**London Borough of Sutton Vulnerable Pupil Panel
(Primary and Secondary)
Terms of Reference**

1. **Definitions**

Throughout this document abbreviations will be used for ease of reference:

1.1 Primary Limes: KS1/KS2 provision of Limes College, Pupil Referral Unit

1.2 Limes College: KS3/KS4 Pupil Referral Unit

1.3 SPHG Sutton Primary Heads Group

1.4 PSSS Partnership of Secondary Schools in Sutton

1.5 VPP Vulnerable Pupil Panel (Secondary)

1.6 PVPP Primary Vulnerable pupil panel

1.7 FAP Fair Access Protocol

1.8 Graduated Response Local Area working document to prevent exclusions

1.9 Unplaced Pupils Children resident in the London Borough of Sutton without education

**Vision and Principals:**

Children and young people have equality of access to high quality mainstream education and have the same opportunities to achieve and succeed through all their steps in education and effectively prepare them for adulthood whatever their starting point.

 We are collectively ambitious for children and young people. Through genuine partnerships, the PVPP/VPP ensure that children and young people have access to available support that they need, at a time they need it.

The core principle of the partnership is one of inclusion, acting in consultation to support the local area to develop policy, practice and provision. The partnership and has oversight of arrangements that support access to education and minimise pupil movement through early help.

**2. The Purpose and Scope of the Panel:**

2.0 The partnership is a mechanism for local area communication.

2.1 The VPP and PVPP is a multi-agency partnership whose aim is to support equality of access to mainstream education for children and young people and ensure consistent inclusion for all.

2.2 The partnership identifies support, advice and guidance that will benefit educational settings through capacity building and sharing/increasing resources within the system.

2.3 The partnership identifies support advice and guidance that ensures the needs of vulnerable children and young people, who are displaying behaviours that are a cause for concern and may lead to exclusion, or failure to access education, are met effectively.

2.4 The partnership has oversight of the Graduated Response to prevent exclusion and ensures that reasonable steps are taken to apply it across schools.

2.5 The partnership is aware of, and highlights the changing needs of Sutton children and young people, and identifies gaps in support and/or provision, making recommendations on how needs may be met to ensure inclusion.

2.6 The panel will act in a planning and consultancy capacity for the Local Authority and Local Area for the introduction, development, evaluation and ongoing improvement of provision and intervention for vulnerable children and young people with complex social, emotional, mental health and behaviour needs, through:

1. Discussing and informing strategic planning and decision making regarding vulnerable pupils in Sutton schools
2. Providing decision making, oversight of admission (in line with the service level agreement), and exit from Primary and Secondary Limes.
3. To record and track pupil movement whether through permanent exclusion, managed move or dual registration
4. To provide peer challenge and support to ensure consistency and continuity of best practice across all schools
5. To ensure that the FAP is applied in accordance with the policy and reviewed periodically
6. To have an overview and advise on year 6 to 7 transitions and activities

\*\* Support may be provided to children that are not Sutton residents, but this will be dependent of each service’s offer and criteria for support

1. **Administrative Procedures**

3.1 A panel will meet monthly to discuss new requests for support and where appropriate agree and allocate support according to a broad criterion.

3.2 Where a request for support is urgent, and a decision cannot wait until the next panel meeting due to extenuating circumstances, schools/agencies, should contact the Inclusion Coordinator for advice and if necessary, request PVPP/VPP Chair’s action.

3.3 Brief notes of discussion and decisions are recorded to capture the prime need of the pupil, as well and the decision process and rationale, including for any requests for support that do not meet the criteria for support.

3.4 Decisions from PVPP/VPP are circulated, usually within 2 working days after the panel ensuring that the referrer is aware of the decision made.

3.5 It is the responsibility of each organisation to implement the decisions made and to provide updates as required.

1. **Decision Criteria for the Allocation of Support**

4.1 PVPP/VPP discuss requests for support in full, and make multi-agency partnership decisions on the allocation of support broadly based on the criteria below

1. Evidence from the school of support and strategies already implemented (provision map), including evidence of Assess, Plan, Do Review, and impact
2. Identification of how the Graduated Response to prevent exclusion has been implemented
3. Clear description of the pupils’ needs and how these are being addressed
4. Clear description of desired outcome
5. **Resourcing**

5.1 The partnership provides peer review and signposting to school and LA resources

5.2 The panel does not have allocated funding as a panel

1. **Membership of the Panel**
* Chair of PVPP/VPP (Primary and Secondary Headteacher)
* PVPP/VPP Administrator (Cognus)

Representatives from the following services:

* Limes College
* STARS
* Inclusion (Cognus)
* School Admissions (Cognus)
* Educational Psychology (Cognus)
* Schools (Various)
* Social Care (London Borough of Sutton)
* Early Help (London Borough of Sutton)
* Integrated Youth Service (London Borough of Sutton)
* Police liaison officer (Police)
* Other representatives from relevant organisations may join the panel as required or by invitation
1. **Frequency of meetings**

7.1 Panels are held monthly with dates circulated for the year

7.2 Panels are held in school settings on a rotation basis for secondary VPP and at Cognus for primary VPP

7.3 Panel meetings may have an extended agenda to include discussion and strategic leadership of other themes relevant to the support of vulnerable pupils

**Appendix A**

[**Sutton Schools Graduated Response – Preventing Exclusion**](https://www.sutton.gov.uk/downloads/file/4260/sutton_schools_graduated_response_-_preventing_exclusion)

**Appendix B**

**Secondary School Fair Access Protocol – January 2021**

1 Introduction

* 1. This document sets out Sutton’s Fair Access Protocol (FAP), which will ensure that access to education is secured quickly for children resident in Sutton who have no school place, and that all schools in Sutton participate, whether or not the school is oversubscribed.
	2. The School Admissions Code requires each local authority to have a protocol, which must be agreed by a majority of schools. Where agreement from a majority cannot be reached, the matter is referred to the Secretary of State who may impose a protocol.
	3. The FAP applies to all state-funded secondary schools in the local authority.
	4. This FAP includes, as a minimum, all the categories that must be incorporated in it as set out in the School Admissions Code (the Code).
	5. The FAP may only be used for in-year admissions once applications have been refused and no alternative places in Sutton exist; the list of categories within the FAP is not a list of criteria by which applications may be refused.
	6. Where a governing body does not wish to admit a child with challenging behaviour outside the normal admissions round, even though places are available, it **must** refer the case to the local authority for action under the FAP. This provision will not apply to a looked after child, a previously looked after child or a child with an Education, Health & Care Plan naming the school in question, as these children **must** be admitted.
	7. Pupils of selective ability or with a religious affiliation should be matched to an appropriate school where possible.
	8. This protocol incorporates a Managed Move Protocol at Appendix 1.

2 Qualifying Pupils

2.1 Qualifying children will be those who fall into one of the following categories, normally where an in-year application has been unsuccessful (statutory requirements of the Code, with local additions in italics):

a) children from the criminal justice system or Pupil Referral Units who need to be reintegrated into mainstream education *(this can include those where an IRP has quashed an exclusion and the governing body does not reinstate the pupil)*;

b) children who have been out of education for two months or more *(this may include unsuccessful EHE where the pupil cannot return to the original school)*;

c) children of Gypsies, Roma, Travellers, refugees and asylum seekers;

d) children who are homeless;

e) children with unsupportive family backgrounds for whom a place has not been sought *(this may include CME)*;

f) children who are carers;

g) children with special educational needs, disabilities or medical conditions (but without an Education, Health and Care Plan)

*h) Other exceptional cases where children are not in education and the Vulnerable Pupil Panel agrees to place through this protocol*

*i) Unsuccessful in-year applicants who do not meet any of the vulnerable characteristics above (this will include those leaving EHE who may return to their previous school)*

3 In-Year Admissions

3.1 Where in-year admission applications have been unsuccessful in years 7-10, and there are no other vacancies in the relevant year group, they will be considered through the protocol. Cases will not be considered under the protocol until preference schools have issued outcomes. The in-year admissions protocol is at Appendix 3.

3.2 These will be split between those that meet the vulnerability criteria a)-h) in ‘2’ and those which fall under i).

3.3 Admissions will triage applications after admissions outcomes are received to determine if the vulnerability criteria are met, based upon information provided with the application (Appendix 2); where this is the case, Admissions will complete a VPP referral and the case considered alongside other referrals.

3.4 Those falling under i) will be fast tracked outside of the panel and referral process, and will be allocated according to a separate rota with the intention that placements are reasonably equal across schools in each year group. However, some pupils may be placed outside of the rota if, for example, the parent makes a case why a particular school may not be suitable, or to try and place siblings together.

3.5 If a school believes the case should be credited as a vulnerable child, has good reason why they should not be the allocated school, or wish to seek a support package to aid integration, they may make this case at any point through the admissions process and refer the case to the following Panel. However, this should not delay or prevent admission from taking place where possible.

3.6 Under 3.4, consideration will be given to an indication of selective ability (and arrangements for testing made), and faith affiliation (with evidence of baptism or equivalent requested) prior to allocating a school. If a faith or selective school is the next school to admit, and the relevant measures are met, they will be asked to admit the pupil; otherwise the alternative qualifying school will be approached.

3.7 Unplaced Year 11 students will be referred to Limes College to arrange alternative provision; Limes can refer cases back to panel where a mainstream school placement is appropriate. Oversight of this will be maintained through Admissions, LB Sutton and Limes commissioning meetings.

1. Process for admission under the Protocol
	1. The School Admissions Team will maintain a ranked order list determined from the number and dates of placement from the previous academic year, as well as the cases placed through the protocol.
	2. All schools agree to initially admit up to 4 pupils through the protocol in an academic year, for categories a) to h), with no more than 2 in a single year group where possible.
	3. Schools will not be asked to admit above this number until all appropriate schools have reached this limit.
	4. Admissions and Limes will arrange for a VPP referral to be made within the deadline for pre-VPP meetings.
	5. Pre-VPP will consider if any additional information should be sought prior to the main panel, determine if any admissions referrals should be processed under category i) (and returned to admissions to do so), and recommend the appropriate school to be asked to admit the pupil on the basis of 4.2 et seq.
	6. Admissions will advise the Panel of the next appropriate school to take an agreed case based on
* the number of placements each school has taken in the academic year
* pupil history
* advice from Limes College or STARS staff
* the home address of the student and travel time to school
* the number of permanently excluded pupils admitted by the schools through the protocol
	1. In exceptional cases, where there is evidence that the next school on the list is not appropriate, the following school on the list will be considered, and so on. In these circumstances the family/school must provide evidence which confirms why a school is not appropriate.
	2. Faith Designated Schools
* Where the child is a baptised Catholic, the application will be referred first to the appropriate Sutton Catholic School, regardless of their position on the list, unless that school has no Fair Access placements remaining.
* Where a Catholic school is the next appropriate school to admit, they will be required to take the next child if that child is a baptised Christian, or a recognised denominational event as an alternative to baptism (e.g. a service of dedication), or a family that is willing to give a commitment to upholding the catholic ethos and faith.
	1. Selective Schools
* The criteria for considering if a child should be referred to a selective school will be either:
	+ that the child is already deemed selective through his/her placement at a selective school; or,
	+ if there is alternative evidence that demonstrates that a child might be of selective ability; and
	+ is subsequently assessed for suitability by a selective school

5 Vulnerable Pupils Panel

* 1. Schools are asked to review recommendations made by pre-VPP prior to attending the main VPP, and those attending VPP should have delegated decision making responsibility. This is to ensure that, as far as possible, decisions at VPP are binding, and the admission of pupils is not delayed.
	2. VPP may be able to agree packages of support to aid transition, and those decisions will also be minuted.
	3. Once decisions of the Vulnerable Pupils Panel are circulated, it is the responsibility of the school to arrange admission based upon the circulated information, and this should be arranged prior to the following panel.
	4. For unplaced in-year admissions, the Admissions Team will also provide the school’s admissions officer with access to electronic application data, and a confirmation email.
	5. If, during the admissions process, new information becomes available that indicates the school is not appropriate, the school will refer this to the following panel for a decision as to whether an alternative school should be named.
	6. If schools may wish to protect a year group from complex admissions through the protocol, it should make this known to the Vulnerable Pupils Panel at the earliest opportunity, so that this may be taken into account in decisions at future meetings. Such a request should not be made following a recommendation to admit.
	7. If a school identified as the one to admit a child refuses to do so, the school will be asked to present its case to VPP.
	8. Should VPP agree the school should still admit the pupil (on the basis that the protocol has been appropriately followed and, in effect, all other schools are refusing to admit), and the allocated school refuses to do so, the Local Authority will enforce the agreement using, where necessary, powers of direction or by requesting the Schools Adjudicator or Secretary of State to direct a school to admit a child.
	9. Where pupils are reintegrated from Limes College, they will remain on dual registration for 12 school weeks; where a Fair Access Placement is not successful during this period, the school should make a referral to the Vulnerable Pupils Panel.
	10. VPP will also have oversight of other commissioned places at Limes College, and be the gateway to access these upon a VPP referral, recommendations, and VPP decision making. However, referrals from schools will only be single registration with Limes College following a permanent exclusion; other placements will be on a dual-registration basis.
	11. VPP will administer any funding arrangements to support the integration of FAPs where it is agreed necessary.

6 Monitoring

6.1 Monitoring of process and allocations will be ongoing through the Vulnerable Pupils Panel.

6.2 Admissions will provide a list of placements agreed for each VPP meeting.

6.2 Any party wishing to review an element of the protocol should raise this for discussion through the Vulnerable Pupils Panel.

**Appendix 1**

**MANAGED MOVE PROTOCOL (Last Reviewed January 2021)**

**Principles**

1. A managed move in Sutton may apply to students where there are social care issues or other vulnerabilities or where a school feels a pupil who has displayed behaviour problems may succeed with a fresh start in another school. The possible scope for using managed moves can be as broad and as flexible as Headteachers feel is appropriate however, a managed move should only be considered if the pupil is deemed suitable to be in a mainstream setting and not at the stage of CARE.
2. They should not be used as a means for circumventing the normal change of school arrangements through school admissions for routine parental requests for a new school where that school may be full.

1. In all cases a managed move should only be considered when it is in the best interests of the pupil concerned. A change of school can bring its own problems and schools need to be confident that the benefits of the managed move to the pupil outweigh the difficulties a pupil will face.
2. Managed moves do not attract a placement credit through the Fair Access Protocol but will be recorded and monitored through VPP.
3. The process does not include children with an Education Health Care Plan. It may include a Looked After Child, with consultation and the agreement of the student’s social worker and/or the LAC Team from the local authority responsible.
4. The same criteria should be applied relating to admission to a grammar school or faith school as stated in the main body of the Fair Access Protocol.
5. Agreement must be made with the parent/carer to the principle of the move. Parents should not be pressurised into accepting a managed move under threat of other sanctions.
6. Where agreed, managed moves take priority over children on an existing waiting list for a school.

1. All managed moves must be communicated to the Vulnerable Pupils Panel who will monitor the managed moves agreed as an overview of pupil movement within the borough. Details will be maintained by the Admissions Team.

**Process**

* If a possible receiving school has been identified and consultation between the schools results in an agreement, the receiving school can admit the pupil as soon as it is able to do so without waiting for the next VPP meeting. However, a referral should go to the Panel to advise that a managed move has been agreed in order that it can be noted.
* If a school has not been identified prior to referral, the managed move process will work in a similar way to the Fair Access Protocol. Schools will be asked in rotation to take a student as a managed move and credited for having done so. Schools will not be asked to take more than 2 managed moves in an academic year unless it wishes to do so.
* Following the VPP confirmation, a joint meeting will be held between the two schools prior to an admittance interview at the receiving school in order that key information be discussed and passed on prior to the pupil starting. Agreed measurable criteria should be set at the joint meeting e.g. attendance if the pupil has had poor attendance, but it should not be so stringent that a pupil will not succeed.
* From the admittance date there will be a 12 week trial period during which a pupil is dual registered. By the end of the 12 week period the receiving school will have assessed if the pupil has largely met the criteria and therefore whether:
	+ It is happy to offer a permanent place and place the pupil fully on roll
* It is unable to admit as the placement has broken down
* If a pupil is successfully placed, the pupil is placed fully on roll at the new school who then claim the outstanding AWPU for that year from the previous school (academic year for academies and financial year for maintained schools). The pupil’s file will be forwarded to the new school if this has not already been undertaken.

**Appendix 2**

**SCHOOL ADMISSION APPLICATION FORM – PARENT FAIR ACCESS QUESTIONS:**

|  |  |  |
| --- | --- | --- |
| **Has your child been permanently excluded in the last 12 months?** | YES / NO | Details: |
| **Has your child had any fixed period exclusions in the last 12 months?** | YES / NO | Details: |

|  |  |  |
| --- | --- | --- |
| **Does your child have an Education, Health & Care Plan (EHCP)** | YES / NO | Previous Local Authority: |
| **Does your child have special educational needs (but no EHCP)** | YES / NO | Details (attach any relevant reports): |

|  |  |  |
| --- | --- | --- |
| **Is the child ‘looked after’ or previously ‘looked after’ by a Local Authority?**  | YES / NO | Local Authority:Name of Social Worker:Email address: |
| **Are they open to Social Care as a Child in Need or under a Child Protection Plan** | YES / NO | Local Authority:Name of Social Worker:Email address: |

|  |  |  |
| --- | --- | --- |
| **Is the child a United Kingdom national?** | YES / NO | If NO, nationality: |
| **If NO, please confirm that you have checked your child’s eligibility to free education whilst in the UK** | YES / NO | You MUST check your eligibility at <https://www.gov.uk/guidance/schools-admissions-applications-from-overseas-children> ***If your child is here on a 6-month Standard Visitor or 11-month Short-term Study visa, you are not eligible to make this application*** |
| **Does the child require additional support with English?** | YES / NO | Child’s first language: |
| **Is the child an asylum seeker or refugee?** | YES / NO | Any school support needed: |

|  |  |  |
| --- | --- | --- |
| **Is the child a baptised Catholic, Christian or member of other faith group with evidence of membership?**  | YES / NO | Faith group (please submit evidence of membership with your application): |
| **If you are not offered a preference school, would you consider a Catholic school as an alternative?** | YES / NO | **If YES, would you be committed to upholding the school’s Catholic ethos and faith** | YES / NO |

|  |  |  |
| --- | --- | --- |
| **SECONDARY SCHOOL APPLICATIONS ONLY** **Is the child of selective (grammar) school ability?**  | YES / NO | Evidence if YES (we may ask a selective school to contact you to discuss this and arrange a selective eligibility test): |

|  |
| --- |
| **Please give details of other individuals or groups who have worked / are currently working with this child** (e.g. Social Worker, Youth Offender Team. Please give contact details if possible) |

|  |
| --- |
| **Please include any other information that you think is relevant to this application** This may include details of any disability (physical, sensory – sight, hearing, speech), learning difficulties, other support that may be needed in school or classroom, if the child is a young carer. **(Please continue on a separate sheet of paper if necessary)** |

|  |
| --- |
| **Have you also made applications to any schools outside the London Borough of Sutton or to any independent schools?** YES / NO If **YES**, please give details below  |
|  School  |  | Date Applied |  | Outcome |  |
|  School  |  | Date Applied |  | Outcome |  |
|  School  |  | Date Applied |  | Outcome |  |

**Appendix 3**

**Protocol for In-Year Admissions (Last Reviewed January 2017 – next review with 2021 Admissions Code)**

**Introduction**

This Protocol sets out the minimum processes for in-year admission to schools within Sutton.

The overriding principles of this protocol are to place children without a school quickly, to allow the LA to track each resident child into education, and to communicate with other LAs where there are cross border applications.

1. The Admissions Team will maintain a register of vacancies within the borough. All schools will provide updated vacancy information through agreed processes. The LA aims to ascertain other possible vacancies in neighbouring LAs.

1. Applications for schools in this LA will be made on this LA’s Application Forms. These will be supplemented by any additional information and supplementary forms which are deemed necessary by this LA or individual admission authorities.

1. Where enquiries or applications are made relating to children already on a school roll within a reasonable travelling distance from home, this LA may encourage parents to consider the benefits and disadvantages of transfers, or to resolve issues with the existing school, before an application is processed.

1. This LA undertakes to carry out the following prior to an application being complete: address verification; identity/visa checks for applicants arriving from abroad; ‘looked after’ or ‘previously looked after’ status; relevant background information checks (including information from previous school where in the UK); supporting information where the child has been educated outside their normal year group,

1. An application will not be processed until all necessary forms are received and enquiries completed.

1. Where a school in this LA receives an application directly, it must be copied to the LA to register.

1. Any order of preference given on the Application Form will not be revealed to schools prior to an application being ranked. Application information may be released after admissions decisions e.g. for appeals purposes.

1. Application data and background information will be shared with schools through agreed secure methods once all relevant forms are received and enquiries completed.

1. Admission authority schools will aim to issue the outcome of an application as soon as possible, but no later than within **10 school days** of receipt and share this with this LA. Where no preference school is able to offer the LA will consider an appropriate alternative.

1. Where an applicant resident in the borough is out of school, this LA may refer the case for consideration under its Fair Access Protocol if it believes the relevant criteria are met. Where the applicant is resident in another LA, that LA will be encouraged to consider the provision for the child through their equivalent panel process.
2. Where the applicant is resident in another LA, this LA will share the application and outcome for its schools with the Home LA.

1. Where an admission authority is unable to offer a place, it must offer a right of appeal. Where this LA is dealing with multiple preferences for community schools, it will offer a right of appeal if it is unable to meet the highest preference. A recommended form of words is included at appendix 1.

1. Where this LA is able to offer a higher preference community school, lower preference schools will be withdrawn from the process.

1. (Secondary only) If an admission authority rejects a resident applicant when vacancies are available, the case must be referred for consideration under the Fair Access Protocol.

1. (Primary only) Where vacancies exist, an application may normally only be refused if agreement from Primary VPP has been reached for alternative provision. Where such cases arise, the school should inform Admissions who will make the referral. If Primary VPP determine a mainstream school is appropriate, preference schools with vacancies should admit.

1. Where an in-borough applicant is out of education, and their application is unsuccessful for preference schools, it will seek an alternative school or provision (including through its Fair Access Protocol where appropriate).

1. Where a place is offered, parents will be given two weeks to accept or decline the offer of a place.

1. Where a parent does not respond within this timeframe the admission authority will make every reasonable effort to contact the parent to find out whether or not they wish to accept the place. Only where it can be demonstrated that every reasonable effort has been made to contact the parent, and the child has an alternative education placement, will the offer of a place be withdrawn.

1. Where a parent resident in another LA accepts or declines a place in a school in this LA, the home LA will be notified.

1. Each admission authority should establish whether the applicant is to remain on their waiting list. Waiting lists will be maintained in accordance with each admissions authority’s policy.

1. Where a place is offered, that school is responsible for undertaking age and identity checks if not available from the application or a previous school. Schools should retain the UPN from the previous school.

1. Where a place is offered to a child out of education, arrangements should be made for the child to start as soon as possible. If the child is in another school within a reasonable travel distance/time of their home address, the school may agree a start date not beyond the start of the following full term.

1. This LA will notify the Home LA of any relevant appeals that are upheld for this LA’s schools.

1. Where an admission authority school makes an offer from their waiting list, they will inform the LA of the pupil to be offered a place, the outcome, and the leaver who has created the vacancy (if it is not an offer above PAN).

1. Schools should update SAM of changes to their attendance count following joiners and leavers, as this generates the vacancy position of the school as required by the School Admissions Code.

1. Where a place is offered and accepted from the waiting list to a child resident in another LA, this LA will advise the Home LA.

1. Children missing education will be monitored through this LA’s systems and tracked until they are in education.