

Notice of Meeting

Cabinet Member for Schools and Learning Decisions

**Date & time**

Thursday, 17 July
2014 at 11.30 am

Place

Room 109, County
Hall

Contact

Anne Gowing
Room 122, County Hall
Tel 020 8541 9938

Chief Executive

David McNulty

anne.gowing@surreycc.gov.uk

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This meeting will be held in public. If you would like to attend and you have any special requirements, please contact Anne Gowing on 020 8541 9938.

Cabinet Member for Schools and Learning
Mrs Linda Kemeny

AGENDA

1 DECLARATIONS OF INTEREST

To receive any declarations of disclosable pecuniary interests from Members in respect of any item to be considered at the meeting.

2 PROCEDURAL MATTERS

2a Members' Questions

The deadline for Member's questions is 12pm four working days before the meeting (11 July 2014).

2b Public Questions

The deadline for public questions is seven days before the meeting (10 July 2014).

2c Petitions

Notice of a petition, "Not approve the proposed expansion of The Greville Primary School", containing 111 signatures has been received from Ms Claire Pealling. A response will be presented at the meeting.

Notice of a petition, "Help Save Dovers Green Playgroup", containing 199 signatures has been received from Ms Louise Gannon. A response will be presented at the meeting.

3 GREVILLE PRIMARY SCHOOL, ASHTEAD

(Pages 1
- 10)

Surrey County Council has consulted on a proposal to expand The Greville Primary School by one form entry from September 2015.

The education consultation was conducted between 7 March 2014 and 22 April 2014.

The Cabinet Member is asked to review the comments received during the consultation period and on that basis determine whether to publish Statutory Notices stating the Council's intent to pursue the proposal.

4 INVESTMENT IN ST PAUL'S COFE SCHOOL AND SURE START CHILDREN'S CENTRE

(Pages
11 - 16)

This paper is to seek approval from the Cabinet Member for Schools and Learning for the plans for capital investment in a building attached to the St Paul's Church of England Infant School and Sure Start Children's Centre so that two year old children can access their free early education entitlement.

5 INVESTMENT IN THE SPINNEY CHILDREN'S CENTRE, GUILDFORD

(Pages
17 - 22)

This paper is to seek approval from the Cabinet Member for Schools and Learning to move forward with the plans for capital investment in a building attached to the Spinney Children's Centre so that two year old children can access the free early education entitlement.

6 CRANMERE PRIMARY SCHOOL, ESHER

(Pages
23 - 26)

School rolls have been rising steadily across Elmbridge since 2006. To ensure sufficient provision of primary school places in the Dittons and Weston Green Planning area Surrey County Council is proposing the expansion and rebuild of Cranmere Primary School with effect from 1 September 2016.

7 APPROVAL OF SCHOOLS' DEFICITS 2014/15

(Pages
27 - 32)

This report provides summary details of total schools' balances and seeks Cabinet Member approval for licensed deficits where schools are projecting deficits in excess of 5% of their budget share. One school is seeking this approval in 2014/15.

8 IN YEAR FAIR ACCESS PROTOCOL

(Pages
33 - 72)

Each local authority must have a Fair Access Protocol in place and all schools in a local authority area must participate in it. A Fair Access Protocol ensures that unplaced children, especially the most vulnerable, are offered a place at a suitable school in the home local authority as quickly as possible. This includes admitting children above the published admission number to schools that are already full.

The proposed Protocols set out the criteria that the local authority will use to determine which children will be placed under Surrey's Fair Access Protocol in 2014/15 and how cases will be considered. The changes proposed to the Protocols for 2014/15 take into account comments received from schools and Surrey County Council officers.

David McNulty
Chief Executive

Published: Wednesday 9 July 2014

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SURREY COUNTY COUNCIL

CABINET MEMBER FOR SCHOOLS AND LEARNING

DATE: 17 JULY 2014

LEAD OFFICER: NICK WILSON, STRATEGIC DIRECTOR FOR CHILDREN, SCHOOLS AND FAMILIES

SUBJECT: THE PROPOSED EXPANSION OF THE GREVILLE PRIMARY SCHOOL ASHTEAD



SUMMARY OF ISSUE:

Surrey County Council has consulted on a proposal to expand The Greville Primary School by one form entry from September 2015.

The education consultation was conducted between 7 March 2014 and 22 April 2014.

The Cabinet Member is asked to review the comments received during the consultation period and on that basis determine whether to publish Statutory Notices stating the Council's intent to pursue the proposal.

RECOMMENDATIONS:

It is recommended that the Cabinet Member approves the publication of Statutory Notices stating the Council's intent to expand the Greville Primary School subject to satisfactory consideration and, where appropriate, mitigation of the concerns raised in the consultation.

REASON FOR RECOMMENDATIONS:

This action is reflective of an increasing demand for school places in the Ashtead area, resulting from both an increase in birth rate and new house building.

The provision of places both meets the increased demographic pressures in the area and will allow the Council to admit those people who name the school as their preferred option, meeting the wider statutory duty to offer all applicants a school place.

A programme of building works will provide a modern teaching environment.

DETAILS:

The Current Position

1. The Greville Primary School has permanent accommodation for 450 pupils. The school has generally admitted 30 pupils each year into the Reception and a further 60 pupils into year 3. In September 2012, 2013 and September 2014 the school will have admitted 60 pupils into the Reception. This has been achieved through remodelling existing accommodation and providing a mobile classroom on the school site.

The Proposal

2. Surrey County Council is proposing to:
 - Enlarge the premises of The Greville Primary School to allow for a roll of 660, comprising of 180 Key Stage 1 pupils (6 class of 30 pupils, 2 in each year group) and 480 Key Stage 2 pupils (16 classes of 30 pupils, 4 in each year group), by the school admitting up to 60 Reception pupils per year and a further 60 pupils at year 3.
 - Build additional permanent classrooms and ancillary space to facilitate this.
 - The enlargement would be effective from 1 September 2015.
3. Growth at the school will take place over four years. The school's current potential number on roll is 510, which is reflective of the school admitting two temporary classes in 2012 and 2013. By 2018 the school would reach its proposed capacity of 660, which is an increase of 29% on current numbers.

Year	Reception	Y1	Y2	Y3	Y4	Y5	Y6	Total
2011	30	30	30	90	90	90	90	450
2012	60	30	30	90	90	90	90	480
2013	60	60	30	90	90	90	90	510
2014	60	60	60	90	90	90	90	540
2015	60	60	60	120	90	90	90	570
2016	60	60	60	120	120	90	90	600
2017	60	60	60	120	120	120	90	630
2018	60	60	60	120	120	120	120	660

Reasons for the proposal

4. Demand for primary school places has been rising in Ashtead. Much of the increase is as a result of the rise in the birth rate locally, some is due to housing development and a significant amount is a result of inward migration of families moving to existing housing in the area.
5. Births have increased across Mole Valley in excess of 11% since a low point in 2002. In order to provide for all children the Council has provided additional temporary provision at a number of schools. There is a clear requirement to now provide permanent provision in this area.
6. The Ashtead Planning area includes the following Schools: St Peter's Catholic Primary School currently providing 30 reception places per year and subject to a separate expansion proposal; West Ashtead Primary School providing 30 reception places per year and an additional 30 junior places per year; St Giles CE Infant School providing 40 reception places per year, and Barnett Wood

Infant School providing 52 reception places per year. Combined these schools currently provide places for 182 pupils. It is currently forecast that The Greville Primary School and all other Ashtead schools will be full.

- The school is on an attractive site close to pupil demand. The school has a strong reputation – it is currently rated as Ofsted Good, and is oversubscribed for entry places. For September 2012 the school received 36 1st, 70 2nd and 51 3rd preference applications for 30 planned places. For entry in 2013 these figures were 35, 63 and 53, and for 2014 were 48, 65 and 43. Applications have increased both for The Greville School and in the wider planning area as a whole.

Year	Ashtead	The Greville
2010	182	25
2011	200	38
2012	239	36
2013	210	35
2014	224	48

- As detailed above, there is a demand for additional school places in the local area. This proposal, by providing 210 additional primary places within Ashtead, will enable the authority to meet the rising demand as part of school reorganisation changes in the area. This also includes supporting the expansion of St Peter’s Catholic Primary School to cater for an increase in demand of Catholic faith based places in the wider area.
- The school is a vital part of the Council’s education offer in the local area. Increasing the number of school spaces within Ashtead is essential in ensuring that the County Council performs its statutory duty of educating all resident pupils who request a school place.

Planning and capital considerations

- A two-phase building programme is required to provide accommodation for the expanded school. Appropriate capital has been approved to achieve this through the School’s Basic Need capital programme. Detailed work has been undertaken with Surrey County Council Property Services and consultants to develop a scheme of works to provide the expansion in an appropriate manner, and a separate planning application is being submitted pursuant to this.
- Phase-one of the building programme is required to account for the existing pupils on roll at the school and those being admitted in September 2014, and to mitigate against current deficiencies in accommodation. Phase one of the building works will therefore be pursued irrespective of the outcome of this consultation.
- The larger phase-two element of the programme, to provide the accommodation relevant to the future increase in pupil numbers, is dependent on the outcome of this consultation. The proposal and programme is currently being developed and

further public consultation is scheduled as part of the pre-planning application process.

13. As part of the planning process a traffic assessment has been undertaken and has identified a number of mitigations required outside of the school site to enable the expansion. These have been included within the programme and would need to be pursued during any construction phase.

CONSULTATION:

14. A consultation was undertaken by Surrey County Council with relevant stakeholders including the issuing of consultation documentation and the holding of a public meeting, which was well attended.
15. School Governors and the local members have been regularly consulted, both during the consultation process and throughout the development of proposals.

Comments Received during consultation

16. A total of 19 formal written responses were received during the consultation, and in addition a petition against the expansion has been received containing 111 signatories. The public meeting was attended by in excess of 85 parents and other interested parties.
17. Whilst there is a general consensus that additional school places are required within Ashted, significant concern has been raised at both the public meeting and in the written responses to the proposed expansion at the Greville Primary School.
18. Of the 19 written responses, 15 disagreed with the proposal to expand the school, two agreed with the proposal to expand the school, and two did not know or offer a position.
19. Concern about the proposal can be themed in four areas, these will be summarised and responded to in the following sections.

Facilities

20. Concern was raised that there would be inadequate dining facilities within the school. Currently the school has insufficient internal hall space to allow for all pupils to eat meals inside. Pupils have space provided to eat meals in external covered areas.
 - As part of the building proposals it is anticipated that the existing main hall will be extended and the secondary hall, currently subdivided into a classroom and small hall space, will be reverted back to a single hall space. This measure would significantly increase the school's hall area and therefore, available space for dining. The total available hall space would be above Department of Education's building bulletin guidance.
21. Concern has been raised by a respondent, the school leadership team and the Governing Body relating to the level of resource space within the proposed building plan. This includes the number of group and intervention spaces, the total amount of administration space and the level of storage space within the

school. This is in the context of the proposal to expand the school to 660 pupils, making it one of the largest primary schools within Surrey.

- There is a need to appropriately assess the amount of ancillary space, including group space, administration space and storage space, within the proposal, both in relation to the schools requirements and the appropriate guidance on school building standards. The school is working with the Surrey County Council property team with specific reference to the phase-two elements of the building proposal to ensure that these elements are considered within the development of the programme. Both phases of development will be subject to the planning process and there will be the opportunity for interested parties to interrogate the proposed plans.
22. Many respondents highlighted that the proposed building would both increase pressure on the existing hard play space and reduce the soft play areas, as the bulk of phase-two would need to be built on non-marked playing field.
- An increase in the number of pupils at the school will increase the need for accessible hard play. The proposed scheme is providing additional hard play areas and the school has clear arrangements in place to ensure that their future use is managed effectively and safely. The significant building elements of phase-two are proposed to be provided on the non-marked play field. The school will retain a field that is in line with requirements and provides enough space for marked pitches and running track. The existing soft play elements will be re-sited to the rear of the proposed block and there will not be a loss of that facility. It is however accepted that whilst retaining sufficient space, the increase in playing field area is not being increased as part of the proposal.

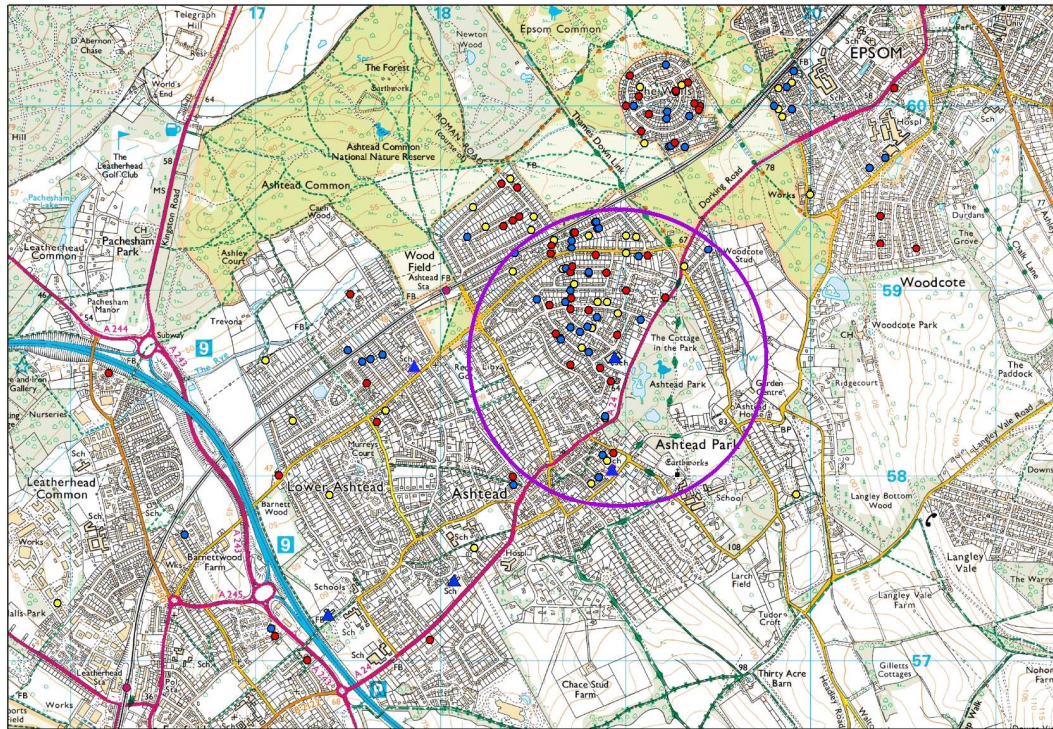
Size

23. Respondents raised a concern that an increase in the number of pupils would damage the ethos of The Greville School as a small village primary school, which is the reason for parents listing the school as a preference. Concern was further expressed that the school would not be able to offer the level of additional activities that are currently provided, and that appropriate funding support would not be given to the growing school.
- The Greville School has managed a number of expansion programmes over the past 10 years. Significant effort has been made by the school's leadership and Governing Body to ensure that the ethos of school is maintained and enhanced throughout. This has been achieved through careful management of year groups to enable smaller groupings throughout the school. The proposed works enable this approach to continue through the siting of year groups in specific areas throughout the school. Whilst the delivery of education at the school is the responsibility of the school's leadership and Governing Body, the school's new budget will provide the additional funding to ensure that there is no reduction in pupil to teacher ratio at the expanded school. The school will manage additional activities at the school and is not anticipating a reduction in the availability of these for additional pupils.
24. Concern was expressed by a number of respondents that the school would not have the leadership support or capacity to manage the school expansion.

- No concern has been expressed about the capacity of the school at a leadership or governance level to manage the proposed expansion by professional advisors. Current indicators of school performance data indicate that the school is performing well, and Council officers have a high degree of confidence that the expansion can be managed without detriment to existing standards. In addition, the School Governors and Head Teacher have been making use of professional advice to develop appropriate curriculum models relevant to the expanded school. Furthermore, the school has also been consulting with outstanding schools of a similar size to ensure that an effective curriculum, leadership and governance structure is in place to enable the expansion to take place effectively. The school will also use the expertise within the local school partnership to ensure that plans are tested and refined.

Strategy of local provision

25. Concern was expressed that the expansion of places would provide places for non local residents.
- The school has accepted two additional Reception age classes in 2012 and 2013. There has not been a significant change in the distance to which the school recruits in each of these years. The locus of population from which school draws is local to the Ashtead area and there is not a significant intake from the Leatherhead area. The map below indicates the last 3 years' Reception intake at the school - the purple circle is 0.5 miles from the school.
 - The school does recruit, and has traditionally recruited, from the Wells area of Epsom. The Greville Primary School is the closest non-faith school to this area and it is not anticipated that the pattern of admission will alter in this area.
 - Demand for school places has risen specifically in the Ashtead area and the proposal is to provide places to meet that demand.



26. Concern was expressed about the future organisation of the school that would have significantly more junior spaces than primary spaces.
- The split in admissions arrangements is required to meet the demands of the existing pattern of provision that includes local infant schools whose pupils require Junior education. However should the proposal be pursued, the school would have 180 infant age pupils and 480 junior age pupils. Whilst proportionately this is less significant than the current difference at the school, this structure does place emphasis on the school to arrange and manage resources appropriately in order to deliver the curriculum in an effective manner. The school's leadership has taken the opportunity to visit schools with the same structure to ensure that best practise can be implemented across the school.
27. Questions were raised by respondents as to why The Greville Primary School was being expanded and other schools within the area were not being impacted.
- The proposal to expand The Greville Primary School has been considered as part of a programme of expansion to meet the increase in demand in the area. All schools within the planning area were considered as part of the process, including discussions with the Planning and Highways Authority. One other school in the area, St Peter's Catholic Primary School, is also being expanded.
 - It is anticipated that growth will increase in the area to reflect increases in demographics in the area. In addition it is expected that future housing in the Ashted area will significantly add to demand patterns. If these current trends continue, and with a view to further potential housing across the District, it is anticipated that demand for school places will continue to grow and that further school places will be required beyond 2015.

- The Council has taken steps to proactively look at potential property assets that offer opportunities to meet demand in a sustainable manner. Firstly through the provision of further additional junior places, and secondly with a view to look at the pattern of provision more widely to include the admission numbers at the existing schools, with a focus on junior provision.
- As a result of this the Council has purchased a site next door to Barnett Wood Infant School with the view that this could possibly provide school places needed in the future. It would mean that Barnett Wood would have the potential to provide additional junior places should the demand for places continue in the area.

Parking and access

28. Significant concern has been raised about the parking and access at the school. Particular concern is the lack of space to allow parents and pupils to access the site safely in relation to the number of cars on site and the potential impact on local residents.
- The development of the programme of building works has been undertaken in consultation with the Planning Authority and Highways Department. The planning application will draw out specific responses to the access issues and proposed enhancements. A detailed travel survey has been undertaken and has included mitigation measures to be included as part of the planning application. In addition further measures may be required by the Highways Department as a condition on approval of the planning application.
 - It is clear that access to the site is a genuine and widely held concern and will need to be addressed throughout the planning application process.

RISK MANAGEMENT AND IMPLICATIONS:

29. A project to deliver the new school buildings for September 2015 is required and as such there are risks associated with this proposal. There is a risk that the project will not be completed within the timescales outlined above and there may be site abnormalities not identified as part of the initial feasibility exercise. A risk register is being maintained and updated on a regular basis by the school's consultants. There is the further risk that the scheme will not achieve planning permission. The consultation received a significant response citing planning concerns and these will need to be addressed throughout the planning application.
30. Should the approval of additional school places not be granted there is the risk that Surrey would fail to meet its statutory duty in providing sufficient school places, without mitigation at another site.

Financial and Value for Money Implications

31. The building project resultant from this proposal is included in the County Council's school basic need capital programme as part of the 2014/2019 Medium Term Financial Plan (MTFP). A scheme of works is being developed by Property Services.

Section 151 Officer Commentary

32. The Section 151 Officer confirms that this scheme is listed in the approved 2014/19 MTFP capital programme.

Legal Implications – Monitoring Officer

33. Section 13 of the Education Act 1996 places a general duty on Local Education Authorities to ensure that efficient primary education is available to meet the needs of the population of their area. Section 14 of the Education Act 1996 places a duty on Local Education Authorities to ensure that sufficient schools for providing primary education are available in their area. Section 5 of the School Standards and Framework Act 1998 places a duty to promote high standards. There is a duty to provide efficient education and sufficient schools to do so.
34. The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 and (Establishment and Discontinuance of Schools) Regulations 2013 that came into force on 28 January 2014 provide statutory and non statutory guidance on the process for making prescribed alterations to schools, including the establishment of new provision.

Equalities and Diversity

35. This action will enhance educational provision and be open to all children in the community served by the school. No group with any protected characteristics under Equalities legislation will be affected by this proposal as increased provision for all children will be made. As a result, no EIA has been produced. However, with the increase in provision being open to all applicants, with the highest priority given to Looked After Children and pupils on the SEN register and/or who would benefit from a statement of special educational need, this proposal will support our most vulnerable children.

Corporate Parenting/Looked After Children implications

36. This action is key in ensuring that the appropriate numbers of school places are provided to meet the demand of our residents. All places provided have the highest priority given to children in the care of the local authority.

Safeguarding responsibilities for vulnerable children and adults implications

37. The Council has a duty to promote and improve educational outcomes for all children, particularly for vulnerable and disadvantaged children. The provision of school places is essential in meeting this duty.

Climate change/carbon emissions implications

38. The County Council attaches great importance to being environmentally aware and wishes to show leadership in cutting carbon emissions and tackling climate change. The provision of additional school places local to demand, required by parents and children who would otherwise need to travel to a different sites for their education will reduce overall journeys within the county.

WHAT HAPPENS NEXT:

39. The next steps are:

- Subject to Cabinet Member approval Statutory Notices outlining the change will be published and displayed publically for a period of four weeks.
- Any responses to the Statutory Notices will be collated and reported to the Cabinet Member.
- A further report will be submitted to the Cabinet Member so that the Statutory Notices can be determined.
- Should the Cabinet Member determine the Statutory Notices positively the proposal will be confirmed and The Greville School would be permanently expanded from September 2015.
- A planning application for both phases of the expansion is being pursued and will be determined in accordance with relevant planning legislation.

Contact Officer:

Nicholas Smith, School Commissioning Officer 020 8541 8902

Consulted:

Nick Wilson, Strategic Director for Children Schools and Families
Chris Townsend, Council Member
Public and Parents

Sources/background papers:

- The Greville School Consultation Document
 - All responses to the consultation
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SURREY COUNTY COUNCIL

CABINET MEMBER FOR SCHOOLS AND LEARNING

DATE: 17 JULY 2014

LEAD OFFICER: NICK WILSON, STRATEGIC DIRECTOR FOR CHILDREN, SCHOOLS AND FAMILIES

SUBJECT: INVESTMENT IN ST PAUL'S CHURCH OF ENGLAND INFANT SCHOOL AND SURE START CHILDREN'S CENTRE SO THAT TWO YEAR OLD CHILDREN CAN ACCESS THE FREE EARLY EDUCATION ENTITLEMENT



4

SUMMARY OF ISSUE:

This paper is to seek approval from the Cabinet Member for Schools and Learning for the plans for capital investment in a building attached to the St Paul's Church of England Infant School and Sure Start Children's Centre so that two year old children can access their free early education entitlement.

RECOMMENDATIONS:

It is recommended that, subject to Investment Panel approval of the business case, the Cabinet Member approves a grant to Nurturing Childcare Limited of £140,000 to facilitate capital investment on the site of St Paul's Church of England Infant School and Sure Start Children's Centre so that two year old children can access the free early education entitlement.

REASON FOR RECOMMENDATIONS:

The Department of Education requires all local authorities in England to secure free early education places for two year old children who meet the eligibility criteria based on household income. This report will ensure that plans are in place to make provision for such places in the Tongham area of Surrey where there is a current shortfall in provision.

DETAILS:

Business Case

1. The Department of Education (DfE) has set out a policy that requires local authorities to ensure that there are sufficient early education places for two year old children to access 15 hours of free early education a week for 38 weeks. The policy has been put in place as a result of research that demonstrates that children from families with low incomes have lower educational attainment and are less ready for starting school than children from families with higher incomes. The aim of the policy is to offer free early education for two year olds from families with low household incomes so that the children will benefit from access to high quality early education for a year before such eligibility is available, for all children, following the term they turn three.

2. The first phase of the policy is well underway and there are currently around 1,300 two year olds accessing a place in an early years setting in Surrey. The second phase was put in place during the summer term 2014 and is targeted at families where the household income is below £16,190. For Surrey County Council this will lead to 2,800 children being eligible for a place from September 2014. Surrey County Council's Early Years and Childcare Service has undertaken an analysis of the need for places based on information on potential families provided by the DfE, population data held by the County Council and on data on available places in early education and childcare settings across the county. One of the areas in Surrey where there is a shortfall in places for two year olds is in the Ash Wharf and Ash Vale wards in the Borough of Guildford.
3. Most parents are offered a place, for their eligible child in existing provision, in Surrey but there are areas across the county where access to places is limited and providers have been encouraged to extend the number of children that they can take, or open additional sessions in the afternoon. However, in those areas where there is not the capacity to extend places in this way, there is a need for capital investment to provide access to the early education provision.
4. Tongham Daycare is run by Nurturing Childcare Limited and operates on the site of St Paul's Church of England Infant School. The setting provides early education and childcare for children aged two to five for 48 weeks of the year. This setting also offers breakfast and afterschool childcare for school aged children for 48 weeks of the year. Nurturing Childcare Ltd rents a purpose built set of rooms and outside space on the school site. Nurturing Childcare Ltd works very closely with St Paul's Infant School and Children's Centre and aims to offer high quality education and care for all children aged two to five and offers places to children from vulnerable backgrounds. The setting already offers free early education for two year olds (FEET) and has a number of children on a waiting list for which there is no space currently available. There are three other settings in the vicinity of the Ash Vale and Ash Wharf wards but all their places are fully booked for September and there is not an option to extend their provision. Ash Vale and Ash Wharf wards are adjacent and to the north of the children's centre reach area and within easy reach of the school and Tongham Daycare. St Paul's Infant School and Children's Centre has available space on which to extend the existing buildings leased by Tongham Daycare. The school and children's centre is, therefore, a prime location for extending the provision of FEET places. Parents and children, particularly from the most disadvantaged parts of the centres reach area, which includes families from Ash Wharf and Ash Vale, access the centre readily and feel supported and comfortable in this environment. Outreach workers provide additional support for many local families and regularly refer children for FEET funding.
5. Enabling two year old children to have access to highly qualified practitioners will impact positively on their readiness for school and provide them with a wealth of experiences that they will not necessarily receive at home. The centre provision can be extended in order to accommodate additional places for 16 children in the morning and 16 children in the afternoon.
6. St Paul's Church of England Infant School's registered charity, Tongham Early Years Partnership and Nurturing Childcare Ltd, will contribute £30k to the cost of the building which will be owned by the school and rented out to

Nurturing Childcare Ltd. Consequently there is a need for a capital investment of £140k to meet the balance of the cost of £170k for the construction of the building. The grant will fund the construction of an additional room of 60 square metres and the extension of an existing sheltered courtyard and outdoor play area. The children will be able to move freely between the indoor and outdoor areas in line with good quality guidelines for the Early Years Foundation Stage. The extension will create a dedicated area for the two year olds and will improve the facilities for the existing places as well as the newly created ones. The school is managing this project and has obtained three quotes with the selected company providing the lowest quote, thus assuring value for money. The selected company is one that has undertaken previous projects within the school very successfully.

CONSULTATION:

7. There is no requirement for any formal consultation on this decision.

RISK MANAGEMENT AND IMPLICATIONS:

8. Nurturing Childcare Ltd is working closely with St Paul's Church of England Infant School and Sure Start Children's Centre to provide early education and childcare places for children aged two to five. The Children's Centre is also offering a range of family support services to families living in the local area. The extension of the offer of FEET places will enable more two year old children to have access to a high quality early education place, to move into a free early education place when they are three and will enable many to be eligible to apply for an Infant School place in the year in which they are five. The Children's Centre will be able to support the children's parents in their understanding of how they can assist their child's development and education. The combination of all this integrated working will make a significant impact on how well the children are prepared for their education. Consequently, there is a risk that if places are not made available, within the Nurturing Childcare Ltd setting, this integrated approach will not have the impact on eligible children from the local area. A funding agreement will be signed by the school which will ensure that the grant will only be used for the creation of places for two year olds.
9. There is a requirement on Surrey County Council to ensure that two year old places are made available to eligible children and there is a risk to the County Council's reputation if it is not able to fulfil this requirement.

Financial and Value for Money Implications

10. A grant of £140,000 is proposed to create 32 places for two year olds that will help to meet the need for FEET places in the Ash and Tongham area. The overall cost of the scheme is £170,000 with the balance of £30,000 being met by contributions from third parties.
11. As part of financial governance the business for all capital schemes is reviewed by the Council's Investment Panel in order to provide assurance that proposals are robust. This scheme is due to be considered by the panel on 15 July 2014. The views of the panel will be reported at the Cabinet Member meeting on 17 July 2014 and approval is sought subject to Investment Panel approval of the business case.

Section 151 Officer Commentary

12. Within the Medium Term Financial Plan (MTFP) a capital budget of £3.5m has been approved to support the development of early education and childcare places in the areas of greatest need where a private provider will not create such provision or is unable to secure the full investment themselves. This capital budget is in part funded by £2.2m of capital grant made available by the Department for Education.
13. Of the £3.5m capital budget £815k has already been allocated to schemes leaving £2,685k available for further schemes.

Legal Implications – Monitoring Officer

14. The only legal implication within this report is the duty on Surrey County Council to ensure that there are sufficient early education places for eligible two year olds and the Cabinet Member approval will support the programme of work to respond to this duty in the wards, identified in this report, in the Borough of Guildford.

Equalities and Diversity

15. A full equalities impact assessment has not been undertaken on this proposal as it is unlikely that the proposal would have a negative impact on any groups with protected characteristics. The proposals within this report are targeted at sections of the community that are already at risk of not accessing services.

Corporate Parenting/Looked After Children implications

16. The DfE has stipulated that Looked after Children are eligible for a FEET place. The Children's Service has been informed of this and places have been taken up by Looked After Children.

Safeguarding responsibilities for vulnerable children and adults implications

17. There are no significant implications arising from this report. However, access to a FEET place is part of the county council's early intervention programme and with the support offered through the children's centre, any concerns will be addressed earlier.

Public Health implications

18. There are no significant implications arising from this report.

Climate change/carbon emissions implications

19. The County Council attaches great importance to being environmentally aware and wishes to show leadership in cutting carbon emissions and tackling climate change. The new buildings will comply with, or exceed, Building Regulations. The contractor will be required to provide a Site Waste Management Plan.

WHAT HAPPENS NEXT:

20. The next steps that will follow any decisions taken by the Cabinet Member will be:

- For St Paul's Church of England Infant School and Nurturing Childcare Ltd to move forward with the construction of the proposed building together with any planning requirements that will need to be followed.
- Representatives of the Schools and Learning Service will inform the school and Nurturing Childcare Ltd of the decision taken by the Cabinet Member.

Contact Officer:

Phil Osborne, Head of Early Years and Childcare Service, tel: 01372 833861

Consulted:

Finance service within Surrey County Council
Peter-John Wilkinson, Assistant Director, Schools and Learning

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SURREY COUNTY COUNCIL

CABINET MEMBER FOR SCHOOLS AND LEARNING

DATE: 17 JULY 2014

LEAD OFFICER: NICK WILSON, STRATEGIC DIRECTOR FOR CHILDREN, SCHOOLS AND FAMILIES

SUBJECT: INVESTMENT IN THE SPINNEY CHILDREN'S CENTRE TO ENABLE TWO YEAR OLD CHILDREN TO ACCESS THE FREE EARLY EDUCATION ENTITLEMENT



5

SUMMARY OF ISSUE:

This paper is to seek approval from the Cabinet Member for Schools and Learning to move forward with the plans for capital investment in a building attached to the Spinney Children's Centre so that two year old children can access the free early education entitlement.

RECOMMENDATIONS:

It is recommended that, subject to Investment Panel approval of the business case, the Cabinet Member approves the action to move forward with the plans for capital investment in the Spinney Children's Centre so that two year old children can access the free early education entitlement.

REASON FOR RECOMMENDATIONS:

The Department of Education requires all local authorities in England to secure free early education places for two year old children who meet the eligibility criteria based on household income. This report will ensure that plans are in place to make provision for such places in the Westborough area of Guildford in Surrey where there is a current shortfall in provision.

DETAILS:

Business Case

1. The Department of Education (DfE) has set out a policy that requires local authorities to ensure that there are sufficient early education places for two year old children to access 15 hours of free early education a week for 38 weeks. The policy has been put in place as a result of research that demonstrates that children from families with low incomes have lower educational attainment, and are less ready for starting school, than children from families with higher incomes. The aim of the policy is to offer free early education for two year olds from families with low household incomes so that the children will benefit from access to high quality early education for a year before such eligibility is available for all children following the term they turn three.
2. The first phase of the policy is well underway and there are currently around 1,300 two year olds accessing a place in an early years setting, in Surrey.

The second phase was put in place during the summer term 2014 and is targeted at families where the household income is below £16,190. For Surrey County Council this will lead to 2,800 children being eligible for a place from September 2014. Surrey County Council's Early Years and Childcare Service has undertaken an analysis of the need for places based on information on potential families provided by the DfE, population data held by the County Council and on data on available places in early education and childcare settings across the county. One of the areas in Surrey where there is a shortfall in places for two year olds is in the Westborough area of Guildford.

3. Most parents are offered a place for their eligible child in existing provision in Surrey, but there are areas across the county where access to places is limited and providers have been encouraged to extend the number of children that they can take or open additional sessions in the afternoon. However, in those areas where there is not the capacity to extend places in this way, there is a need for capital investment to provide access to the early education provision. In reaching a decision on which provider is chosen to meet the need a number of criteria are taken into account: settings with a proven track record of delivering high quality places for two, three and four year olds; places that are part of the offer of a children's centre within or close to the area where places are needed; where the grant will extend existing provision or improve the sustainability of existing provision; and finally where there are strategic links with a maintained school that is providing additional support to families and the extension of places for two year olds will enhance the impact on improving the outcomes for the most vulnerable children in the areas of greatest disadvantage. Value for money is a consideration in all potential projects but the criteria listed earlier may override a more straightforward financial case due to these strategic aspects.

4. The Spinney Children's Centre currently has a nursery for 3 – 5 year olds on site which is fully integrated with the Foundation Stage of Guildford Grove Primary School. The maximum capacity is 24 children. The room is used for a very successful After School provision at the end of the school day catering for 3 – 11 year olds. Within the reach area of the children's centre: 20% of 0 – 4 year olds are living in poverty, with 30% in the Westborough ward. Surrey Early Years have identified that, in September 2014, there will be 53 children in the Westborough ward entitled to free early education for two year olds (FEET). The children's centre is a prime location for the provision of a FEET setting. Parents and children, particularly from the most disadvantaged parts of the centre's reach area, access the centre readily and feel supported and comfortable in this environment. Outreach workers provide additional support for many local families and regularly refer children for FEET funding. Currently there is only one other preschool within the area and one childminder that offer FEET places and there is a need to create additional places through capital investment. Plans are in place to create another preschool in Westborough to offer FEET places primarily from the neighbouring Stoughton ward where there is also a shortfall. This will not be sufficient to meet the need for FEET places in Westborough and additional provision at the Spinney is needed. In considering the criteria used in selecting a particular setting as set out in the previous paragraph, whilst this is not a low cost option, the other criteria would be met by the investment in the Spinney Children's Centre.

5. The centre receives a number of enquiries from parents who would like their children to access some provision before their free early education (FEE) for three and four year olds entitlement starts. As a setting with two nurseries, there is a great deal of expertise on the needs of younger children. The current nursery provision is viewed as an exemplar, with practitioners from many other settings coming to see best practice. Enabling two year old children to have access to highly qualified practitioners and teachers will impact positively on their readiness for school and provide them with a wealth of experiences that they will not necessarily receive at home. The centre provision can be extended in order to accommodate a 2 year old setting for 12 children in the morning and 12 children in the afternoon. This setting can also include some free flow with the children's centre nursery, providing additional socialising and peer interaction opportunities.
6. The Spinney Children's Centre covers one of the most disadvantaged areas in the county and it is essential, for its ongoing sustainability, that the centre is able to support families including accessing early education places. Consequently the Spinney Children's Centre is ideally placed to offer places for two year olds. However, there is not sufficient space to provide these places within the existing building without using the rooms in the Children's Centre that are currently being used for family and community services. These existing rooms are adjacent to the current provision of three and four year old places which will enable the schools and children's centre to deliver an integrated early education offer for all the children. The family and community services still need to be made available so the capital investment would be used to replace the family and community rooms in another part of the school site, adjacent to the Children's Centre.
7. The Guildford Grove Primary School and Spinney Children's Centre have commissioned an architect to design the building containing the family and community rooms before going out to tender for the construction. At this stage, the estimated overall cost of the build will be £350k, though the precise cost will be determined by the design of the building. This paper is therefore seeking the approval of the Cabinet Member for Schools and Learning to proceed with these plans. Further approval will be required when the estimate for the actual cost of the building is received.

CONSULTATION:

8. There is no requirement for any formal consultation on this decision.

RISK MANAGEMENT AND IMPLICATIONS:

9. Guildford Grove Primary School and the Spinney Children's Centre are already providing a range of education and family support services to this part of Guildford. By offering places for two year olds, the children will progress into an early education place when they are three and many will be eligible to apply for a Primary School place in the year in which they are five. The Children's Centre will be able to support the children's parents in their understanding of how they can assist their child's development and education. The combination of all this integrated working will make a significant impact on how well the children are prepared for their education. Guildford Grove Primary School has already gathered some evidence of the difference that supporting children, and their families, through the children's

centre can have when they start school compared with similar children that have not attended any sessions at the children's centre.

10. Consequently, there is a risk that if places are not made available within the Spinney Children's Centre, this integrated approach will not have the impact on eligible children from the local area. There is also the associated risk that, if places for two year olds are not made available at the Spinney and if parents can find an alternative place, it could have an impact on the school's nursery class and children's centres early education provision and make it difficult to sustain places for three and four year olds.
11. There is a requirement on Surrey County Council to ensure that two year old places are made available to eligible children and there is a risk to the County Council's reputation if it is not able to fulfil this requirement.

Financial and Value for Money Implications

12. In principal approval is sought to a scheme to create 24 places for two year olds that will help to meet the need for FEET places in the Westborough area of Guildford. The estimated overall cost of the scheme is £350,000. Final approval to proceed with the scheme will be sought once full design work is complete and price has been tested through a tendering exercise.
13. As part of financial governance the business case for all capital schemes is reviewed by the Council's Investment Panel in order to provide assurance that proposals are robust. This scheme is due to be considered by the panel on 15 July 2014. The views of the panel will be reported at the Cabinet Member meeting on 17 July 2014 and approval is sought subject to Investment Panel approval of the business case.

Section 151 Officer Commentary

14. Within the Medium Term Financial Plan (MTFP) a capital budget of £3.5m has been approved to support the development of early education and childcare places in the areas of greatest need where a private provider will not create such provision or is unable to secure the full investment themselves. This capital budget is in part funded by £2.2m of capital grant made available by the Department for Education.
15. Of the £3.5m capital budget, £815k has already been allocated to schemes leaving £2,685k for the remaining programme for FEET places.

Legal Implications – Monitoring Officer

16. The only legal implication within this report is the duty on Surrey County Council to ensure that there are sufficient early education places for eligible two year olds and the Cabinet Member approval will support the programme of work to respond to this duty in the Westborough area of Guildford.

Equalities and Diversity

17. A full equalities impact assessment has not been undertaken on this proposal as it is unlikely that the proposal would have a negative impact on any groups with protected characteristics. The proposals within this report are targeted at sections of the community that are already at risk of not accessing services.

Corporate Parenting/Looked After Children implications

18. The DfE has stipulated that Looked after Children are eligible for a FEET place. The Children's Service has been informed of this and places have been taken up by Looked After Children.

Safeguarding responsibilities for vulnerable children and adults implications

19. There are no significant implications arising from this report. However, access to a FEET place is part of the County Council's early intervention programme and with the support offered through the children's centre, any concerns will be addressed earlier.

Public Health implications

20. There are no significant implications arising from this report.

Climate change/carbon emissions implications

21. The County Council attaches great importance to being environmentally aware and wishes to show leadership in cutting carbon emissions and tackling climate change. The new buildings will comply with, or exceed, Building Regulations. The contractor will be required to provide a Site Waste Management Plan.

WHAT HAPPENS NEXT:

22. The next steps that will follow any decisions taken by the Cabinet Member will be:

- For the Spinney Children's Centre to discuss and agree the outline design with representatives of the Schools and Learning Service.
- For the Spinney Children's Centre to obtain three estimates for the construction of the proposed building.
- For approval on the preferred provider to be reached within the County Council and by the Cabinet Member.
- For the Spinney Children's Centre to move forward with the construction of the proposed building together with any planning requirements that will need to be followed.
- Representatives of the Schools and Learning Service will inform the Spinney Children's Centre and Guildford Grove Primary School of the outcome of the decision taken by the Cabinet Member.

Contact Officer:

Phil Osborne, Head of Early Years and Childcare Service, tel: 01372 833861

Consulted:

Finance service within Surrey County Council
Peter-John Wilkinson, Assistant Director, Schools and Learning

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SURREY COUNTY COUNCIL**CABINET MEMBER FOR SCHOOLS AND LEARNING****DATE: 17 JULY 2014****LEAD OFFICER: NICK WILSON, STRATEGIC DIRECTOR OF CHILDREN, SCHOOLS AND FAMILIES****SUBJECT: TO DETERMINE A PROPOSAL TO EXPAND AND REBUILD CRANMERE PRIMARY SCHOOL****SUMMARY OF ISSUE:**

School rolls have been rising steadily across Elmbridge since 2006. To ensure sufficient provision of primary school places in the Dittons and Weston Green Planning area Surrey County Council is proposing the expansion and rebuild of Cranmere Primary School with effect from 1 September 2016.

RECOMMENDATIONS:

It is recommended that:

1. The school is enlarged by two forms of entry (from its original capacity of one form of entry to three forms) plus the addition of a new twenty-six place nursery.
2. The school will be rebuilt on the Grove Farm site which is land owned by Surrey County Council adjacent to the current Cranmere school.
3. This expansion would be effective from 1 September 2016 as the new school is unlikely to be ready for new admissions by September 2015.

REASON FOR RECOMMENDATIONS:

Cranmere Primary is a popular and successful school delivering high quality education. It was rated by OFSTED, at its last inspection (Nov 2011), as good with some outstanding features. The school has taken additional (bulge) Reception classes every year since September 2009. The provision of additional places at a new Cranmere with greater capacity meets the Government's policy position to expand successful schools in order to meet parental preferences.

DETAILS:**Business Case**

1. There is an immediate pressing need for more primary school places in the Dittons and Weston Green planning area of Elmbridge Borough. Cranmere Primary School has already been expanded on a temporary basis; it has accommodated two Reception classes each year since 2009 with the addition of temporary accommodation in the form of demountable classrooms. It is no longer possible to expand further on the present site without compromising play space. Also the accommodation is insufficient to support the size of the school, i.e. the school was built to accommodate seven classes and it now has eleven

classes; the hall is too small, as is the staff room, and there are insufficient small group rooms and toilet facilities for the number of pupils.

2. The school is willing to expand and is keen to do so with the promise of new, purpose-built accommodation which is designed to enhance the quality of the educational opportunities on offer and provide nursery education on site. The staff and governors have been working closely with Surrey County Council and the Hampshire County Council Cluster Programme Office to design a new building fit for twenty-first century primary education. The design and associated scheme received planning approval from Surrey County Council's Planning Committee in May 2014.
3. The Local Authority has a statutory duty to provide sufficient school places and it is not currently possible to expand other local schools in the immediate planning area. This is because they are either on restricted sites that are too small to take more buildings or they are in the Green Belt where it would be equally difficult to obtain planning permission. Based on the most recent pupil projections, the County Council is forecasting a need for two additional forms of entry in the Dittons and Weston Green. This proposal forms one part of an area strategy for Elmbridge which will require at least seven additional forms across the borough by 2020. The area strategy includes a number of other expansions of schools; some of these are agreed with the schools in question, and others are still at the proposal stage, but all are accounted for within the Capital Strategy and the Council's Medium Term Financial Plan.

CONSULTATION:

4. Public consultation was carried out between 5 and 30 November 2012. A consultation document was produced and circulated to all parents and other stakeholders and interested parties. In addition, a meeting was held at the school on 21 November. This was attended by approximately 26 parents and residents. The consultation document was also published on the Surrey County Council website and the local Borough and County councillors were sent copies of this document.
5. The Council has received 15 written consultation responses. An analysis of these is given in the table below:

Respondent	Agree	Disagree	Don't Know
Parent of a child attending the school	0	1	0
Potential Future parent/child in an Early Years setting	8	1	1
Parent of child at another school	0	0	0
Employee of the school	3	0	0
School governor	0	0	0
Other stakeholder	0	1	0

6. Eleven responses are in agreement with the proposal. One respondent stated that they do not know whether or not they are in favour; three respondents are against the proposal.
7. The main concern raised by respondents was the need to retain the 'family ethos' of the school; the perception being that this was much easier if a school is

small in size. To some extent this concern was addressed by the Headteacher at the public meeting where she explained in some detail how she would manage a larger organisation and also manage the transition to the new site.

8. Residents on Arran Way and some parents raised the issue of access to the proposed new building stating that the expansion may cause further traffic problems, especially if there is no vehicular access to the site enabling parents to drive in, drop off or pick up and drive out of the school. Mitigation of traffic management issues were addressed in the planning stages with pupil safety considerations being of paramount importance. The council's policies on safeguarding, site security and environmental issues have been factored into the final design for the new school. Those in support of the proposal recognised the need for more places and welcomed the opportunity to provide some of these at Cranmere in order to benefit the local community. A number of people were enthusiastic about the proposed new provision.
9. The Cabinet Member subsequently approved the publication of a statutory Notice after planning permission had been obtained. This Notice complied with all statutory requirements and included a four week consultation period. It closed on 11 June 2014. The Council received no further representations during this time.

RISK MANAGEMENT AND IMPLICATIONS:

10. The key risk to this proposal is the completion of the new building on time. In order to build some additional temporary capacity into the planning area another school has agreed to take a bulge class in 2014, and potentially in 2016 after which it is crucial that permanent places are available at Cranmere.

Financial and Value for Money Implications

11. The cost of the proposed project will be funded through the Schools Basic Need Capital Programme and was approved as part of the 2014/19 Medium Term Financial Planning (MTFP) process. The detailed financial implications and costings will be developed as part of the business case which will go to Investment Panel.

Section 151 Commentary

12. The Section 151 Officer confirms that this project is included in the 2014/19 MTFP. The business case for the project will be considered as part of the Investment Panel process. There is an expectation that the scheme costs will remain within the approved funding levels.

Legal Implications – Monitoring Officer

13. The *School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007* contain the regulations that apply to prescribed alterations. The DCSF has published updated Guidance in January 2014 relating to prescribed alterations: *Expanding a Maintained Mainstream School or Adding a Sixth Form*. This suite of documents contains both statutory guidance (i.e. guidance to which proposers and decision makers have a statutory duty to have regard) and non-statutory guidance on the process for making changes to school provision. This proposal has been submitted in line with the new Guidance.

Equalities and Diversity

14. There are no direct equalities implications arising out of the proposal. The increase in provision will be open to all applicants with the highest priority given to Looked After Children and pupils on the SEN register and/or those who would benefit from a statement of educational need, thus supporting provision for our most vulnerable children.

Safeguarding responsibilities for vulnerable children and adults implications

15. Cranmere Primary School has a robust Safeguarding Policy which is monitored by the designated Child Protection Lead Officer, is regularly reviewed by the governing body and is subject to OFSTED inspection. Site access and security, both during the proposed building programme and afterwards, have been considered and addressed in the planning and design of this building project.

Climate change/carbon emissions implications

16. The County Council attaches great importance to being environmentally aware and wishes to show leadership in cutting carbon emissions and tackling climate change. The proposed new building will be energy efficient. A safe walking route to the school has been identified for use by residents and facilities will be provided at the new campus for children cycling or using scooters to come to school.
17. The additional school provision is centred close to the demographic demand and as a result will enable most parents and children to attend a local school and thus reduce the need for lengthy school journeys.

WHAT HAPPENS NEXT:

- Subject to Cabinet Member approval the building scheme will be tendered within the County Council's framework for procurement.

Contact Officer: Melanie Harris
School Commissioning Officer NE Surrey tel. 020 8541 9556

Consulted:
Parents of pupils and prospective pupils of Cranmere Primary School
Local Councillors
Local residents via the consultation document published on the SCC website and via the statutory Notice published in the local newspaper and on the school gate

Annexes: None

Sources/background papers:
School Organisation Consultation Proposal
15 Consultation responses
Statutory Notice
Planning Application
Minutes of the Surrey County Council Planning Committee's decision

SURREY COUNTY COUNCIL

CABINET MEMBER FOR SCHOOLS & LEARNING

DATE: 17 JULY 2014

LEAD OFFICER: NICK WILSON, STRATEGIC DIRECTOR OF CHILDREN, SCHOOLS & FAMILIES

SUBJECT: APPROVAL OF SCHOOL DEFICITS



SUMMARY OF ISSUE:

This report provides summary details of total schools' balances and seeks Cabinet Member approval for licensed deficits where schools are projecting deficits in excess of 5% of their budget share. One school is seeking this approval in 2014/15.

RECOMMENDATIONS:

It is recommended that:

1. the level of balances held by Surrey maintained schools is noted.
2. the one-year licensed deficit request from Gosden House is approved.

REASON FOR RECOMMENDATIONS:

Approval of a licensed deficit will ensure the school is operating within the County's Scheme for Financing Schools and will set the parameters within which a recovery plan can be developed.

DETAILS:

SCHOOLS' BALANCES

- 1 Total balances held by Surrey's 333 maintained schools as at 31 March 2014 were £42.7m. A further £3.5m is held by confederations and networks. For comparative purposes, the table below excludes from current and all prior year figures, the balances held by schools having converted to academy status by 31 March 2014. Responsibility for the finances of academies transfers to the Education Funding Agency on conversion. The council is not currently informed of academies' financial balances.
- 2 Since April 2013, Pupil Referral Units have received delegated budgets and may now hold balances.

	As at 31 March 2012	As at 31 March 2013	As at 31 March 2014
<i>Phase:</i>	£m	£m	£m
Primary (including nurseries)	24.4	26.4	27.9
Secondary	9.0	9.9	10.2
Special	3.4	3.8	4.3
Pupil referral units	n/a	n/a	0.3
Total individual schools' balances	36.8	40.1	42.7
Balances held by schools confederations / networks	4.5	5.3	3.5
Total Schools' Balances	41.3	45.4	46.2

LOCAL AUTHORITIES' FINANCIAL MONITORING OF SCHOOLS DFE REQUIREMENTS

- 3 The DfE requires each local authority's Chief Finance Officer (CFO) to produce an Outturn statement indicating the extent of any under or overspending of DSG by the authority and its schools. In addition, the LA must demonstrate deficits and large surpluses in schools are short-term and actively managed.
- 4 The DfE seeks explanations of actions to be taken by LAs if specific thresholds are breached. It also reserves the right to intervene in the LA's management of schools' finances in these instances.

Thresholds include:

- An overspend of 2% in DSG
- An underspend of 5% in DSG. (Surrey underspent by 2.33%)
- If a local authority has 5% of schools with a surplus of 15% or more for the last 5 years (In Surrey, this threshold would equate to 17 schools. Surrey has 5 schools in this position)
- If a local authority has 2.5% of its schools with a deficit of 2.5% or higher, for the last 4 years. (Surrey has no schools in this position.)

SURPLUS BALANCES

- 5 Of Surrey's 333 maintained schools, 328 had surplus balances at 31 March 2014. Year-end surplus balances are typically expressed as a percentage of each school's total revenue budget share for the year.
- 6 School surpluses can be analysed across phases as follows:

As at March 2014:	Primary Schools (including nursery schls)		Secondary Schools		Special Schools & PRUs	
	No. Schls	% in phase	No. Schls	% in phase	No. Schls	% in phase
SURPLUSES						
0 – 5%	60	22%	9	36%	10	31%
5 - 8%	52	19%	5	20%	5	16%
8 – 10%	42	15%	3	12%	2	6%
10-15%	69	25%	5	20%	7	22%
15% +	49	18%	3	12%	7	22%
Total	272	99%	25	100%	31	97%

- 7 Although a marginal surplus can represent prudent financial management, sizeable balances are generally discouraged as funding is allocated to schools on the basis of the specific needs of current pupils and is intended to be spent on those pupils. LAs must demonstrate that high balances are challenged.
- 8 The local authority asks schools with high balances (over 15% budget) to provide details of the purpose for which they are held. Responses received to date indicate that approximately 43% of high balances were held for capital projects and 31% were held to ensure stability in current or future budgets following the impact of schools' reorganisations and/or falling pupil numbers. The remainder were maintained for a variety of purposes including specific non-capital development projects (11%).

DEFICITS

- 9 The total value of schools' deficits is £124,960, a decrease from £322,268 in March 2013. The following table shows the number of schools with deficits of varying magnitude in the past three years – adjusted to exclude academy converters. A school's deficit is expressed as a percentage of its total delegated revenue budget received that year.

	As at 31 March 2012	As at 31 March 2013	As at 31 March 2014
Deficits	No. of schools	No. of schools	No. of schools
0 – 5%	4	4	5
5 – 10%	1	1*	0
10% +	1	0	0
Total	6	5	5

* Holy Trinity sought a loan (approved by Cabinet Member 11 September 2012). The county's loan scheme to schools now provides loans as 'planned deficits'.

- 10 Of Surrey's 333 maintained schools, five had minor deficit balances as at 31 March 2014 (from a peak of 53 in 2003/04). Smaller deficits are relatively common and frequently short-lived.

National comparisons

- 11 The latest national comparisons are currently only available for the year ending 31 March 2013.
- 12 The DfE considers surplus balances exceeding 15% of funding to be a cause for concern. At 31 March 2013, a total of 10.6% of (then) Surrey maintained schools were in that position compared to 9.0% of schools nationally, which placed Surrey 64th nationally among 152 LAs.
- 13 At 31 March 2013, five Surrey maintained schools had deficits (1.4%) compared to 3.9% nationally.

SCHOOLS SEEKING APPROVAL FOR DEFICITS IN EXCESS OF 5%

- 14 Cabinet Member approval is required for a licensed deficit in excess of 5% of a school's budget. No Surrey maintained schools had deficits in excess of 5% of their budget share as at 31 March 2014.
- 15 One school, Gosden House, is currently seeking Cabinet Member approval for a projected deficit in excess of 5% as at 31 March 2015.

Gosden House

	£
Deficit as at 31 March 2014	39,063
Deficit Proposed deficit as at 31 March 2015	111,427

- 16 Historically, Gosden House school has been funded at a relatively high rate for residential provision. The reduction and ultimately closure of residential provision at the school in August 2013 has made the staffing structure unsustainable. Although some staffing changes have been made, a wider council-led review of SEN is creating uncertainties regarding the type of special needs which may need to be catered for at the school in future. This period of uncertainty is expected to be concluded by the end of term. In the interim, the Executive Head is assessing the scope for savings and a one-year licensed deficit is sought.

RISK MANAGEMENT AND IMPLICATIONS:

- 17 Risks include the maintenance of inappropriately high surpluses which leave current pupils' needs unmet or deficits which a school would struggle to repay and for which, in exceptional circumstances, local authority funding may be required.
- 18 As part of the monitoring of a schools' performance, the current level of balances is considered and recommendations are made regarding their potential use. Schools with deficits are expected to develop a recovery plan to repay the deficit with a defined period and are subject to enhanced monitoring until full repayment is made.

Financial and Value for Money Implications

- 19 The school is expected to repay the deficit and is to plan accordingly.
- 20 Very few Surrey schools have deficits as schools at risk are closely monitored and advice provided where needed. Only one Surrey school is currently proposing a deficit in excess of 5% in 2014/15.
- 21 Where schools convert to academy status, deficits are expected to be carried forward to the new academy. To date all converting schools with deficits in Surrey have taken their deficits with them, although this procedure relies on the continuation of current DfE policies.

Section 151 Officer Commentary

- 22 The Section 151 officer confirms the process of monitoring surpluses and deficits is robust and outcomes are well within DfE requirements.

Legal Implications – Monitoring Officer

- 23 There are no significant legal implications arising from this report.

Equalities and Diversity

- 24 Budget recovery plans may impact on particular groups. However, in determining a recovery plan, advice is sought from curriculum, HR and finance consultants and appropriate safeguards are built into the plan. This can necessitate seeking DfE approval for a recovery plan to exceed three years, to protect the interests of vulnerable pupils.

WHAT HAPPENS NEXT:

- 26 Following the outcome of the review of SEN provision, a staffing structure will be determined for Gosden House and a full recovery plan will be developed. In the interim the Executive Head will submit proposals for savings to the governing body and local authority.
- 27 Schools deficits and surpluses will continue to be managed to ensure that DfE guidelines are not breached.

Contact Officer:

Lynn McGrady, Finance Manager, Funding & Planning
(Tel 0208 541 9212)

Consulted:

Linda Kemeny, Cabinet Member, Schools & Learning
Sheila Little, Director of Finance,
Peter-John Wilkinson, Assistant Director

Sources/background papers:

- Schools Finance (England) Regulations 2013
 - Surrey Scheme for Financing Schools March 2013
 - Scheme for Financing Schools: Revised Statutory Guidance (DfE Dec 2010)
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SURREY COUNTY COUNCIL**CABINET MEMBER FOR SCHOOLS AND LEARNING****DATE: 17 JULY 2014****LEAD OFFICER: NICK WILSON, STRATEGIC DIRECTOR OF CHILDREN, SCHOOLS AND FAMILIES****SUBJECT: PRIMARY AND SECONDARY FAIR ACCESS PROTOCOLS 2014/15****SUMMARY OF ISSUE:**

Each local authority must have a Fair Access Protocol in place and all schools in a local authority area must participate in it. A Fair Access Protocol ensures that unplaced children, especially the most vulnerable, are offered a place at a suitable school in the home local authority as quickly as possible. This includes admitting children above the published admission number to schools that are already full.

The proposed Protocols set out the criteria that the local authority will use to determine which children will be placed under Surrey's Fair Access Protocol in 2014/15 and how cases will be considered. The changes proposed to the Protocols for 2014/15 take into account comments received from schools and Surrey County Council officers.

RECOMMENDATIONS:

1. It is recommended that the Cabinet Member agrees the proposed Primary and Secondary Fair Access Protocols for 2014/15.

REASON FOR RECOMMENDATIONS:

- The local authority is required to have a Protocol in place that all schools must participate in
- The proposed Protocols meet the requirements of the School Admissions Code
- Schools have been involved in the review
- The Protocol will ensure that children who are out of school can be placed in school quickly
- The Protocol will ensure that no school is expected to admit more than their fair share of children with challenging behaviour or children previously excluded from other schools

DETAILS:**Changes to the Primary and Secondary Fair Access Protocols**

1. Copies of the proposed Primary and Secondary Fair Access Protocols for 2014/15 are attached at **ANNEX 1** and **ANNEX 2**.
2. Generally the Protocols have been working well and there has been little demand for change.

3. The majority of changes generally relate to re-wording of some paragraphs so that the Protocols read as shared documents between the local authority and schools rather than ones imposed on schools by the local authority.
4. Paragraph 3.2 has been updated to remove automatic eligibility for out of County children who have been excluded from a Surrey school. Such cases might be included by exception where a Surrey school is deemed most appropriate, but the duty to provide a school place for an out of County child rests with their home local authority.
5. Paragraphs 6.1 and 6.4 of the primary Protocol have been updated to reflect the fact that placement Panels will be trialled in some areas during 2014/15 and in those cases referral would be to the Panel and not an individual school.
6. The funding arrangements for children who have been excluded from school in section 8 of the Primary Protocol and section 10 of the Secondary Protocol have been updated to clarify that, where there is reference to financial year, it refers to the local authority's financial year.

CONSULTATION:

7. Comments were initially sought from the Fair Access Protocol Review Group which met on 4 December 2013. Representation on that group was from schools, Secondary Phase council, local authority area teams and Surrey's Admissions team.
8. Feedback from the Fair Access Protocol Review Group was that, generally, the Protocols were working well and the few areas of concern rested more with the operation of the placement Panels, and the data that schools had to consider for each case. However the group did feel that the Protocols might be better if presented as a joint document between the local authority and schools as this would ensure a shared sense of ownership and responsibility existed. It also felt that the Protocols should include an acknowledgement that Surrey works together with schools to reduce and prevent permanent exclusion.
9. Following the review of the Protocols in line with the comments from the Fair Access Protocol Review Group, the draft Protocols were distributed to Area Education Officers, Area Leads for Pupil Support and Children, Schools and Families Finance for further comment.
10. On 23 May 2014 draft Protocols were distributed to all schools and to the Primary and Secondary Phase Councils for consideration at their meetings in June and July 2014. Consultees were given until the 3 July 2014 to submit their response.
11. The draft Protocols were also distributed to the Admissions Forum for its meeting on 20 June 2014.
12. A total of six responses were received to the consultation, of which five submitted comments or suggestions for change. Of those, two responses were from Spelthorne Schools Together, one on behalf of the Spelthorne secondary schools and one on behalf of the Spelthorne primary schools.
13. The following comments were received:

- Criteria for excepted children under Infant Class Size include all possible categories – **Response: provision in line with infant class size legislation**
 - School always meet with families and therefore would not be able to comply with paragraph 2.10 which says that ‘placing on roll will not be subject to a meeting with the parent /carer’ – **Response: updated to read ‘should’**
 - Protocol shouldn’t extend to children in Year 6 during the Spring and Summer terms – **Response: every child has a right to receive an education and the emphasis has to be on the needs of the child. The child's transition to secondary school is likely to be more successful if they are being supported by a school and going through the process with their peers**
 - Needs to be more time to collect all relevant information relating to the child before they join to ensure correct support systems and strategies are put in place – **Response: Protocols ensure that unplaced children, especially the most vulnerable, are offered a place at a suitable school as quickly as possible. Whilst there is a balance to be struck between allocating a place and gathering data, ultimately there is a duty to ensure that a child is offered a school place and an expectation by the DfE that once a place is offered the child is admitted within 15 calendar days**
 - How will a permanently excluded child be successful at another mainstream school without different support arrangements in place – should children not be assessed to see if a mainstream placement is appropriate? – **Response: schools must not refuse to admit a child thought to be potentially disruptive or likely to exhibit challenging behaviour on the grounds that the child is first to be assessed for special educational needs. There are differing reasons for permanent exclusion and it would not be appropriate to involve SEN in each case**
 - Protocol should not include out of County children who have been excluded from a Surrey school (17 Spelthorne primary schools and six Spelthorne secondary schools) - **Response: Paragraph 3.2 updated to remove automatic eligibility for out of County children who have been excluded from a Surrey school**
 - Children in Year 6 should be included as one of the categories in section 3 because their admission might have an impact on SATs results – **Response: Year 6 children are not by default difficult to place. Inclusion in the primary Protocol might delay admission for some children which could have a knock on effect on their transition to secondary school**
 - Section 4 should make reference to the fact that SEN and FAP staff should liaise closely – **Response: other paragraphs refer to liaison between SEN and other LA staff regarding FAP cases**
 - Paragraph 5.3 of the primary Protocol indicates that schools might accept an application when they can’t – **Response: updated to reflect that own admission authority schools might accept applications directly**
 - Wording of paragraph 6.1 of primary Protocol may need updating in light of the fact that some areas may introduce primary panels to effect placement – **Response: Paragraphs 6.1 and 6.4 updated to reflect introduction of placement Panels in some areas**
14. At Secondary Phase Council, although there was agreement that the Protocols were generally working well, there was a request to see if more could be done on cross border issues and protocols.

15. Where appropriate, comments from the consultation have been taken in to account in the final Protocols recommended for approval for 2014/15.

RISK MANAGEMENT AND IMPLICATIONS:

16. The Protocols reduce the risk of children being left without a school place by ensuring there is a process to place them in school, and a sense of shared responsibility between the local authority and schools. Once placed in a school the Protocols ensure that children will be placed on roll quickly to ensure that no child remains out of school for longer than necessary.
17. The Protocols reduce the risk of undersubscribed schools being asked to admit more than their fair share of children with challenging behaviour or children who have been excluded from other schools.

FINANCIAL AND VALUE FOR MONEY IMPLICATIONS:

18. Additional financial support to maintained schools for Fair Access Protocol placements comes from a designated budget allocation and acts as an incentive for schools to participate and to admit children.
19. Where financial support is available it is targeted in respect of those children who are considered to be most challenging (categories a to h). Despite qualifying under the Protocol, the other categories of children will not necessarily require additional resource within schools. However, in order to encourage successful reintegration of children, funding for any term will continue to be forfeited if a child withdraws prior to the start of a term or if they withdraw within a term if the withdrawal is within 12 weeks of the placement being made.
20. Other funding is also available to schools for excluded pupils dependent on the date of the exclusion and the school that the child had previously been excluded from.
21. In addition, maintained schools will receive AWPU funding for Year 11 pupils placed on roll after 2 October 2014 on a pro rata basis. Late Year 11 placements are particularly problematic because schools will not ordinarily receive funding because this cohort will have left the school by the next census date. It is hoped that this will offer some incentive to schools to admit Year 11 children.

SECTION 151 OFFICER COMMENTARY:

22. The Section 151 Officer expects the Fair Access Protocols to be delivered within the resources currently available.

LEGAL IMPLICATIONS – MONITORING OFFICER:

23. The School Admissions Code requires local authorities to have a Fair Access Protocol in place to ensure that education can be secured quickly for children who have no school place and that all schools in an area admit their fair share of children with challenging behaviour, including children excluded from other schools.
24. The proposed Fair Access Protocols are compliant with the School Admissions Code.

EQUALITIES AND DIVERSITY:

25. An Equality Impact Assessment has been completed and is at **ANNEX 3**.
26. There are no negative impacts on any equality group. Placements under the Fair Access Protocols are currently less than 150 a year and as such these Protocols will not affect many people nor have a severe effect on some people.
27. The Fair Access Protocols are designed to ensure that children who are out of school are placed in school quickly. This will ensure that the equality groups identified in the Equality Impact Assessment will face a positive impact as a result of these Protocols as they will be placed in school quickly, even if a school is full.

Safeguarding responsibilities for vulnerable children and adults implications:

28. The Fair Access Protocols provide for vulnerable or challenging children who are out of school to be placed in school quickly and this contributes to Surrey's safeguarding responsibilities for vulnerable children.

WHAT HAPPENS NEXT:

- The Protocol will be shared with all schools and relevant officers and implemented for 2014/15.
- The Admissions Forum will monitor the effectiveness of the Protocols throughout the year.

Contact Officer:

Claire Potier, Principal Manager Admissions and Transport (Strategy) Tel: 01483 517689

Consulted:

- Nick Wilson, Strategic Director for Children, Schools and Families
- Peter-John Wilkinson, Assistant Director for Children, Schools and Families
- Sarah Baker, Legal and Democratic Services
- Infant, Junior, Primary and Secondary schools in Surrey
- Area Education teams
- Primary and Secondary Phase Councils
- Children, Schools and Families Finance
- Members of the Admission Forum
- Diocesan Board representatives

Annexes:

Annex 1 – Primary Fair Access Protocol
Annex 2 – Secondary Fair Access Protocol
Annex 3 – Equality Impact Assessment

Sources/background papers:

- School Admissions Code - February 2012
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Surrey County Council

DRAFT PRIMARY Fair Access Protocol 2014/15

1. Introduction

- 1.1 This document sets out the Fair Access Protocol which will be operated by Surrey in partnership with primary schools during 2014/15.
- 1.2 This Protocol works alongside Surrey's in year admissions processes and takes effect when a child who is applying for in year admission is identified as meeting one of the Fair Access categories.
- 1.3 This protocol will ensure that access to education is secured quickly for the most vulnerable and challenging children and that all schools in Surrey admit their fair share of children with challenging behaviour, whether or not the school is undersubscribed.
- 1.4 Paragraph 3.9 of the School Admissions Code confirms that each local authority must agree a Fair Access Protocol with the majority of schools in the area 'to ensure that, outside the normal admissions round, unplaced children, especially the most vulnerable, are offered a place at a suitable school as quickly as possible'. Once agreed, all schools in the area, including academies, must participate in it.
- 1.5 Although no longer a statutory body, Surrey's Admission Forum will continue to monitor the effectiveness of the Protocol.
- 1.6 As part of its annual report to the Office of the Schools Adjudicator, Surrey is required to report on the effectiveness of the Fair Access Protocol, including how many children have been admitted to each school under the Protocol. Surrey's annual report must be produced by 30 June each year and must be published locally.
- 1.7 Whilst this Protocol provides for the most vulnerable children to be admitted to school quickly, unnecessary transfers between schools are strongly discouraged. Schools will work with children and their families/carers to prevent unnecessary transfers between schools.
- 1.8 Surrey works together with schools to reduce and prevent permanent exclusion. Managed moves which may be arranged between schools before a child reaches the point of permanent exclusion will not qualify as a placement under this Protocol.
- 1.9 Under no circumstances will a school ask a parent/carer to withdraw a child from the school's roll. If a school continues to face difficulty with a child who is on their roll, such as through poor attendance or challenging behaviour, they will seek support from the Area Lead for Education Welfare or Area Lead for Specialist Teachers in the first instance.
- 1.10 If information comes to light which indicates that a school has taken a child off roll inappropriately or has not sought appropriate support for a child whilst they were on roll, the admissions team will refer that information to the Area

Lead for Education Welfare who will liaise with the school as appropriate.

2 Principles of Surrey's Fair Access Protocol

- 2.1 The majority of children applying outside a normal admission round will be admitted to a school through each school's in year admission procedures. However this Protocol will be triggered when a child falls within one of the criteria set out in section 3.
- 2.2 This Protocol applies to all maintained primary schools and academies in Surrey. All schools will work collaboratively regardless of the type of school.
- 2.3 Where possible, parental preference will be considered but this will not override the Protocol if the preferred school is unable to admit the child. However, all applicants will be advised of their right of appeal if a place at a preferred school is not offered.
- 2.4 Paragraph 3.8 of the School Admissions Code confirms that admission authorities must not refuse to admit children in the normal admission round on the basis of their poor behaviour elsewhere. However paragraph 3.9 of the Code confirms that in agreeing a Protocol for admissions outside the normal admissions round, 'the local authority must ensure that no school, including those with available places, is asked to take a disproportionate number of children who have been excluded from another school or who have challenging behaviour'.
- 2.5 As such, whilst all schools will be part of this Protocol, exceptionally, there may be circumstances where a school will not be expected to take a child under this Protocol. The circumstances where a school might not be asked or might refuse to admit such a child are set out in section 6.
- 2.6 Admission authorities will not refuse to admit a child thought to be potentially disruptive or likely to exhibit challenging behaviour on the grounds that the child is first to be assessed for special educational needs (paragraph 3.13 of the School Admissions Code).
- 2.7 Admission authorities will not cite oversubscription as a reason for not admitting a child under this Protocol unless an extra child would breach the Infant Class Size Regulations and the child to be admitted could not be treated as an excepted child (see Appendix 1 for cases that might be considered as an exception to Infant Class Size legislation).
- 2.8 Children placed under this Protocol will be given priority for admission over others on a waiting list (Paragraph 2.14 School Admissions Code).
- 2.9 A child will not be counted as having been placed under the Protocol for a particular school if the placement breaks down within 12 school weeks of the child's start date.
- 2.10 At the latest, a child being placed through this Protocol will be placed on roll within 7 calendar days of receiving a copy of the offer letter to the parent/carer and should start at the school within 7 calendar days of

going on roll. Placing on roll **should** not be subject to a meeting with the parent/carer, although a meeting might be arranged to discuss a start date and to discuss the child's integration to the school.

2.11 A copy of the offer letter will be sent to the Area Lead for Education Welfare and Exclusion and Reintegration Advisory Teacher. Once on roll any attendance issues should be dealt with as appropriate through the school's attached Education Welfare officer.

2.12 Appendix 2 sets out a flow chart for processing cases under this Protocol.

3. Categories of children

3.1 This Protocol includes all the categories that must be incorporated within it, as set out in the School Admissions Code (denoted by *).

3.2 Children to be placed under this Protocol will be those:

- who live in Surrey; and
- who are not already on the roll of a school (although see exception in category a); and
- who are seeking a place in Year Reception to Year 6; and
- who fall under one of the categories a) to p) below

- a)* *Children who were permanently excluded from their last state funded school placement and those attending PRUs or Alternative Provision, who are ready to be reintegrated back into mainstream education but into a different school from the one originally attended or children who are still on roll at a school but are attending a PRU or Alternative Provision as an alternative to permanent exclusion;*
- b)* *Children returning from the criminal justice system who are registered with the Youth Offending Team;*
- c) *Children known to the police or other similar agencies, where there has been active involvement or support received from Surrey's Community Incident Action Group (CIAG) within the past six months;*
- d) *Children with a history of serious unauthorised attendance problems (below 85%) within the past academic year, as assessed by the attached Education Welfare Officer;*
- e) *Children withdrawn from school following fixed term exclusion for persistent breaching of internal behaviour policies in school;*
- f) *Children who have applied to return to mainstream schooling after a period of elective home education and whose application for a school place through the normal in year admission process is refused;*
- g)* *Children who have been out of education, including elective home education, for longer than two months of school time where they have been living within the UK throughout that period;*
- h)* *Children of Gypsies, Roma and Travellers;*

- i)* *Children of asylum seekers and refugees who have been in the UK for less than two years and need a supported entry to school. The need for a supported entry does not include language support where this is the only support required and must be substantiated by professional evidence. Examples of the type of circumstances that might demonstrate a need for a supported entry are where such a child requires specific emotional or behavioural support by the school as a result of their experiences;*
- j)* *Children who are homeless including those who have been placed in temporary housing by Surrey County Council;*
- k)* *Children with unsupportive family backgrounds where a place has not been sought and where a referral is made through an outside agency or service who is seeking to support the child;*
- l)* *Children who are carers;*
- m)* *Children with special educational needs, disabilities or medical conditions (but without a statement), where the need, disability or medical condition has already impacted on the child's attendance or participation at school;*
- n) *Children subject to a child protection plan;*
- o) *Children of UK service personnel and other Crown Servants, where a change of location ordered by the service leads to a need for a change of school;*
- p) *Children who are accommodated in an emergency refuge for victims of domestic violence.*

3.3 Within the definition of this Protocol, categories deemed to be 'challenging' are categories a) to g) and these may attract funding to the school depending on the date of admission. The processes for the admission of children are set out in Section 6.

4. Children with a statement of Special Educational Needs

- 4.1 Children with a statement of Special Educational Needs (SEN) are outside the remit of this Protocol as they are placed in accordance with the SEN Code of Practice.
- 4.2 This Protocol does not replace the process for assessing specialist needs of a child and the putting in place of appropriate provision.

5 Identification of children who meet the criteria for the Protocol

- 5.1 Most children will come to the attention of the admissions team or the school as part of the in year admission application process.
- 5.2 Where an application form is received directly by the admissions team they will assess the information on the in year application form and will categorise children as meeting the Protocol if from that information they

appear to meet the criteria.

5.3 Where an application form is received directly by **an own admission authority** school they will assess the information on the in year form and if they believe that the child meets the criteria of the Protocol they will consider whether they are still able to admit the child:

- If they are able to admit the child the school will notify the admissions team of the application and the offer and the reasons why they believe the child meets the Protocol. The admissions team will then consider whether the admission should be logged as a Fair Access placement.
- If the school is unable to offer a place the school will refer it to the admissions team to be considered under the Protocol.

All such referrals will be made within 7 school days of the application being received.

5.4 Most children who are permanently excluded from a Surrey school and those who are ready for reintegration to a mainstream school from a Surrey PRU or other Alternative Provision will be identified by the Area Lead for Pupil Support/Head of PRU. The Area Lead for Pupil Support/Head of PRU will consider whether a managed placement might be arranged directly with a school or whether the processes set out in section 6 should be followed.

5.5 However, it is inevitable that some cases will be unidentifiable from the in year application form and that there may also be some cases of recently excluded children who have moved from another local authority where the child's previous school history is not known to Surrey. If a school identifies that a child should be categorised as meeting the criteria for the Protocol after admission they will notify the admissions team so that the placement might be recorded.

5.6 Some cases may also come to light where there is evidence that might suggest that, although not subject to a statement of SEN, the child is not suitable for mainstream schooling. It is anticipated that these cases will be few, but any such cases will be referred to Education Psychology for assessment before determining the most appropriate placement for the child.

6. Process for admission of KS1 & KS2 children

6.1 Primary aged children who fall within one of the categories for placement under the Protocol will be referred directly to a school (**or where a placement Panel is in operation, to the appropriate Panel**) by the admissions team, in liaison with the Area Lead for Pupil Support.

6.2 By their nature, the number of primary aged children falling within one of the Fair Access categories will be low each year. As such, where there is a need for a school to admit over PAN, schools will generally only be asked to admit a maximum of one child for each class of 30 within their published intake, up to a maximum of three placements during any one year.

- 6.3 However, schools must adhere to Infant Class Size legislation. If the year of entry is Reception, Year 1 or Year 2 and a school already has class sizes of 30, a child will only be admitted if they can be considered to be an excepted child (see Appendix 1).
- 6.4 Where the admissions team identify that a child meets the criteria for the Protocol, **where there is no placement Panel in operation** the application will be referred to one of the parent/carer's preferred schools for placement unless:
- a school is in special measures, has recently come out of them or is otherwise assessed by the local authority as needing support (such an assessment will be carried out by the admissions team in liaison with the Area Education Officer); or
 - a school has no vacancies and the school has already its quota of children under the Protocol within the academic year; or
 - to admit an extra child would breach infant class size legislation
 - there are reasons why a school would not be an appropriate placement for the child
- 6.5 If for these reasons it is not possible to place the child within one of the parent/carer's preferred schools, the admissions team, in liaison with the Area Lead for Pupil Support, will seek to place the child in the nearest and most suitable school taking into account the circumstances described in paragraph 6.4 and, in addition, the following points:
- schools with vacancies
 - any genuine concerns about the admission by either the parent/carer or the school
 - a view of the parent/carer about the religious ethos of a school
 - the percentage of LAC and SEN children within each school and the number and frequency of previous Fair Access placements within the academic year and within each year group
 - distance, availability of transport and travelling times
- 6.6 In such circumstances a school may be asked to admit a child above PAN in excess of the limit stipulated in paragraph 6.2.
- 6.7 The admissions team will liaise with the school before notifying a parent/carer of the placement.
- 6.8 Once agreement has been reached the admissions team will send notification to the parent/carer, with a copy also being sent to the school and the Area Lead for Education Welfare who will in turn share it with the attached Education Welfare Officer and Exclusion and Reintegration Advisory Teacher.
- 6.9 The receiving school will contact the parent/carer and make arrangements for the child to go on roll within 7 calendar days of the placement being agreed with the admissions team and for a start date within 7 calendar days of going on roll.
- 6.10 The admissions team will continue to monitor the placement to ensure

that the child is placed on roll and the satisfactory completion of 12 weeks.

- 6.11 A placement will be considered to have broken down if the child's behaviour would ordinarily warrant permanent exclusion. In such cases the Area Lead for Pupil Support, in liaison with the Exclusion and Reintegration Advisory Teacher, will determine whether or not the placement should be considered to have broken down.
- 6.12 If a school does not wish to admit a child who falls within one of the Fair Access categories outside the normal admission round even though places are available it will refer the case to the admissions team setting out the reasons why they do not feel they can place the child within 7 calendar days. However an exception is only likely to be made if the school is in special measures, has recently come out of them or is otherwise assessed by the local authority as needing support.

7. Out of area applications

- 7.1 Occasionally applications will be received from children who live outside of Surrey (not including those excluded from a Surrey school) but who otherwise meet the criteria for placement under this Protocol.
- 7.2 In those cases, if the child falls within categories a) to g) of paragraph 3.2 of this Protocol and the preferred school is unable to offer a place, either because it has no vacancies or because it is in special measures, has recently come out of them or has been otherwise assessed by the local authority as needing support, the application will be referred back to the child's home local authority to identify an alternative placement.

8. Funding

- 8.1 Other than excluded children (see paragraph 8.2), in-year applicants living in Surrey at the time of placement and admitted to state funded schools under categories a) to g) of paragraph 3.2 of this Protocol may receive a degree of financial support as follows:
- Up to £1,500 in the Autumn Term for placements made in the Autumn term (which represents £500 for each of the autumn, spring and summer terms)
 - Up to £1,000 in the Spring Term for placements made in the Spring Term (which represents £500 for each of the spring and summer terms)
 - Up to £500 in the Summer Term for placements made in the Summer Term (which represents £500 for the summer term)

Funding for a specific term will be forfeited if a child withdraws prior to the start of a term or if a child withdraws within a term if the withdrawal is within 12 school weeks of the placement being made. Where funding has already been paid the local authority will seek to recover monies from future payments.

- 8.2 Excluded children admitted to mainstream schools under the Protocol

will be funded as follows:

- a) When a child is on a school's roll in October that child generates a year's funding for the school. When a child is permanently excluded from a school at any time in the **local authority's** financial year, the school's budget is reduced by the annual value of age weighted funding multiplied by $1/52$ x the number of weeks from the date of permanent exclusion to the end of the **local authority's** financial year.
- b) Where a previously permanently excluded child is admitted to another school, the receiving school's budget is increased by the annual value of age weighted funding multiplied by $1/52$ x the number of weeks from the date of re-admission to the end of the **local authority's** financial year.
- c) In each case, adjustments will also take account of free school meals deprivation funding and the pupil premium if the pupil generated them.

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8.3 Subject to the maximum walking distance appropriate to the child being breached, transport will normally be arranged for the most appropriate public transport route. Where a taxi is deemed appropriate to support integration, this will only be funded for one term and beyond that the child would be expected to travel on an alternative mode of transport to school. Where there are exceptional circumstances the parent/carer could request that the taxi provision is extended and this would be considered as a transport case review by senior officers.

8.4 Funding arrangements within this Protocol will be reviewed subject to the outcomes of any changes to the funding of schools by the DfE or decisions made by Schools Forum to vary funding to schools.

9 Data

9.1 A log of all placements made through the Fair Access Protocol will be maintained by the admissions team and this data will be made available to Area Education Officers and the Admissions Forum by school and category.

Exceptions to the Infant Class Size Limit – 2014/15

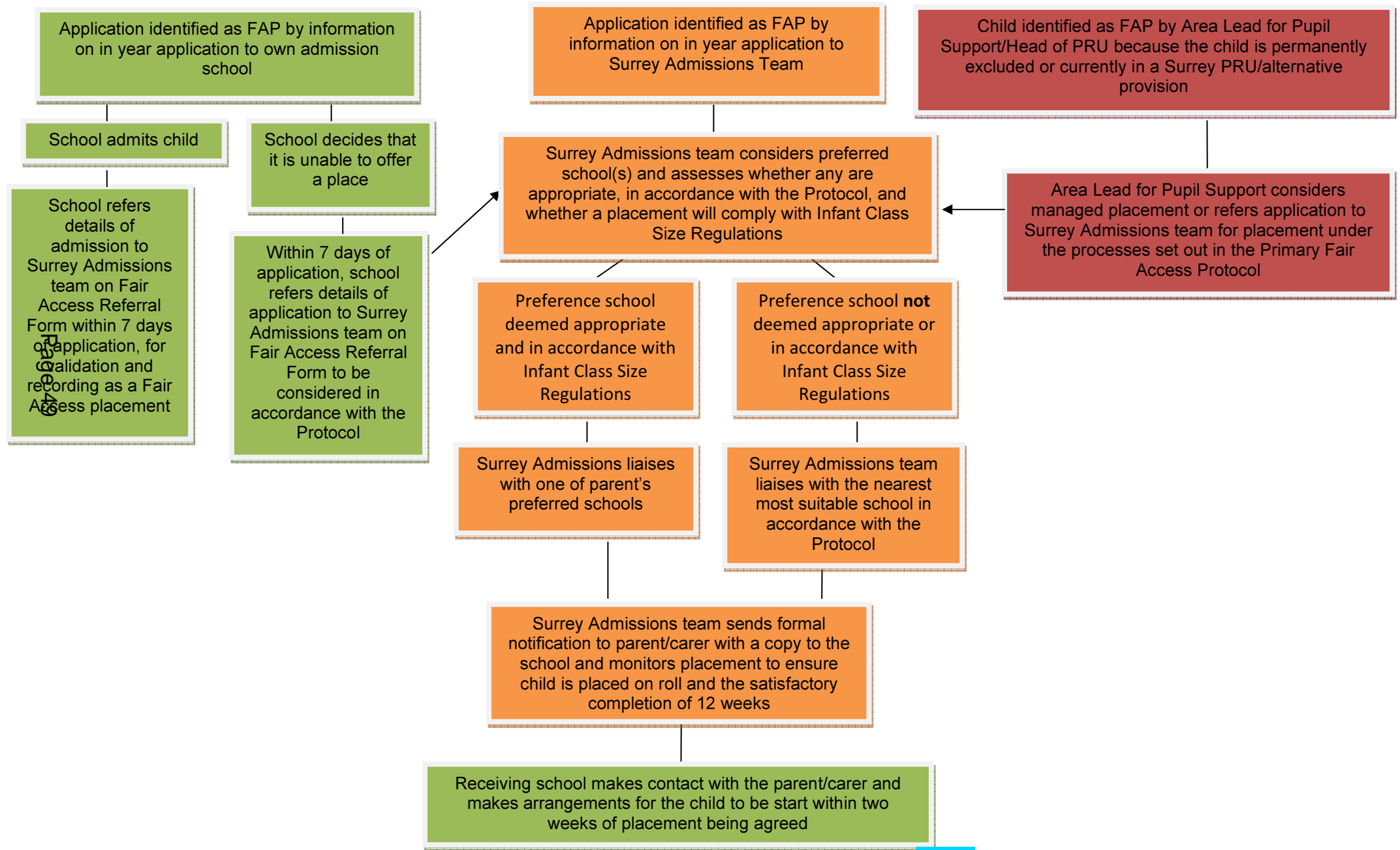
Section 1 of the SSFA 1998 limits the size of an infant class (i.e. a class in which the majority of children will reach the age of five, six or seven during the school year) to 30 pupils per school teacher.

However, the School Admissions (Infant Class Sizes) (England) Regulations 2012 permit children to be admitted as exceptions to the infant class size limit. These children will remain an 'excepted pupil' for the time they are in an infant class or until the class numbers fall back to the current infant class size limit. The excepted children are:

- a) children admitted outside the normal admissions round with statements of special educational needs specifying a school;
- b) looked after children and previously looked after children admitted outside the normal admissions round;
- c) children admitted, after initial allocation of places, because of a procedural error made by the admission authority or local authority in the original application process;
- d) children admitted after an independent appeals panel upholds an appeal;
- e) children who move into the area outside the normal admissions round for whom there is no other available school within reasonable distance;
- f) children of UK service personnel admitted outside the normal admissions round;
- g) children whose twin or sibling from a multiple birth is admitted otherwise than as an excepted pupil;
- h) children with special educational needs who are normally taught in a special educational needs unit⁴⁵ attached to the school, or registered at a special school, who attend some infant classes within the mainstream school.

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Flow chart for processing cases under Primary Fair Access Protocol - September 2014



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Surrey County Council

DRAFT SECONDARY Fair Access Protocol 2014/15

1. Introduction

- 1.1 This document sets out the Fair Access Protocol which will be operated by Surrey in partnership with secondary schools during 2014/15.
- 1.2 This Protocol works alongside Surrey's in year admissions processes and takes effect when a child who is applying for in year admission is identified as meeting one of the Fair Access categories.
- 1.3 This protocol will ensure that access to education is secured quickly for the most vulnerable and challenging children and that all schools in Surrey admit their fair share of children with challenging behaviour, whether or not the school is undersubscribed.
- 1.4 Paragraph 3.9 of the School Admissions Code confirms that each local authority must agree a Fair Access Protocol with the majority of schools in the area 'to ensure that, outside the normal admissions round, unplaced children, especially the most vulnerable, are offered a place at a suitable school as quickly as possible'. Once agreed, all schools in the area, including academies, must participate in it.
- 1.5 Although no longer a statutory body, Surrey's Admission Forum will continue to monitor the effectiveness of the Protocol.
- 1.6 As part of its annual report to the Office of the Schools Adjudicator, Surrey is required to report on the effectiveness of the Fair Access Protocol, including how many children have been admitted to each school under the Protocol. Surrey's annual report must be produced by 30 June each year and must be published locally.
- 1.7 Whilst this Protocol provides for the most vulnerable children to be admitted to school quickly, unnecessary transfers between schools are strongly discouraged. Schools will work with children and their families/carers to prevent unnecessary transfers between schools.
- 1.8 Surrey works together with schools to reduce and prevent permanent exclusion. Managed moves which may be arranged between schools before a child reaches the point of permanent exclusion will not qualify as a placement under this Protocol.
- 1.9 Under no circumstances will a school ask a parent/carer to withdraw a child from the school's roll. If a school continues to face difficulty with a child who is on their roll, such as through poor attendance or challenging behaviour, they will seek support from the Area Lead for Education Welfare or Area Lead for Specialist Teachers in the first instance.
- 1.10 If information comes to light which indicates that a school has taken a child off roll inappropriately or has not sought appropriate support for a child whilst they were on roll, Surrey's admissions team will refer that information to the

Area Lead for Education Welfare who will liaise with the school as appropriate.

2 Principles of Surrey's Fair Access Protocol

- 2.1 The majority of children applying outside a normal admission round will be admitted to a school through each school's in year admission procedures. However this Protocol will be triggered when a child falls within one of the criteria set out in section 3.
- 2.2 This Protocol applies to all maintained secondary schools and academies in Surrey. All schools will work collaboratively regardless of the type of school.
- 2.3 Where possible, parental preference will be considered but this will not override the Protocol if the preferred school is unable to admit the child. However, all applicants will be advised of their right of appeal if a place at a preferred school is not offered.
- 2.4 Paragraph 3.8 of the School Admissions Code confirms that admission authorities must not refuse to admit children in the normal admission round on the basis of their poor behaviour elsewhere. However paragraph 3.9 of the Code confirms that in agreeing a Protocol for admissions outside the normal admissions round, 'the local authority must ensure that no school, including those with available places, is asked to take a disproportionate number of children who have been excluded from another school or who have challenging behaviour'.
- 2.5 As such, whilst all schools will be part of this Protocol, exceptionally, there may be circumstances where a school will not be expected to take a child under this Protocol. The circumstances where a school might not be asked or might refuse to admit such a child are set out in sections 6 and 7.
- 2.6 Admission authorities will not refuse to admit a child thought to be potentially disruptive or likely to exhibit challenging behaviour on the grounds that the child is first to be assessed for special educational needs (paragraph 3.13 of the School Admissions Code).
- 2.7 Admission authorities will not cite oversubscription as a reason for not admitting a child under this Protocol.
- 2.8 Children placed under this Protocol will be given priority for admission over others on a waiting list (Paragraph 2.14 School Admissions Code).
- 2.9 A child will not be counted as having been placed under the Protocol for a particular school if the placement breaks down within 12 school weeks of the child's start date.
- 2.10 At the latest, a child being placed through this Protocol will be placed on roll within 7 calendar days of receiving a copy of the offer letter to the parent/carer and should start at the school within 7 calendar days of going on roll. Placing on roll **should** not be subject to a meeting with the parent/carer, although a meeting might be arranged to discuss a start date and to discuss the child's integration to the school.

2.11 A copy of the offer letter will be sent to the Area Lead for Education Welfare and Exclusion and Reintegration Advisory Teacher. Once on roll any attendance issues should be dealt with as appropriate through the school's attached Education Welfare officer.

2.12 Appendix 1 sets out a flow chart for processing cases under this Protocol.

3. Categories of children

3.1 This Protocol includes all the categories that must be incorporated within it, as set out in the School Admissions Code (denoted by *).

3.2 Children to be placed under this Protocol will be those:

- who live in Surrey; and
- who are not already on the roll of a school (although see exception in category a); and
- who are seeking a place in Year 7 to Year 11; and
- who fall under one of the categories a) to q) below

a)* *Children who were permanently excluded from their last state funded school placement and those attending PRUs or Alternative Provision, who are ready to be reintegrated back into mainstream education but into a different school from the one originally attended or where a child is still on roll at a school but is attending a PRU or Alternative Provision as an alternative to permanent exclusion;*

b)* *Children returning from the criminal justice system who are registered with the Youth Offending Team;*

c) *Children known to the police or other similar agencies, where there has been active involvement or support received from Surrey's Community Incident Action Group (CIAG) within the past six months;*

d) *Children with a history of serious unauthorised attendance problems (below 85%) within the past academic year, as assessed by the attached Education Welfare Officer;*

e) *Children withdrawn from school following fixed term exclusion for persistent breaching of internal behaviour policies in school;*

f) *Children who have applied to return to mainstream schooling after a period of elective home education and whose application for a school place through the normal in year admission process is refused;*

g)* *Children who have been out of education, including elective home education, for longer than two months of school time where they have been living within the UK throughout that period;*

h) *Children applying to enter Year 11 whose application for a school place through the normal in year admission process is refused;*

- i)* *Children of Gypsies, Roma and Travellers;*
- j)* *Children of asylum seekers and refugees who have been in the UK for less than two years and need a supported entry to school. The need for a supported entry does not include language support where this is the only support required and must be substantiated by professional evidence. Examples of the type of circumstances that might demonstrate a need for a supported entry are where such a child requires specific emotional or behavioural support by the school as a result of their experiences;*
- k)* *Children who are homeless including those who have been placed in temporary housing by Surrey County Council;*
- l)* *Children with unsupportive family backgrounds where a place has not been sought and where a referral is made through an outside agency or service who is seeking to support the child;*
- m)* *Children who are carers;*
- n)* *Children with special educational needs, disabilities or medical conditions (but without a statement), where the need, disability or medical condition has already impacted on the child's attendance or participation at school;*
- o) *Children subject to a child protection plan;*
- p) *Children of UK service personnel and other Crown Servants, where a change of location ordered by the service leads to a need for a change of school;*
- q) *Children who are accommodated in an emergency refuge for victims of domestic violence.*

3.3 Within the definition of this Protocol, categories deemed to be 'challenging' are categories a) to h). The process for the admission of children within these categories may be different from the remaining categories. The processes for the admission of children are set out in Sections 6 and 7.

4. Children with a statement of Special Educational Needs

- 4.1 Children with a statement of Special Educational Needs (SEN) are outside the remit of this Protocol as they are placed in accordance with the SEN Code of Practice.
- 4.2 This Protocol does not replace the process for assessing specialist needs of a child and the putting in place of appropriate provision.

5 Identification of children who meet the criteria for the Protocol

- 5.1 Most children will come to the attention of the admissions team or the school as part of the in year admission application process.
- 5.2 Where an application form is received directly by the admissions team they will assess the information on the in year application form and will categorise

children as meeting the Protocol if from that information they appear to meet the criteria.

5.3 Where an application form is received directly by **an own admission authority** school they will assess the information on the in year form and if they believe that the child meets the criteria of the Protocol they will consider whether they are still able to admit the child:

- If they are able to admit the child the school will notify the admissions team of the application and the offer and the reasons why they believe the child meets the Protocol on the Fair Access referral form for schools. The admissions team will then consider whether the admission should be logged as a Fair Access placement.
- If the school is unable to offer a place the school will refer it to the admissions team to be considered under the Protocol.

All such referrals will be made within 7 school days of the application being received.

5.4 Most children who are permanently excluded from a Surrey school and those who are ready for reintegration to a mainstream school from a Surrey PRU or other Alternative Provision will be identified by the Area Lead for Pupil Support/Head of PRU. The Area Lead for Pupil Support/Head of PRU will consider whether a managed placement might be arranged directly with a school or whether the processes set out in sections 6 and 7 should be followed.

5.5 However, it is inevitable that some cases will be unidentifiable from the in year application form and that there may also be some cases of recently excluded children who have moved from another local authority where the child's previous school history is not known to Surrey. If at any time a school identifies that a child should be categorised as meeting the criteria for the Protocol after admission they will notify the admissions team so that the placement might be recorded.

5.6 Some cases may also come to light where there is evidence that might suggest that, although not subject to a statement of SEN, the child is not suitable for mainstream schooling. It is anticipated that these cases will be few, but any such cases will be referred to Education Psychology for assessment before determining the most appropriate placement for the child.

6. Process for admission of KS3 & KS4 children - categories a) to h)

6.1 Secondary aged children who fall within categories a) to h) in paragraph 3.2 are considered to be the most challenging with regard to admissions:

- Children already in a Surrey PRU or alternative provision will be referred directly to the area Panel by the Area Lead for Pupil Support/Head of PRU once the child is ready for reintegration to another mainstream school
- Children who are already known to Surrey and who are recently excluded will be referred to a PRU by the Area Lead for Pupil Support
- All other children will be referred to the A2E team through the Area Lead for Pupil Support, by the admissions team

- 6.2 On receipt of referrals in A2E, the Area Lead for Pupil Support will arrange for:
- the child's assessment to be completed
 - a risk assessment to be carried out on the suitability of the home or alternative venues for home tuition
 - short term interim teaching/mentoring to be set up in the light of assessment/other available information.
- 6.3 After a maximum target time of 6 weeks with the A2E team, the Area Lead for Pupil Support will collate reports from tutors/mentors which will be submitted to the next area Panel. The Area Lead for Pupil Support will also send copies of the referral paperwork to the admissions team.
- 6.4 Where appropriate, the Area Lead for Pupil Support will try to mediate a school placement ahead of the Panel meeting, based on the circumstances of the case and the conditions set out in this Protocol.
- 6.5 The Area Lead for Pupil Support and/or a representative from the admissions team and/or a representative from A2E, as appropriate, will attend the Panel at which placement decisions are to be taken.
- 6.6 Panels are expected to consider the case of each child and to agree a placement at the most suitable school within the area of the Panel.
- 6.7 In considering cases, Panels will have regard to:
- parental preference (the parent/carer can still submit an appeal and so it is helpful to demonstrate that this has been considered)
 - the schools in the area that they might wish to protect from admitting a challenging child (such as a school which has a particularly high proportion of children with challenging behaviour or previously excluded children; a school in special measures or recently come out of them; or a school which is otherwise in need of support)
 - any genuine concerns about the admission by either the parent/carer or the school
 - a view of the parent/carer about the religious ethos of a school
 - distance, availability of transport and travelling times
- 6.8 In considering cases, Panels may also wish to have regard to the number of LAC and SEN children within each school and the number and frequency of previous Fair Access placements within the academic year and within each year group.
- 6.9 Decisions on placement will be notified to the admissions team for formal notification to the parent/carer, with a copy also being sent to the school and Area Lead for Education Welfare, who will in turn share it with the attached Education Welfare Officer and Exclusion and Reintegration Advisory Teacher.
- 6.10 Immediately after the Panel has made its placement decision the receiving school will contact the parent/carer and make arrangements for the child to go on roll within 7 calendar days of the placement being agreed and for a

start date within 7 calendar days of going on roll. Support for the admission process may be available from the EWO and the Exclusion and Reintegration Advisory Teacher and if required, reintegration support may also be available from the A2E team for the child's first 2 weeks in school.

- 6.11 The admissions team will continue to monitor the placement to ensure that the child is placed on roll and the satisfactory completion of 12 weeks.
- 6.12 A placement will be considered to have broken down if the child's behaviour would ordinarily warrant permanent exclusion. In such cases the Area Lead for Pupil Support, in liaison with the Exclusion and Reintegration Advisory Teacher, will determine whether or not the placement should be considered to have broken down.
- 6.13 Subsequent Panel meetings will review any placements made to ensure that the children in the partnership area are in receipt of full time education.
- 6.14 If for any reason a Panel is unable to resolve a placement, a placement will then be allocated to the child by the admissions team.

7 Process for admission under the Protocol – categories i) to q)

- 7.1 Children who fall within categories i) to q) in paragraph 3.2 will be placed directly by the admissions team without being referred to a Panel. These are children who are not challenging by definition but who might find the admission process difficult and who might be more vulnerable if unable to find a school place quickly.
- 7.2 Where the admissions team identify that a child meets the criteria for the Fair Access Protocol, the application will be referred to the parent/carer's preferred school for placement unless there are reasons why that school would not be an appropriate placement for the child.
- 7.3 If it is not possible to place the child within one of the parent/carer's preferred schools, the admissions team will seek to place the child in the nearest and most suitable school, taking into account:
 - schools with vacancies
 - whether or not a school is in special measures, has recently come out of them or is otherwise assessed by the local authority as needing support (such an assessment will be carried out by the admissions team in liaison with the Area Education Officer)
 - any genuine concerns about the admission by either the parent/carer or the school
 - a strong view of the parent/carer about the religious ethos of a school
 - the number and percentage of LAC and SEN children within each school and the number and frequency of previous Fair Access placements within the academic year and within each year group
 - distance and travelling times
- 7.4 The admissions team will liaise with the school before notifying a parent/carer of the placement.

- 7.5 Once agreement has been reached the admissions team will send notification to the parent/carer, with a copy also being sent to the school and the Area Lead for Pupil Support, who will in turn share it with the attached Education Welfare Officer and Exclusion and Reintegration Advisory Teacher.
- 7.6 The receiving school will contact the parent/carer and make arrangements for the child to go on roll within 7 calendar days of the placement being agreed and for a start date within 7 calendar days of going on roll.
- 7.7 The admissions team will continue to monitor the placement to ensure that the child is placed on roll and the satisfactory completion of 12 weeks.
- 7.8 A placement will be considered to have broken down if the child's behaviour would ordinarily warrant permanent exclusion. In such cases the Area Lead for Pupil Support, in liaison with the Exclusion and Reintegration Advisory Teacher, will determine whether or not the placement should be considered to have broken down.
- 7.9 Any child who cannot be offered an appropriate school place by the admissions team either within or outside the County within 3 weeks of the application and who meets the criteria to be placed under the Fair Access Protocol will subsequently be referred directly to the local Panel for placement without the need to be assessed by A2E team. Processes will then follow paragraphs 6.4 to 6.14.

8 Establishing which Panel is responsible for considering placements under categories a) to h) of the Fair Access Protocol

- 8.1 The purpose of the Protocol is to ensure that unplaced children, especially the most vulnerable, are offered a place at a suitable school as quickly as possible.
- 8.2 The most suitable school for some children could be a school that is close to the child's home. Advantages of a placement close to the child's home address are as follows:
- There are likely to be less transport issues or costs
 - If the school is nearer there are likely to be fewer barriers which prevent the child from attending
 - There may be better parental support and participation
 - The child will be better placed to participate in extra curricular activities
 - The child is more likely to develop friendship groups from his/her local community
 - It is less likely that appeals for other schools will be upheld
 - Establishes a clear and transparent way for referrals to be made
- 8.3 However there are also advantages of placing a child within the area where they were previously at school, and such placements can lead to a more informed and considered process which in turn can lead to a successful and supported placement:

- The previous school can comment on the child's behavioural and educational history at Panel
- Support services may already be familiar and be supporting the child
- Ensures collegiate working between schools in the same area which in turn improves shared approaches to managing behaviour and attendance
- Establishes a culture of shared problem solving of individual cases within the same area
- Schools can challenge the poor practice of other schools within the same area and this may in turn reduce the number of hard to place cases

8.4 For the purpose of this Protocol, children who have previously attended a school within the County will be referred to the Panel in which the child was previously at school. This will encourage collaborative working between schools.

8.5 However, any child who has not previously attended a school within the County will be referred to the Panel for the geographical area in which the child lives.

8.6 Where a Panel is satisfied that a placement in a neighbouring area would be in the best interests of the child or other children, then in those cases the Panel Chair will liaise with the neighbouring Panel Chair to negotiate a placement in the others area.

9. Out of area applications

9.1 Occasionally applications will be received from children who live outside of Surrey (not including those who have been excluded from a Surrey school) but who otherwise meet the criteria for placement under this Protocol.

9.2 In those cases, if the child falls within categories a) to h) of paragraph 3.2 of this Protocol and the preferred school is unable to offer a place, either because it has no vacancies or because it is in special measures, has recently come out of them or otherwise assessed by the local authority as needing support, the application will be referred back to the child's home local authority to identify an alternative placement.

10. Funding

10.1 Other than for excluded children (see paragraph 10.3), in-year applicants living in Surrey at the time of placement and admitted to state funded schools under categories a) to h) of paragraph 3.2 of this Protocol may receive a degree of financial support as follows:

- Up to £1,500 in the Autumn Term for placements made in the Autumn term (which represents £500 for each of the autumn, spring and summer terms)
- Up to £1,000 in the Spring Term for placements made in the Spring Term (which represents £500 for each of the spring and summer terms)

- Up to £500 in the Summer Term for placements made in the Summer Term (which represents £500 for the summer term)

Funding will be approved by each Panel according to need. Funding for a specific term will be forfeited if a child withdraws prior to the start of a term or if a child withdraws within a term if the withdrawal is within 12 school weeks of the placement being made. Where funding has already been paid the local authority will seek to recover monies from future payments.

10.2 Additionally, Surrey children admitted into year 11 at a **state funded school** after 2 October 2014 but before the end of the spring term and who do not already qualify for part year AWPU funding, will receive pro rata AWPU funding from the date of their admission to the end of August 2015 provided that the placement does not break down within 4 school weeks of the placement being made. Funding will be paid once the child has completed 4 school weeks at the school but a proportion will be reclaimed if the child subsequently leaves the school.

10.3 Excluded children admitted to mainstream schools under the Protocol will be funded as follows:

- a) When a child is on a school's roll in October that child generates a year's funding for the school. When a child is permanently excluded from a school at any time in the **local authority's** financial year, the school's budget is reduced by the annual value of age weighted funding multiplied by $1/52 \times$ the number of weeks from the date of permanent exclusion to the end of the **local authority's** financial year (except for Year 11s excluded during the summer term for which a separate calculation applies).
- b) Where a previously permanently excluded child is admitted to another school, the receiving school's budget is increased by the annual value of age weighted funding multiplied by $1/52 \times$ the number of weeks from the date of re-admission to the end of the **local authority's** financial year.
- c) In each case, adjustments will also take account of free school meals deprivation funding and the pupil premium if the pupil generated them.

10.4 Panels are expected to take into account distance and journey times when considering the most suitable placement. Subject to the maximum walking distance appropriate to the child being breached, transport will normally be arranged for the most appropriate public transport route. Where a taxi is deemed appropriate to support integration, this will only be funded for one term and beyond that the child would be expected to travel on an alternative mode of transport to school. Where there are exceptional circumstances the parent/carer could request that the taxi provision is extended and this would be considered as a transport case review by senior officers.

10.5 Funding arrangements within this Protocol will be reviewed subject to the outcomes of any changes to the funding of schools by the DfE or decisions made by Schools Forum to vary funding to schools.

11 Data

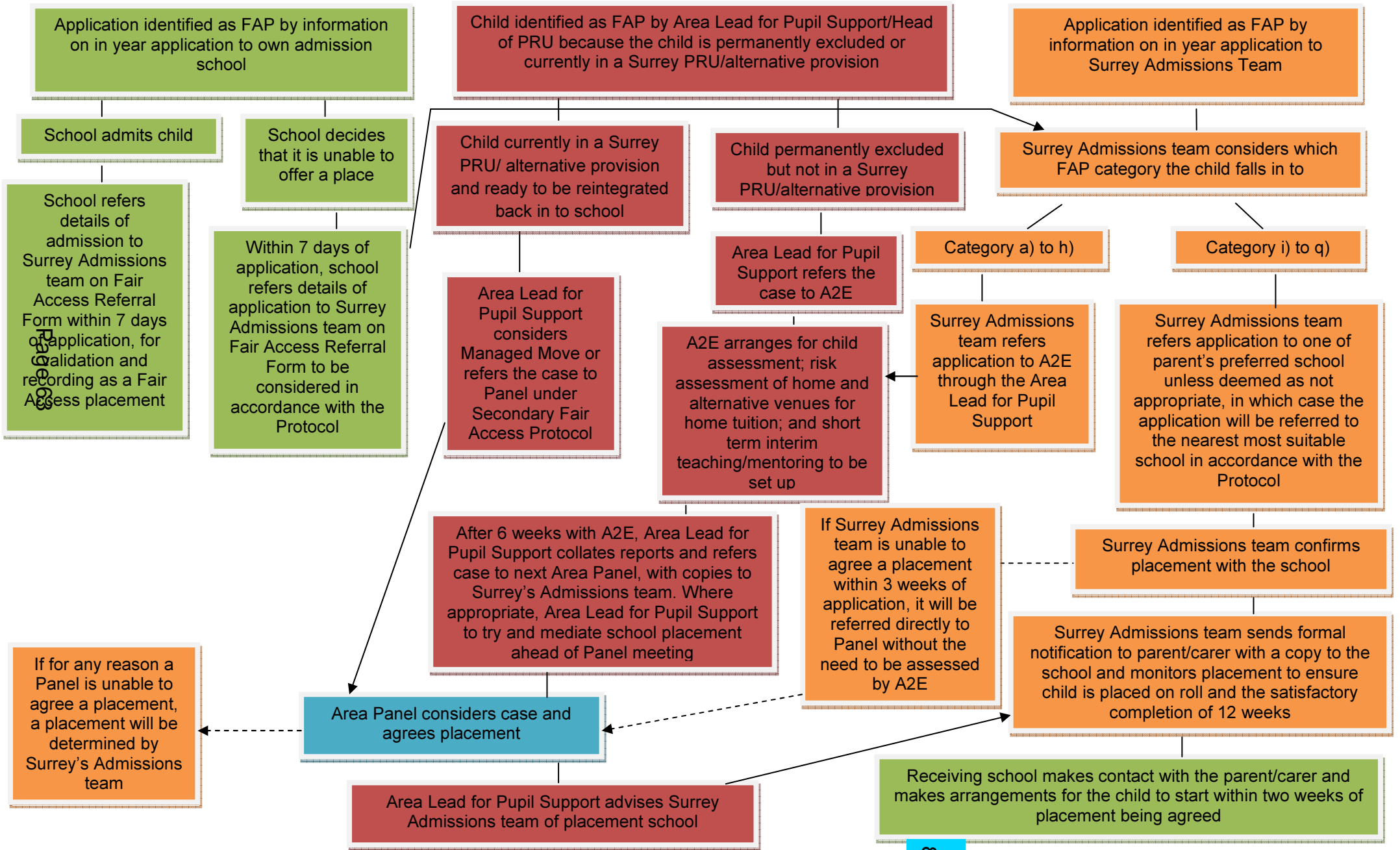
11.1 A log of all placements made through the Fair Access Protocol will be maintained by the admissions team and this data will be made available to Area Education Officers and the Admissions Forum by school and category.

12 Process for KS3 & KS4 children

Category of Child	Support team	Panel	Additional arrangements
a) Excluded children or children attending a PRU/Alternative Provision who are ready for re-integration to another mainstream school or where a child is still on roll at a school but is attending a PRU or Alternative Provision as an alternative to permanent exclusion	<ul style="list-style-type: none"> Exclusions and Re-integration team Area Lead for Pupil Support Alternative Provision provider 	✓	Points Weighting Dual Registration
b) Children returning from the criminal justice system who are registered with the Youth Offending Team	<ul style="list-style-type: none"> Admissions Youth Support Service 	✓	Additional funding
c) Children known to the police or other similar agencies, where there has been active involvement within the past six months or support received from Surrey's Community Incident Action Group (CIAG)	<ul style="list-style-type: none"> Admissions Youth Support Service 	✓	Additional funding
d) Children with a history of serious unauthorised attendance problems (below 85%) within the past academic year	<ul style="list-style-type: none"> Admissions EWO 	✓	Additional funding
e) Children withdrawn from school following fixed term exclusion for persistent breaching of internal behaviour policies in school	<ul style="list-style-type: none"> Admissions Behaviour support Area Lead for Pupil Support Alternative Provision provider 	✓	Additional funding
f) Children returning to mainstream schooling after a period of elective home education and whose application for a school place through the normal in year admission process is refused	<ul style="list-style-type: none"> Admissions EWO EHE team manager 	✓	Additional funding
g) Children who have been out of education, including elective home education, for longer than two months whilst living within the UK	<ul style="list-style-type: none"> Admissions EHE team manager 	✓	Additional funding
h) Children applying to enter Year 11 whose application for a school place through the normal in year admission process is refused	<ul style="list-style-type: none"> Admissions 	✓	Additional funding
i) Children of Gypsies, Roma and Travellers	<ul style="list-style-type: none"> Admissions REMA 	No	

j) Children of asylum seekers and refugees who have been in the UK less than two years and need a supported entry to school.	<ul style="list-style-type: none"> • Admissions • Social Care 	No	
k) Children who are homeless including those who have been placed in temporary housing by SCC	<ul style="list-style-type: none"> • Admissions • Social Care 	No	
l) Children with unsupportive families, where a place has not been sought and where the child is not in education and where a referral is made through an outside agency or service who is seeking to support the child	<ul style="list-style-type: none"> • Admissions • EWOs 	No	
m) Children who are carers	<ul style="list-style-type: none"> • Admissions • Social Care 	No	
n) Children with special educational needs, disabilities or medical conditions (but without a statement), where the need, disability or medical condition has already impacted on the child's attendance or participation at school	<ul style="list-style-type: none"> • Admissions • Area Lead for Pupil Support 	No	
o) Children subject to a child protection plan	<ul style="list-style-type: none"> • Admissions • Social Care 	No	
p) Children of UK service personnel and Crown servants where a change of location ordered by the service leads to a need for a change of school	<ul style="list-style-type: none"> • Admissions 	No	
q) Children who are accommodated in an emergency refuge for domestic violence	<ul style="list-style-type: none"> • Admissions • Social Care 	No	

Flow chart for processing cases under Secondary Fair Access Protocol - September 2014



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Addressing Inequalities

Equalities Impact Assessment

8

Surrey County Council Equality Impact Assessment Template

Stage one – initial screening

What is being assessed?	Primary and Secondary Fair Access Protocols 2014/15
Service	Admissions and Transport
Name of assessor/s	Claire Potier
Head of service	Peter-John Wilkinson
Date	
Is this a new or existing function or policy?	Existing policy under review

Write a brief description of your service, policy or function. It is important to focus on the service or policy the project aims to review or improve.

This EIA relates to the processes and criteria for Surrey's Primary and Secondary Fair Access Protocols. Each local authority is required to have a Fair Access Protocol which ensures that access to education is secured quickly for Surrey children who have no school place and that all schools in Surrey admit children their fair share of children with challenging behaviour.

Indicate for each equality group whether there may be a positive impact, negative impact, or no impact.

Equality Group	Positive	Negative	No impact	Reason
Age	X			Schools will receive AWPU funding for Year 11 pupils admitted after 2 October 2014 until the end of the Spring term
Gender Reassignment			X	
Disability	X			Children with special

				educational needs who are not stated and children with disabilities or medical conditions which have already impacted on their attendance or participation at school will be placed more effectively in school through the Fair Access Protocol
Sex			X	
Religion and belief	X			In considering a placement the Admissions team or placement Panel will have regard to a view of the parent regarding the religious ethos of a school
Pregnancy and maternity			X	
Race	X			Asylum seeker and refugee children who have been in the UK less than two years and who need a supported entry to school will be placed more effectively in school through the Fair Access Protocol
Sexual orientation			X	
Carers	X			Children who are carers will be placed in school more effectively through the Fair Access Protocol
Other equality issues – please state				
Looked After Children and care leavers			X	
Low income families			X	
HR and workforce issues			X	
Human Rights			X	

implications if relevant				
<p>If you find a negative impact on any equality group you will need to complete stage one and move on to stage two and carry out a full EIA.</p> <p>A full EIA will also need to be carried out if this is a high profile or major policy that will either effect many people or have a severe effect on some people.</p>				

Is a full EIA required?	Yes (go to stage two)	No X
<p>If no briefly summarise reasons why you have reached this conclusion, the evidence for this and the nature of any stakeholder verification of your conclusion.</p>		
<p>There are no negative impacts on any equality group. Placements under the Fair Access Protocol are less than 100 a year and as such this Protocol will not affect many people nor have a severe effect on some people.</p>		
<p>Briefly describe any positive impacts identified that have resulted in improved access or services</p>		
<p>The Fair Access Protocol is designed to ensure that children who are out of school are placed in school quickly. The equality groups identified above will face a positive impact as a result of this Protocol as they will be placed in school quickly, even if the school is full.</p>		

For screenings only:

Review date	
Person responsible for review	Claire Potier
Head of Service signed off	Peter-John Wilkinson
Date completed	3 July 2014

- Signed off electronic version to be kept in your team for review
- Electronic copy to be forwarded to Equality and Diversity Manager for publishing

Stage 2 – Full Equality Impact Assessment - please refer to [equality impact assessment](#) guidance available on Snet

Introduction and background

Using the information from your screening please describe your service or function. This should include:

- The aims and scope of the EIA
- The main beneficiaries or users
- The main equality, accessibility, social exclusion issues and barriers, and the equality groups they relate to (not all assessments will encounter issues relating to every strand)

Now describe how this fits into ‘the bigger picture’ including other council or local plans and priorities.

Evidence gathering and fact-finding

What evidence is available to support your views above? Please include a summary of the available evidence including identifying where there are gaps to be included in the action plan.

Remember to consider accessibility alongside the equality groups

Sources of evidence may include:

- Service monitoring reports including equality monitoring data
- User feedback
- Population data – census, Mosaic
- Complaints data
- Published research, local or national.
- Feedback from consultations and focus groups
- Feedback from individuals or organisations representing the interests of key target groups
- Evidence from partner organisations, other council departments, district or borough councils and other local authorities

How have stakeholders been involved in this assessment? Who are they, and what is their view?

Analysis and assessment

Given the available information, what is the actual or likely impact on minority, disadvantaged, vulnerable and socially excluded groups? Is this impact positive or negative or a mixture of both? (Refer to the EIA guidance for full list of issues to consider when making your analysis)

What can be done to reduce the effects of any negative impacts? Where negative impact cannot be completely diminished, can this be justified, and is it lawful?

Where there are positive impacts, what changes have been or will be made, who are the beneficiaries and how have they benefited?

Recommendations

Please summarise the main recommendations arising from the assessment. If it is impossible to diminish negative impacts to an acceptable or even lawful level the recommendation should be that the proposal or the relevant part of it should not proceed.

Action Plan – actions needed to implement the EIA recommendations

Issue	Action	Expected outcome	Who	Deadline for action

- Actions should have SMART Targets
- Actions should be reported to the Directorate Equality Group (DEG) and incorporated into the Equality and Diversity Action Plan, Service Plans and/or personal objectives of key staff.

Date taken to Directorate Equality Group for challenge and feedback	
Review date	
Person responsible for review	
Head of Service signed off	
Date completed	
Date forwarded to EIA coordinator for publishing	

- **Signed off electronic version to be kept in your team for review**

- **Electronic copy to be forwarded to your service EIA coordinator to forward for publishing on the external website**

EIA publishing checklist

- Plain English – will your EIA make sense to the public?
- Acronyms – check that you have explained any specialist names or terminology
- Evidence – will your evidence stand up to scrutiny; can you justify your conclusions?
- Stakeholders and verification – have you included a range of views and perspectives to back up your analysis?
- Gaps and information – have you identified any gaps in services or information that need to be addressed in the action plan?
- Legal framework – have you identified any potential discrimination and included actions to address it?
- Success stories – have you included any positive impacts that have resulted in change for the better?
- Action plan – is your action plan SMART? Have you informed the relevant people to ensure the action plan is carried out?
- Review – have you included a review date and a named person to carry it out?
- Challenge – has your EIA been taken to your DEG for challenge
- Signing off – has your Head of Service signed off your EIA?
- Basics – have you signed and dated your EIA and named it for publishing?

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