

Portfolio Holder Decision

Request to Consult – Fair Access Protocol

Portfolio Holder	Portfolio Holder for Education
Date of decision	8 September 2023
	Signed 

1. Decision taken

That the Portfolio Holder for Education agrees to the commencement of a consultation to review the Fair Access Protocol (FAP) for Warwickshire Schools.

2. Reasons for decisions

- 2.1 In Spring 2022, the Local Authority consulted on introducing a broader set of criteria within Warwickshire's FAP. Less than 50% of schools responded to the consultation and therefore a FAP was authorised at cabinet that reverted to statutory guidelines.
- 2.2 The LA in conjunction with schools have identified areas where the current protocol could work more effectively and efficiently and consultation is necessary to introduce changes.
- 2.3 Pre-engagement with schools has taken place via workshops and a development group to identify areas which need to be addressed. A working draft of proposed changes has also been shared with all schools in July 2023.
- 2.4 There is a need to ensure a revised protocol is more robust and explicit in terms of decision making, parameters and supporting processes. The core changes we are proposing are summarised as:
- Operating bi-weekly virtual panels for Primary and Secondary.
 - Representation from a pool of schools to represent 'all schools' as opposed to their own individual school.
 - Removal of a points system for Secondary that currently informs the placement process. The new model will look purely at needs, circumstances and supporting data/information in terms of placements.
 - Removal of the schools in scope approach for Primary. The new model will look purely at needs, circumstances and supporting data/information in terms of placements.
 - Strengthening the FAP Appeals process for school by setting out clearly a defined process.
- 2.5 The consultation would run from Monday 11 September until Friday 29 September (3 weeks) with results informing revision to a new protocol.

3. Background information

- 3.1 FAP is a requirement of the Admissions Code 2021 which is, of itself, a statutory document issued under Section 84(1) of the School Standards and Framework Act 1998 and which, under Section 84(2), has the power to impose mandatory requirements on local authorities and admission authorities. Fair Access Protocols are a mandatory requirement under the Code,
- 3.2 The purpose of a FAP is to ensure that vulnerable children, and those who are having difficulty in securing a school place in-year, are allocated a school place as quickly as possible, minimising the time the child is out of school.
- 3.3 Every LA is required to have a FAP in place that is agreed by the majority of schools in its local area.
- 3.4 Further approval will be required via cabinet on a revised protocol in autumn term of the academic year 2023-24 with the intention to introduce the new protocol by January 2024 at the latest.

4. Financial implications

- 4.1 There are no additional costs to the LA to undertake this consultation.
- 4.2 However, FAP is a mechanism that can be used to secure places in local provision where year groups are full. FAP is an essential approach to ensure children can be placed in local, suitable provision and the financial burden on transport may be reduced in the longer term.

5. Environmental implications

- 5.1 There are no specific environmental implications related to this consultation.
- 5.2 However, FAP is a mechanism which can be used by LAs to ensure children can be placed in local provision where year groups are full. Placing children in local provision may reduce the need to transport.

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Urgent matter?	No
Confidential or exempt?	No
Is the decision contrary to the budget and policy framework?	No

List of background papers

None

Members and officers consulted and informed

Portfolio Holder – Councillor Kam Kaur

Corporate Board – Nigel Minns

Legal – Nichola Vine

Finance – Andrew Felton

Equality – Delroy Madden

Democratic Services – Amy Bridgewater-Carnall

Councillors – Barbara Brown, Jerry Roodhouse, Marian Humphreys

Local Member(s): N/A