Hackney Fair Access Panel – Terms of Reference

Operational appendix to the Hackney Fair Access Protocol

1. Purpose

The Fair Access Panel (FAP) provides a transparent, collaborative mechanism for securing appropriate school places quickly for children and young people who meet the Fair Access Protocol criteria, particularly where placement cannot be resolved through ordinary in-year admission arrangements. The panel should operate in the spirit of collective responsibility, supported placement and timely resolution.

2. Principles

- The best interests, needs and vulnerability of the child or young person remain central.
- Children should not remain without suitable education while professional or school-level disagreements are unresolved.
- Decisions should be fair, evidence-informed and take account of school context, parental engagement and the support required to make a placement successful.
- The process should distribute responsibility equitably across schools and avoid reliance on vacancy alone as the determining factor.
- Supported placements and early help should be considered wherever they can improve placement stability.

3. Membership and chairing

Core membership should include the elected headteacher chair and Vice Chair, Local Authority co-chair, headteacher representatives from the relevant phase, Admissions representation, and an appropriately senior SEND representative.

A primary headteacher chair/representative is required when a primary-age case is being considered. Vice-chair arrangements should ensure continuity when the chair is unavailable.

Interim or named postholders may be confirmed operationally without delaying the panel.

Implementation discussions identified the need to confirm the senior SEND representative and primary chairing arrangements during the first 6 months of operation.

4. Roles

Role	Core responsibility
Chair / Vice-chair	Chair the meeting, ensure balanced discussion focused on supported placements as well as placement, confirm decisions and maintain collective accountability.
LA Co-chair	Provide senior LA oversight, ensure decisions align with the Protocol and resolve/escalate system barriers.
Admissions Team	Prepare cases, coordinate pre-meets and support for children admitted based on a Tier 1 supported placement, circulate papers, record decisions, notify schools/families as appropriate and maintain the FAP placement tracker.
Headteacher representatives	Bring school-sector expertise, consider capacity/context/risk, and participate in collective placement and supported placement decisions.
SEND representative	Advice on SEND duties, needs, reasonable adjustments, EHCP/SEN processes and support required for placement stability.
HEALS / Inclusion colleagues	Where relevant, advice on Inclusion Panel decisions, tiered pathways, outreach, and supported placement arrangements.

5. Pre-meeting process

1. Admissions identify cases potentially requiring FAP consideration and ensure the required information is available.
2. Challenging-behaviour refusal cases are reviewed at a scheduled pre-meet by Admissions with the Chair and LA Co-chair before referral to FAP.
3. Where the Protocol assigns the gateway decision to the Inclusion Panel, that decision is made before the case is submitted to FAP.
4. **Cases requiring rapid placement because of vulnerability may proceed directly to FAP where the Protocol provides for this.**
5. An agenda and concise case papers are circulated securely in advance.

6. Decision-making

The panel will seek a clear collective decision.

Placement decisions should consider the child's needs and circumstances, school context, fairness of distribution, previous placements/allocations, available support, and parental engagement. The nearest school with a vacancy is not the sole consideration.

7. Recording and review

Every decision must record the allocated school or agreed next action, responsible officer, support package where relevant, notification date, admission/start target, review date, and any escalation required. Review periods will normally be six weeks where a supported placement or review is specified unless the case requires a different time scale.

8. Confidentiality and information governance

Information must be shared only for the purpose of securing and supporting education, through approved secure systems and in accordance with applicable data-protection and safeguarding requirements.

9. Review of these Terms of Reference

These Terms of Reference should be reviewed alongside the Fair Access Protocol after the initial 6-month implementation period and thereafter when the Protocol, statutory framework, or local operating model changes.