and parent/carer** support this arrangement.
- A move to Dual Registration (Main) at a Mainstream School from the Dual Registration (Main) roll of Danesgate if thresholds have been met and the meeting **and parent/carer** support this arrangement.
- A move to Single Registration at a Mainstream School from the Single Registration roll of another mainstream school if thresholds have been met and the meeting **and parent/carer** support this arrangement.
- A move to Dual Registration (Subsidiary) at a Mainstream School from Single Registration roll of another mainstream school if thresholds have been met and the meeting **and parent/carer** support this arrangement.

Moves to Danesgate Single Roll or Dual Registration will be required if Danesgate has taken ownership of any elements of the

education program including Kestrel or RESPEX, Long Stay PRU delivery and any personalised delivery on or off Danesgate site.

When a mainstream school holds the child as Main or Subsidiary with Danesgate, the expectation will be that the mainstream school still drives and holds the review process (MSP or equivalent) and any EHCP process, including EP assessments, unless a change to this is agreed between the school and Danesgate.

Year 6 & 11 agreed protocols regarding roll change

There is CYC wide agreement that by the time a child has reached Year 6 or 11 that a school significantly owns their educational achievement and outcomes and is best placed to support the child's journey to secondary school or Post 16, even if the child is not regularly attending their institution. To fairly reflect these ownerships and responsibilities, the following arrangements are agreed for Year 6 & Year 11 children regarding roll changes:

- Children moved to another mainstream school through Fair Access after the start of Y6 or Y11 will remain on Dual Roll (Main) with their original school, and they will therefore hold

their results and maintain other statutory and legal responsibilities.

- Children moved to Danesgate through Fair Access after the start of Year 6 or Year 11 will also remain on Dual Roll (Main) with their original school and they will therefore hold their results and maintain other statutory and legal responsibilities. The only exception to this will be if the child has had a previous managed move (full or trial) and in these cases a transfer to either Danesgate (Main) or Single registration at Danesgate may be permitted.
- Children may also be permitted to move to either Danesgate (Main) or Single registration at Danesgate after the January census if this best reflects the ownership of the child's education and safeguarding responsibilities for the remainder of the school year.

Permanent Exclusions

Children who have been permanently excluded remain on the roll of their school until the full legal process upholds the exclusion. This is either through:

- A Governors Hearing supporting the decision and the 15-day deadline for a request for an appeal hearing passing, or a parent/carer indicating in writing to the school and Local Authority that they are not appealing the decision.

- An independent appeal hearing supporting the decision.
- An independent appeal hearing not supporting the decision and the school coming to the necessary arrangements to still end the children placement despite this.

Danesgate provide post 6-day provision after a permanent exclusion and children should be put on Danesgate roll as 'Guest Status' whilst the processes above are being worked through to conclusion.

Once the child has been formally removed from the school roll, they are to be placed on Danesgate roll as Single Registration until the next Fair Access (FAM) meeting where the appropriate provision will be sought and roll arrangements for this determined. A decision about the child's ability to return to another mainstream setting will be offered to the meeting by the Headteacher of Danesgate and the Inclusion Advisor. Danesgate and/or the Inclusion Advisor will gain parent/carer choices from the parent/carer for the FAM meeting and the excluding school will provide paperwork as usual for a child in the FAM process.

Roll Status for Alternative Provision Options paid for by schools.

- AP setting will record the child as guest so that all relevant information can be shared easily through ctf.
- Mainstream school should keep child as Single registration.
- Both providers should establish robust arrangements with

each other to promote the effective and timely sharing of individual pupil attendance and progress information, to ensure they fulfil their legal and safeguarding responsibilities and to apply the correct registration codes consistently in both settings.

- There should be regular reviews of the programme that is in place on at least a half termly basis where the appropriateness of, and if necessary, changes to, the programme are agreed.

New admissions to CYC

- There will be occasions where a complex new admission requires a dual registration from the start of their education in York.
- Such cases will normally have gone through Fair Access routines due to their identification on application or be brought to the next FAM if agreed with the School Inclusion Advisor.

Children and Young People with an EHCP should not go through a roll change without this following the EHCP routines in the Code of Practice and with the involvement and approval of CYC SEN services.

Children and Young People who are in care should not go through any roll change without the approval and direct involvement of the Virtual School Head.

Any queries or concerns should be communicated to the School Inclusion Advisor dan.bodey@york.gov.uk

Reduced Timetables

Best Practice Guidance

Overview

City of York Council (CYC) are re-issuing this local guidance on the use of reduced timetable following providing it for the first time in January 2020. The guidance has been created to ensure that it reflects the current statutory framework so that all York schools follow the best practice and meet both legal and safeguarding requirements.

This revised guidance is intended to support all schools, including Academy and Independent Schools, Special Schools, Student Referral Units, and alternative provision settings, hereafter referred to as schools. Reduced timetables are sometimes referred to as “part-time timetables” or “reduced educational provision”. The term reduced timetable (RTT) is used in this guidance.

For children with Special Educational Needs, the national and local SEN legislations, regulation, and guidance should also be followed. This guidance should be followed in conjunction with advice from

SEN services and/or the Specialist Teaching Team should it be that the RTT arrangement is being made for those deemed not fit to attend school due to a medical reason due to physical or mental health needs.

While working to achieve continuous improvement in educational outcomes, schools should also take account of and act upon the DfE school safeguarding guidance - [Keeping children safe in education 2023 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk) in order to safeguard the well-being of all children and young people and to ensure students do not become 'missing whilst in education'.

For the purposes of this guidance, a reduced timetable means an agreement made with the student, parent or carer, and in some circumstances the Local Authority that the number of hours spent in education is reduced from twenty-five hours for a time-limited period of generally no more than four to six weeks.

This guidance is not intended to be applied to those students where a flexible learning program has been put in place through flexi schooling (partial EHE). Such arrangements are considered in the Local Authority policy on Elective Home Education.

Legal Position

All schools have a statutory duty to provide full time (twenty-five

hours) education for all students according to their age, aptitude and ability, taking into account any special educational needs. DfE guidance states that in very exceptional circumstances there may be a need for a temporary reduction in educational provision to meet a student’s individual need. It is illegal for schools to discriminate against children on the basis of their SEN and/or disability, including those with social, emotional and mental health needs. A reduced educational provision must not be treated as a long-term solution.

Safeguarding

Keeping Children Safe in Education (DfE, 2023) identifies schools as part of the wider safeguarding system for children and recognises that all school staff are in a position to identify concerns early, to provide help for children and to prevent concerns from escalating.

[Keeping children safe in education 2023 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/111111/keeping-children-safe-in-education-2023.pdf)

Clearly, in relation to safeguarding, where a child is not in school, their vulnerability is increased. When deciding whether a reduced educational provision is appropriate, consideration must always be given to the welfare and safety of the child/young person. This must be part of the risk assessment process.

Particular consideration should be given to the increased risk to the student to ‘child sexual exploitation’ (CSE), ‘child criminal

exploitation' (CCE), substance misuse, self-harming, radicalisation and other potential abuse or criminal activity.

When might a reduced educational provision be considered?

A reduced timetable should only occur in exceptional circumstances, where every other avenue to ensure a student receives their full-time education has been exhausted. The exceptional circumstances are likely to be:

1. As part of a planned re-integration into school following an extended period out of school due to exclusion, non-attendance, school refusal or to facilitate a managed transfer between schools.
2. As a temporary fixed-term, closely monitored intervention to address and manage the impact additional Special Educational needs where the demands of full-time schooling are a factor in increasing the risk of emotional regulation or anxiety issues presenting. This may well take place whilst alternative arrangements are being made to meet the individual needs or to coordinate with therapeutic intervention or other services.
3. Children with an EHCP should not be placed on a reduced timetable unless such an arrangement is shared with CYC's SEN Service through the case worker.
4. Without an agreement from the Virtual School, children

who are in care should not be placed on a reduced timetable.

5. The agreement has a time limit by which point the student is expected to attend full-time, to build further attendance towards full time or be provided with alternative provision at another mainstream school, an AP provider or PRU setting. A reduced timetable must not be treated as a long-term solution to a problem.

Recommended good practice.

Schools wishing to establish a reduced timetable need to consider their position within the context of the legal requirements and the considerations outlined above. The LA expectation will be that all occurrences of reduced educational provisions are signed off by the school's Head Teacher having completed the Local Authority check list - see Appendix 1.

For students supported with an Education Health Care Plan (EHCP), a reduced timetable arrangement must also be shared with the Local Authority through the SEN case worker.

The Head Teacher will ensure that the decision is taken as part of a planned strategy which is legally compliant:

- It is taken in the best interests of the child and attracts the understanding, approval, and written agreement of

- parents/carers or in the case of a Child in Care, York Virtual School, or the allocated Social Worker;
- It has the principal purpose of the successful reinstatement of the student's full-time school attendance, re-integration and inclusion;
 - It is undertaken within the context of person-centred planning. Plans should include liaison with the child and take into account the facilities to support the re-integration process, and further support beyond the school as appropriate.
 - It complies with the health and safety needs of the student, i.e., the school is satisfied that suitable arrangements are in place to meet the student's care needs when not at school.
 - It complies with the statutory responsibility for safeguarding and promoting the welfare of students.
 - The school provides appropriate work for the student where appropriate for when they are not in school which is then marked, and relevant feedback provided.
 - It is time limited, with a clear target of resuming full-time attendance within a period no longer than four to six weeks, preferably over a period in which the time in school increases steadily and incrementally in order to successfully reintegrate the student.

- The school ensures reviews are held at the appropriate time for all students with a EHCP, MSP, CPP, CIN or FEHA and that details of the RTT are included within these planning tools.
- For Children in Care, a reduced timetable should be discussed and agreed through a Personal Education Plan meeting. This should involve the school's Designated Teacher for Looked After Children, a representative of the Virtual School and the allocated Social Worker;
- All efforts should be made to ensure children receive full-time education as their entitlement.

Local Authority monitoring and action.

Best practice is for Local Authorities to maintain a central record of all students not accessing a full-time education. Schools are asked to record and submit this information via the Inclusion Advisor, Dan Bodey, so that this can be monitored and known centrally, and schools supported in this process, and patterns of need responded to across the city. Details of current RTT are requested at each Fair Access meeting to facilitate this and should be logged with the Local Authority by the school. It is recommended that any new reduced timetable is communicated to the Local Authority through email to dan.bodey@york.gov.uk.

Register Coding

If in the circumstances the last resort means that there is an agreement with the parent for a reduced timetable, then the school has agreed to a student being absent from school for part of the week or day and therefore must record it as an authorised absence. For further information on coding a student absence see Appendix 2.

Assessing the Risk

Completing a risk assessment which addresses any actual or potential safeguarding, welfare, offending or harmful behaviour concerns that may result from a change in the pattern of school attendance is essential. An exemplar risk assessment is included as Appendix 3. This is not prescriptive, and schools may want to develop their own risk assessment to meet the needs and risk of their school community.

The risk assessment should focus on the safety and wellbeing of the student when not in school, considering risks to the parent or child in or out of the home from each other or others/the home environment, the risk of the student engaging in risk taking behaviour in the community such as criminal activity, missing episodes or substance misuse, or any other factor of heightened risk whilst the student is not in the receipt of education during the school day.

The following factors must be taken into account when undertaking a risk assessment:

- The child is in the care of the local authority (The Virtual School and Social Care must be consulted)
- The child is subject to a Child in Need or Child Protection Plan (Social Care must be consulted)
- The risk of the child / young person to CSE/CCE as this will increase their vulnerability.
- The risk of the student engaging in criminal activity (Youth Justice Service should be consulted in the case of known offenders/those at risk of offending open to YJS)
- The risk of substance misuse (while not in receipt of education during the school day)
- The risk of radicalisation is something schools should always consider – vulnerability to this is increased as the child / young person may become more accessible, but also isolated and disengaged and therefore susceptible to being groomed.

The school also needs to

- Ensure that where students have an EHCP, the Local Authority SEN case worker is involved to ensure that the RTT arrangement is in line with the EHCP requirements or that they are reviewed and amended where appropriate.

- Take action to ensure that the impact of a reduced educational provision on travel and transport arrangements does not discriminate against the student or impede their access to education.
- Ensure that arrangements for a reduced timetable do not discriminate against a student's access to free school meals.

The school must be totally satisfied that suitable arrangements are in place to ensure the safeguarding and care of the student during the period when they would otherwise have been expected to be in school and secure a written agreement from the parents or carers about who is responsible for the welfare of the student for the sessions in question.

Monitoring and reviewing a reduced educational provision

The school is required to:

- Report all RTTs in place at each Fair Access meeting cycle.
- Carefully consider the strong recommendation to notify the LA via the Inclusion Advisor of a reduced educational provision immediately. A completed and signed off checklist (Appendix 1). should be attached to the notification.
- Record the student's attendance using the appropriate registration code in order that both the school and CYC can monitor when the student began and ended their reduced

educational provision (see Appendix 2).

- Establish robust arrangements for monitoring and regular review of the plan by a named member of staff.
- Ensure effective communication with parents or carers and key professionals with regard to progress towards the student's full re-integration to school.

Summary

- Schools have a statutory duty to provide full time education for all students.
- However, in very exceptional circumstances there may be a need for a temporary reduced timetable to meet a student's individual needs.
- A reduced timetable means by agreement with the student, parent/carer and school, the number of hours spent in education are reduced for a time limited period generally of no more than four to six weeks.
- The head teacher must agree a reduced timetable.
- The child's parents/carers must agree to any reduced timetable.
- The LA SEN case worker must be informed of a reduced timetable for children with an EHCP.
- The Virtual School must agree a reduced timetable for children in care.

- The arrangement for students with medical needs must include liaison with the Specialist Teaching Team through the Learning Support Hub.
- A risk assessment should be completed for any child on a RTT.
- A clear action plan for improving education engagement over time must be in place.
- It is strongly requested that CYC LA should be notified via the Inclusion Advisor of any student on a reduced educational provision.

Elective Home Education Policy

1. Introduction

1.1 Elective Home Education (EHE) is the term used by the Department for Education (DfE) to describe the education provided by parents at home, rather than providing education for their children by sending them to school. This is different to home tuition provided by a Local Authority (LA).

1.2 This document outlines the policy and procedures to enable City of York Council (CYC) to comply with its duties towards children and young people living in City of York whose parents have elected to educate them otherwise than at school. It is published for parents, schools and other agencies with an interest in EHE.

2. Policy Statement

2.1 The DfE “Elective Home Education Guidelines for Local Authorities”, published in April 2019, emphasises the importance of Local Authorities building effective relationships with home educators that function to safeguard the educational interests of

children and young people: relationships that are rooted in genuine mutual understanding, trust and respect.

2.2 This policy seeks to build relationships with home educators and provide a means to effectively protect the educational and safeguarding interests of children being electively home educated where vulnerabilities are identified.

3. The Law relating to Elective Home Education

3.1 Parents have a right to educate their children at home, section 7 of the Education Act 1996 provides that:

” The parent of every child of compulsory school age shall cause him to receive efficient full-time education suitable-

(a) to his age, ability, and aptitude, and (b) to any special educational needs he may have, either by regular attendance at school or otherwise.”

3.2 There is no legal definition of what constitutes a “full-time” education. Measurement of “contact time” in this way is not relevant in the context of elective home education, where the child often has continuous one to one contact with the educator and the types of educational activity which the child follows may be varied and flexible. Local Authorities should however be enabled by

parents to assess the overall time devoted to home education of a child so that this can be set alongside the suitability of the education.

3.3 There is no definition of a suitable education in English law. The term suitable should be seen in the following light:

- It should enable a child to participate fully in life in the UK by including sufficient secular education.
- Following a broad and balanced curriculum, the national curriculum or the standards for independent schools set by the Secretary of State will be seen as strong evidence of a suitable education.
- If home education provided by a family taught children values or behaviour which was in conflict with fundamental British values as defined in government guidance this would not be in accordance with a suitable education.
- The home education may be legitimately cater specifically for particular aptitudes which a child has, even if that means reducing other content.
- Suitable education is not simply a matter of academic learning but should also involve socialisation.
- Any assessment of suitability should take into account the environment in which home education is being provided.
- Local authorities should not set rigid criteria for suitability.

3.4 Compulsory school age begins on the next prescribed day following a child’s fifth birthday (or on their fifth birthday if it falls on a prescribed day). The prescribed days are 31 December, 31 March and 31 August each year. A child continues to be of compulsory school age until the last Friday of June in the school year that they reach the age of sixteen.

4. Parental Rights, Responsibilities and Considerations

4.1 Parents have a legal right to educate their child at home and are not required to have any qualifications or training to provide their children with a suitable education. The 1996 Education Act makes clear that it is a parent’s duty to ensure his/her child receives suitable education in accordance with section 7. In addition, the Act provides that, generally, children are to be educated in accordance with the wishes of their parents.

4.2 Parents are not required to inform the Local Authority that they intend to elect or have elected to home-educate. They are not required to seek approval from the LA, unless the child has an Education, Health & Care Plan and the LA has arranged educational provision at a school specified by the plan. If the child is subject to a School Attendance Order (SAO), the SAO should be revoked before EHE begins.

4.3 Parents whose child is enrolled at a school should write to the Head teacher to inform them that they elect to home educate, unless the school is named on the child's Education, Health & Care Plan, in which case parents are required to seek approval from the Local Authority first. Parents whose child is not enrolled at a school have no obligation to inform the Local Authority that they are home educating their child, however the Local Authority encourages contact with all home educating families and may make enquiries with the parents.

4.4 Although parents must provide education in accordance with section 7, (see paragraph 3.1 above), the type of educational activity can be varied and flexible. For example, parents may choose but are not required to:

- teach the National Curriculum
- have a timetable
- have premises equipped to any particular standard
- set hours during which education will take place
- have any specific qualifications
- make detailed plans in advance
- observe school hours, days, or terms
- give formal lessons
- mark work completed by their child
- formally assess progress or set development objectives

- reproduce school type peer group socialisation
- match school-based, age-specific standards

4.5 Parents may arrange for other people to tutor their child, though parents themselves continue to be responsible for the education provided. It is recommended that parents ensure that such people are qualified and suitable, including Disclosure and Barring Service (DBS) checks.

4.6 Parents who elect to home-educate assume full financial responsibility for their child's education, including the costs of private tuition, courses and public examinations. However, colleges can claim the cost of course fees directly from the Education Skills Funding Agency on an individual basis for home educated young people under 16 when parents and colleges are able to reach suitable individual arrangements. These individual arrangements are not brokered through the Local Authority but directly between parents and colleges.

5. The Local Authority's Responsibilities

5.1 Under section 436A of the Education Act 1996 Local authorities must make arrangements to find out so far as possible whether home educated children are receiving suitable full-time education.

5.2 If it appears to the LA that a child of compulsory school age is not receiving suitable education it has a duty to serve a formal

notice under section 437 of the Education Act 1996. The formal notice requires the parent to satisfy the Local Authority that the child is in fact receiving suitable education. If the Local Authority is not satisfied that the child is receiving a suitable education, the local authority may commence the statutory process for the issue of a School Attendance Order (SAO) requiring the parent to register the child at a named school. In these cases, through the Fair Access Meeting will be consulted on which school will be named in a school attendance order.

5.3 The Local Authority has no legal power or duty to monitor home education on a routine basis although it will make enquiries if it is not clear that a child is receiving suitable education. Parents are under no duty to respond to such enquiries, but if a parent does not respond, or responds without providing any information about the child's education, then it will normally be justifiable for the LA to conclude that the child does not appear to be receiving suitable education. The LA will take in such instances the necessary steps to secure the child's education. The LA sees its role in relation to home education as part of its wider responsibilities, including safeguarding, to all the children in its area.

6. Responsibilities of Schools in City of York

6.1 There is no legal requirement for parents to discuss home education with the school but if a parent does approach the school to discuss the possibility of home educating, the Local Authority

expects the school to respond positively and constructively. If parents are considering home education because of a dispute with the school, the Local Authority expects the school to take all necessary steps to resolve the issue. This is likely to be scrutinised by the Local Authority. The school should signpost the parent to the Council’s Inclusion Services Team for further advice and guidance to enable them to make an informed choice.

6.2 The DfE guidelines make it explicit that: *“Schools should not seek to persuade parents to educate their children at home as a way of avoiding an exclusion or because the child has a poor attendance record. In the case of exclusion, they must follow the relevant legislation and have regard to the statutory guidance. If the pupil has a poor attendance record, the school and, if appropriate, local authority should seek to address the issues behind the absenteeism and use the other remedies available to them.”*

6.3 The Local Authority will contact electively home-educating parents who remove their child from a school roll. If it is found that a parent has been encouraged by school to remove their child from roll for the purposes of elective home education, this will be challenged, and the child reinstated on roll when appropriate with parental consent, whether the vacant place has been filled or not. When a parent reports that they have been encouraged to remove their child from roll for the purposes of elective home education and then finds that they are unable to cope with the commitment, the

expectation is that Fair Access meeting will select the previous school for placement in the majority of cases.

6.4 When a school receives formal, written notice from a parent, that a child is being withdrawn from school in order to be home-educated and the child has ceased to attend the school, the Head teacher should ensure that the pupil's name is removed promptly from the admissions register in accordance with Section 8(1) (d) of the Education (Pupil Registration) (England) Regulations 2006.

6.5 Regulation 12 (3) of the Education (Pupil Registration)(England) Regulations 2006 states *that “the “proprietor” (Head teacher) of the school must, make a return to the Local Authority for every such pupil giving the full name of the pupil, the address of any parent with whom the pupil normally resides and the ground upon which their name is to be deleted from the admission register as soon as the ground for deletion is met in relation to that pupil, and in any event no later than deleting the pupil's name from the register”.*

6.6 In practice the school must inform the Local Authority immediately when a child is removed from the school roll and send in a copy of any relevant letter written by parent(s). The school must also provide information requested by the Inclusion Services Team.

6.7 The school is responsible for raising any safeguarding concerns relating to a child with the Multi-Agency Safeguarding Hub (MASH).

6.8 The school must retain the child's school file. Parents can request a copy of this file from the school to assist them in planning their child's education. Schools may want to write to the parent confirming the child is now off the school roll, that parents are home educating and are assuming full responsibility for their child's education.

7. Elective Home Education and Safeguarding

7.1 The general duties of LA's in relation to safeguarding are the same for all children however they are educated. Sections 10 and 11 of the children act 2004 give LA's general duties for promoting the welfare of children in their areas. Section 175 of the Education Act 2002 imposes a duty on the Local Authority to make arrangements for ensuring that the functions conferred on them are exercised with a view to safeguarding and promoting the welfare of all children resident in City of York. The City of York Council will approach all cases where the suitability of home education is in doubt using powers in the Education Act 1996, but will also be ready, if a lack of suitable education appears likely to impair a child's development, to fully exercise our safeguarding powers and duties to protect the child's well-being, which includes their suitable education.

7.2 The Inclusion Services team will follow City of York Safeguarding Children Partnership procedures at all times and work with relevant agencies and individuals to proactively safeguard and promote the welfare of children and, in the event of any concerns about the

welfare of a home educated child, initiate and follow established procedures.

7.3 CYC Officers will contact the Multi-Agency Safeguarding Hub when there is uncertainty about the welfare of the child. CYC Officers will explain the reasons for any welfare concerns to the parents in accordance with procedure.

7.4 Where a child is already open to CSC, the inclusion services team will be included in all meetings pertaining to plans for the child. CSC will ensure that all plans include information and identify any support needs for the child in relation to education.

8. Support, guidance and resources provided by the Local Authority

8.1 Inclusion Services provides support in the form of:

- Signposting parents to resources and services
- Publishing written information about EHE that is clear, accurate and sets out the legal position, roles and responsibilities of both the Local Authority and parents;
- Discussing the implications of EHE with parents before they make the decision to leave or enter the school system;
- Producing and distributing accurate written records of meetings with home educating parents and children;

- Promoting positive relationships with elective home education families based on mutual understanding, respect and trust in order to safeguard the educational interest of children.
- Seeks to mediate between schools and potential EHE families when the relationship has broken down and parents feel obliged to withdraw their child.

8.2 City of York Council embraces diversity and respects individual choice. We recognise that parents of all educational, social, racial, religious, and ethnic backgrounds successfully educate children outside the school setting.

9. City of York Council's EHE Procedures

9.1 When the Inclusion Services Team receive formal confirmation from a school or directly from a parent that a child is being home educated, a check will be made on the Synergy Education Database to ensure that de-registration is correctly recorded. The pupil record will note the child as EHE which will enable the LA to record involvement with the family.

9.2 The Inclusion Services Team will:

- Check Single View (the electronic recording system that allows access to basic information (such as any named

worker in children's social care or Local Area Team) and contact any named worker.

- Request information from school, including completion of the "CYC EHE form".
- Check if there are siblings.
- Ordinarily the Council will write to parents/carers promptly upon receipt of a notification, requesting from parents some indication as to the education they are proposing to do with the child, what program of work is intended and what resources are planned to be used. A proforma is shared with parents to use if they say choose.
- Direct contact will be made by the Inclusion Team to the family to offer advice and support, and to signpost them to the CYC Parent Leaflet for families Home Education in particular signposting to the National Oak Academy as a resource.
- All initial parent plans and subsequent annual reviews are quality assured by both the School Inclusion Advisor and an independent consultant who is an ex- deputy Headteacher of a secondary school.
- The independent consultant will also make contact with a targeted number of families identified in this QA process to offer further support and guidance, particularly when recommendations regarding a return to mainstream school are possible.

It is desirable to allow sufficient time for parents to set in motion arrangements for home education. This was established by the Courts in 1985 when it was argued that when children are withdrawn from school it is sometimes necessary to allow a fallow period for children's confidence in themselves and in their education to return. Many parents, none of whom need permission to educate their own children at home, may well find it unacceptable during a settling in period to be unduly pressurised into providing significant amounts of information. Families however should be aiming to offer satisfactory home education from the outset and to have made preparations with that aim in view, as time lost in educating a child is difficult to recover. In such cases the LA will arrange a reasonable timescale for the parents to develop their provision.

9.3 Parents may exercise their right not to allow the Local Authority access to the home, the child or the child's work. The duty on Local Authorities to intervene under section 437(1) of the Education Act 1996 applies if it appears that parents are not providing a suitable education. If parents do not provide any evidence in written form or by verbal feedback, this is sufficient for the Council to decide that the child is not being effectively educated. One step the Council can take is to get the child into a school to ensure that education will take place. In most instances it is appropriate, if parents show an intention to improve, to give some time for this to happen, and then

make a further request for information. If the provision does not improve the case is referred to the Council's Schools Inclusion Adviser.

9.4 If it appears to The Inclusion Services Team that a suitable education is not taking place then the School Attendance Adviser will consider commencing the statutory process for issuing a School Attendance Order ('SAO').

9.5 The School Attendance Adviser will write to parents requiring them to satisfy the Local Authority within 15 days (plus two days for service by first class post) that the child is receiving efficient full-time education suitable to the child's age, ability and aptitude and to any special educational needs he/she may have.

9.6 If the Local Authority continues to be dissatisfied with the education being provided, a statutory "Notice of Intention to Serve a School Attendance Order will be served on the parent. This notice indicates the LA's intention to formally order the parent to register the child at a school. It will identify school(s) the LA deems suitable and allow the parent 15 days to propose alternatives. Generally, the LA will name the school the child most recently attended if within CYC.

9.7 If the parent does not respond, or does not make satisfactory arrangements elsewhere, the Local Authority may issue an SAO in accordance with its stated intention. Failure to comply with an SAO

is a criminal offence for which the parent(s) can be issued with a penalty notice or prosecuted in the Magistrates' Court.

9.8 Reasonable steps to resolve the situation will be taken by the LA before the SAO statutory process is commenced. At any stage following the issue of an SAO, parents may present evidence to the Local Authority that they are now providing suitable education and apply to have the Order revoked. If this is refused, parents can choose to refer the matter to the Secretary of State for Education. If the Local Authority prosecutes parents for failure to comply with a SAO, the parents may be acquitted if they can prove that the child was receiving a suitable education otherwise than at school at the time of the offence. If the parents are acquitted, the court may direct that the SAO shall cease to be in force.

9.9 In cases where the Inclusion Services Team has been unable to contact a family, the School Attendance Adviser will be informed, and the child will be recorded as a child missing education (CME) and the CME procedures will be followed.

10. Elective Home Education and Special Needs in City of York

10.1 Parents' right to educate their child at home applies equally where a child has an Education, Health and Care plan (EHCP). The Local Authority has a duty to review Education, Health and Care plans annually, following procedures set out in the "SEND code of

practice: 0 to 25 years”. Annual Review meetings will be convened and chaired by the SEN Casework Officer for electively home educated children. The Local Authority will make it clear to parents that they are welcome to attend but are not obliged to do so.

10.2 If the child is on the roll of a special school or mainstream school specified by the child’s Education, Health & Care Plan, the child’s name may not be removed from the school register without the Local Authority’s consent, or if the Local Authority refuses to give its consent, at the Secretary of State’s direction [Regulation 8(2) Education (Pupil Registration) (England) Regulations 2006].

Schools/academies should call an early review as soon as they are aware of an intention to home educate.

10.3 In order to assess whether home provision is suitable for the special education needs of the child, parents will be asked to provide information regarding the home education provision. The Local Authority will only be relieved of its duty to arrange the provision specified in the child’s EHCP plan if it is satisfied that the parents’ arrangements are suitable.

10.4 If the Local Authority is satisfied with the parents’ arrangements it will continue to have a duty to maintain and review the EHCP plan annually until: it decides to cease the EHCP plan; or the EHCP plan automatically lapses; or the EHCP plan is transferred to another Local Authority. The Local Authority does not have to

name a school/setting in part 4 of the child's EHCP plan, though it may state the type of school it considers appropriate. In cases where local authorities and parents agree that home education is the right provision for a child or young person with an EHCP plan, the plan should make clear that the child or young person will be educated at home. If it does then the local authority, under Section 42(2) of the Children and Families Act 2014, must arrange the special educational provision set out in the plan, working with the parents. Under Section 19 of the Act, a local authority must have regard to the views, wishes and feelings of the child and his or her parents, or the young person.

10.5 Where it appears to the Local Authority that a child is not receiving education suitable to age, ability and aptitude and SEN, the procedures set out in 9.6 will be followed. If the EHCP plan remains in place, it will be maintained and reviewed annually and amended where necessary. The annual review will be arranged by the SEN Casework Officer.

10.6 Therapy provision, if stipulated in the EHCP plan, should be accessed through the GP or at the electively home educating parents' expense and professionals invited to contribute to the annual review.

10.7 A parent who is educating their child at home may ask the Local Authority to carry out a statutory assessment of their child's special

educational needs and the Local Authority will consider the request within the same statutory timescales and in the same way as for all other requests.

11. E safety

11.1 Many parents and carers may only have a limited understanding of e-safety risks and issues, yet they play an essential role in the education of their children and in the monitoring and regulation of the children's on-line experiences. Parents often either under-estimate or do not realise how often children and young people come across potentially harmful and inappropriate material on the internet and are unsure how to react to it.

11.2 Any parents with concerns about any aspect of safeguarding are encouraged to make contact with the MASH so that the appropriate expert officer can be contacted.

12. Flexi Schooling

12.1 Parents who educate their child at home can request flexi schooling which is an arrangement between the parent and the school where the child is registered at the school and attends the school only part time. This can be a long-term arrangement or a short term measure for a particular reason. It is important to note that flexi schooling can only take place with the agreement of the school who must have an approved policy. The Council has no

authority to instruct any school to participate in flexi schooling. If a parent is interested in flexi schooling, they should discuss it with the head teacher of the school concerned. If they do, then time spent by the child being educated at home should be authorised as absence in the usual way and marked in attendance registers accordingly. It is not appropriate to mark this time as approved off-site activity as the school has no supervisory role in the child's education at such times and also has no responsibility for the welfare of the child while he or she is at home.

13. Review and Evaluation

13.1 This policy and procedure will be reviewed annually by the School Inclusion Advisor

13.2 Consultation with home educators will take place where there are significant changes to policy or procedure. The voice of parents and children/young people also informs developments. City of York Council is committed to securing an effective partnership with home educators based on respect, consent (within the parameters of safeguarding legislation) and with the best interest and rights of the child at the center.

EHE Parent/Carer Leaflet

Please find below our leaflet for parents/carers considering EHE. This should be given to any parent/carers that are considering withdrawing from school to EHE. The leaflet covers key responsibilities and explains the key points to consider first. It also answers generic questions parent/carers may want to ask before making their decisions. It also includes a list of useful contacts, including various learning resources.



Leaflet for Parents
Sep23.doc

Supporting Asylum Seeker and Refugee Placements

All accompanied Asylum Seeker CYP who arrive in the York area are placed by the Fair Access process through our dispersal model, ensuring that these students are placed fairly across the city wherever possible.

Students with refugee status, including those on resettlement programmes and HFU scheme, will be placed by normal admissions unless they are unplaced through this in which case we will refer to Fair Access protocols.

Schools took EAL and Traveller/Ethnic Minority funding from the LA some time ago but as a response to the increased need for awareness of best practice in this area, the resources below have been shared with settings.

Please see below for a selection of useful documents on supporting Asylum Seeker and Refugee placements.



**EAL Strategies -
Asylum Seekers Train**



EAL support.docx



Refugee booklet
for schools.docx



Working with
Interpreters.pptx



York Training.
October 2022.pptx



Supporting
Refugee Children in



Links Document for **filter questions**
EAL Support and **Preal-send pathway ei**



Attendance Flow Charts

Please find below the attendance flow charts that can be distributed to parents when there are arising attendance concerns. These cover the fast track process, leave of absence requests and a list of helpful contacts.



Flow charts for
parents.docx

Graduated Attendance Responses

Please see below for the graduated response for persistent absence in CYC schools. In this document, you can also find a checklist for schools to use before considering a Fixed Penalty Notice or legal prosecution by the local authority for term time holiday absence.



Graduated
Attendance respons

The below document details the graduated pathway to support attendance. This sits alongside the CYC Ordinarily Available Provision. This details each step and is broken down by Schools/Academy Trust partnerships, Local Authority and Other agencies/Alternative Provision/Voluntary Sector.



Graduated pathway
to support attendar

Attendance Leaflet for Parents

The below leaflet should be distributed to parents/carers regarding attendance.



School Attendance
A5 Leaflet 2022 for PF

Attendance Schools

Please see below a link to a pdf of government guidance



Summary table of
responsibilities for scl

The document below is a template for you to use when recording school attendance. This includes a table for recording any interventions that school have put in place regarding attendance.



School on a page
blank.docx

Attendance SEF

LA attendance self-assessment:

This self-assessment has been put together to facilitate the assessment of attendance practice in a local authority against the expectations in the department's new attendance guidance: working together to improve school attendance.

In order to get the most accurate picture from the self-assessment, you should consult with key stakeholders and engage in audit activity which may include:

- Discussion with LA Leadership Team.
- Discussion with the LA staff leading on attendance.
- Scrutiny of most recent set of Ofsted reports, LA, MAT and school performance data, LA strategic plan, LA self-evaluation and reports to Council Leaders.
- Discussion with local Headteachers and schools.

You should complete the evidence section of this self-assessment. You should identify where the evidence was found and add relevant notes regarding best practice, gaps, issues with particular groups, or details which need further investigation.

Rating and identifying the current position.

Your allocated attendance adviser will work with you during the deep dive visit to agree a rating for each expectation. You may wish to think about the appropriate rating ahead of the visit. The continuum below provides a structure to identify the current position in relation policy and practice in each area.

- 1) Identifying:** Leaders are in the process identifying the work needed to meet this expectation.
- 2) Developing:** Leaders have identified areas which are working well and those which need further development. They have developed plans for how they will meet this expectation.
- 3) Implementing:** Leaders have begun to implement new systems and practices for staff and stakeholders to meet the new expectations.
- 4) Sustaining:** Expectations are being successfully delivered. Policies and practices are embedded. There is consistent practice across the LA.

Please see the document below for an example of the completed



Attendance
SEF.docx

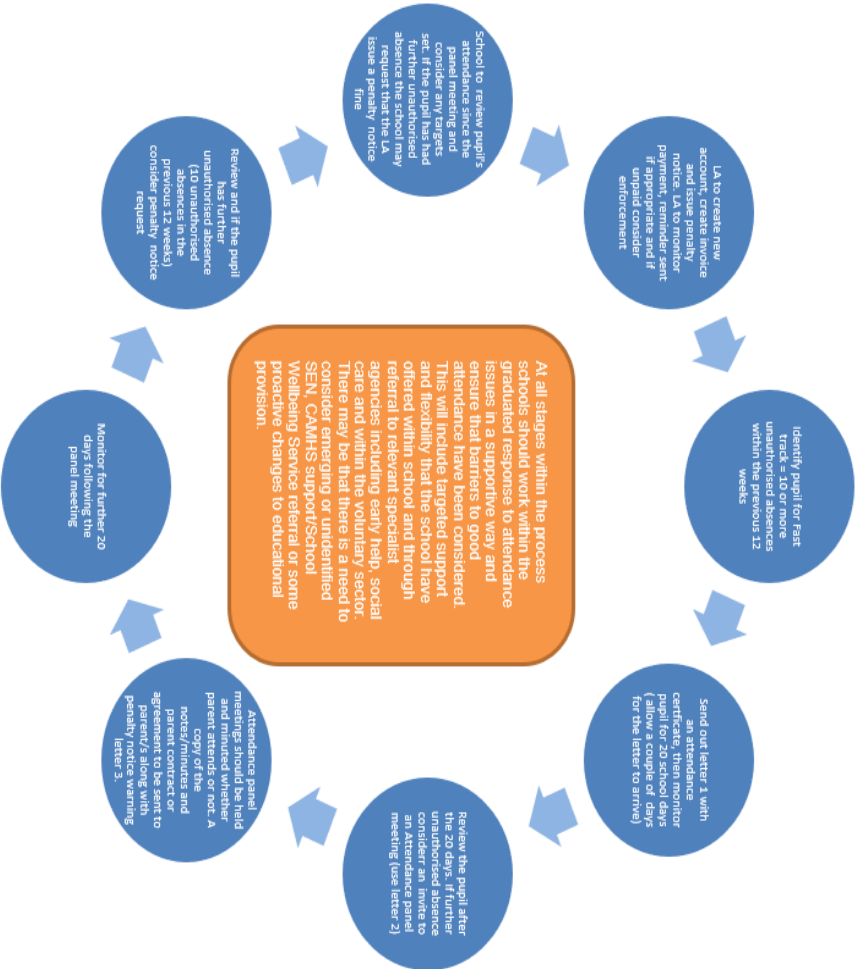
Self Assessment.

Attendance Fast Track

Please see below for the attendance fast track flow chart. This flow chart should be followed throughout the fast track process.

At all stages within the process schools should work within the graduated response to attendance issues in a supportive way and ensure that barriers to good attendance have been considered. This will include targeted support and flexibility that the school have offered within school and through referral to relevant specialist agencies including early help, social care and within the voluntary sector. There may be that there is a need to consider emerging or unidentified SEN, CAMHS support/School Wellbeing Service referral or some proactive changes to educational provision.

The Fast Track Process





The below document contains a clear version of the Fast Track flow chart. You can also find template fast track letters for the parents that you are welcome to us. We have also provided a template for recording your meetings with parents around school attendance. There is also a template and an example for termly fast track recording as well as a template for fixed penalty notice applications.



June 2022 FAST
TRACK Schools Flow

AP Directory

Please see below for the current complete AP Directory.



York Alternative
Provision Directory_Af

AP Commissioning

Before commissioning AP for a student, it may be helpful to record your response to the following questions. The below document contains questions that are intended to help shape your thinking and to ensure that any AP commissioned is focused on securing quantifiable improvements for the young person.



CYC

Pre-commissioning pr



AP Placement Visit Form

Please find below a template AP Placement Visit Form for your use.



CYC AP Placement
Visit Form.docx

QA

Quality assurance procedures for Alternative Education Providers

Introduction

Local authorities (LAs) are responsible for arranging suitable education for permanently excluded children and for other children who – because of illness or other reasons – would not receive suitable education, without such arrangements being made. Where a child has been subject to a fixed-period exclusion of more than five provider days, providers must arrange suitable provision.

Beyond these statutory arrangements, schools within York are provided with a directory of suitable local Alternative Provision providers that can be used within the graduated response to enhance the educational offer to students who may need additional support with behaviour, attendance or engagement issues. The City of York will provide quality assurance for each provider within the directory, but schools should check that they are content with the detail of this process and supplement it as they see fit. The use of AP within a school should be subject to regular review by the senior leadership and Governors with clear rationale offered to why it is being used and regular reviews of its impact.

AP is provided through full or part-time, and short or longer-term placements. Placements can be delivered by AP academies, AP free providers and pupil referral units (PRUs). Other settings also provide AP, including independent providers, further education colleges, and other providers from the private and voluntary sectors.

Policy expectations

The LA expects a provider to have a number of up-to-date policies in place and these will include:

- Adult Safeguarding Policy & Checklists
- Behaviour & Discipline Policy
- Child Protection Policy
- Complaints Procedure
- Covid-19 Policy
- Educational Visits
- Exclusions Policy
- Fire Policy (Inc. Risk Assessment)
- Health and Safety
- Medication Policy
- Physical Restraint Policy

An LA officer will either request these from the provider itself or download them from the provider's website. These are then circulated to the appropriate LA officer to be checked and signed off in accordance with expected City of York Council (CYC) standards.

Current placements

It is also important that the LA is reassured that existing placements at providers, continue to be of high quality and continue to meet the needs of the learners. Therefore, the expectation is that an annual quality assurance visit will be undertaken by an LA officer. Again, a checklist will be completed which comprises a number of the criteria included within the 'initial visit' checks but will also include some additional areas. In addition to the 'Yes/No' approach, any outcomes, actions or issues will be noted and followed up accordingly.

The safeguarding of learners is of paramount importance and therefore the commissioning school must be notified of any Safeguarding alerts. The contract used by the LA for its 'high needs' learners includes a number of clauses re: safeguarding and welfare. In particular, depending on the circumstances, the provider is required to notify the commissioning school 'Without delay' or 'Within 48 hours'.

CYC will not use any unregistered providers for full time placements pre-16, and the AP provider should never form the majority of the offer for a student on single registration with a mainstream provider.

Please see below for a template for Quality Assurance Audit paperwork.



Quality Assurance
Audit.docx



810E0A2C.zip

Reference List

References

- Education Act 1996
www.legislation.gov.uk/ukpga/1996/56/contents
- Education Act 2002
www.legislation.gov.uk/ukpga/2002/32/contents
- Special Educational Needs Code of Practice 2014
- <https://www.gov.uk/government/publications/send-code-of-practice-0-to-25>
- <https://www.gov.uk/government/publications/elective-home-education-2019>
- [School attendance guidance May 2022
\(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/604242/school-attendance-guidance-may-2022.pdf)

DfE/Ofsted Statutory and Non-statutory Guidance

- *Students Missing out on Education - issues and guidance on the use of reduced timetables within schools.* (Ofsted, 2013)
<http://dera.ioe.ac.uk/18825/1/Students%20missing%20Out%20on%20education.pdf>
- *SEN Code of Practice (DfE, 2015)*
<https://www.gov.uk/government/publications/send-code-of-practice-0-to-25>

- *Keeping Children Safe in Education (DfE, 2023)* [Keeping children safe in education 2022 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/101321/Keeping-Children-Safe-in-Education-2022.pdf)
- *DFE guidance on Behaviour in Schools* [Behaviour in Schools - Advice for headteachers and school staff \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/101321/Behaviour-in-Schools-Advice-for-headteachers-and-school-staff.pdf)
- *Suspension and Permanent Exclusion Guidance for schools* [Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/101321/Suspension-and-Permanent-Exclusion-Guidance-for-schools-academies-and-pupil-referral-units-in-England-including-pupil-movement.pdf)

Appendix

Appendix 1

Checklist for reducing educational provision.



A1 Checklist for
Reducing Educational

Appendix 2

Recording attendance and registration codes.



A2 Recording
attendance.docx

Appendix 3

Example risk assessment to be adapted as appropriate.



A3 Exemplar Risk
Assessment.docx

Appendix 4

School Information Request form for EHE



A4 School
Information Request F

Appendix 5

Planned Education form for EHE



A5 Planned Education
Form.docx

Appendix 6

Parent/Carer report form for EHE



A6 Parent.Carer
Report Form.docx

