

Protocol for the Placement of Children following the closure of privately funded independent schools

July 2018

Introduction

Where a private independent school has received notice to close, or has already closed, the local authority must work with all maintained schools and Academies in its area to consider the best way to secure provision for children that attended the closed or about to close independent school, should their parents wish to express preferences for them.

This document is intended to be a working document to guide professionals and parents should such an event occur. It will be reviewed annually to ensure that the the Local Authority and schools learn from experience and share examples of good practice.

Parental Responsibility

In accordance with Section 7 of the Education Act 1996 the parent of every child of compulsory school age shall cause him to receive efficient full-time education suitable

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

Children who fall under this protocol

This protocol is in place to secure appropriate education for children who are out of school as a result of an independent school being permanently closed. The closure may be for a number of reasons including the removal of its DFE registration; failure of an unregistered school to obtain DFE registration and the failure of registered and unregistered schools to meet required health and safety standards.

Children who do not fall under this protocol

This document does not cover the placement of pupils following the closure of maintained schools or academies as it is expected that the issue of pupil placement will be addressed before any decision is made regarding the closure.

Pupils with Education, Health and Care Plans

This document does not cover Pupils with Education, Health and Care Plans. The LA will bring forward the annual review for these pupils and another school will be named through that process.

What will the LA do?

As soon as the local authority is made aware of a possible or actual closure the local authority will seek a copy of the school roll from the independent school in order to contact the families directly. HLT may also place a notice on its website and/or in an appropriate newspaper/publication inviting parents of pupils at the school to make contact with the local authority.

Where pupil details are ascertained, the local authority will write to the parents informing them of their responsibility to ensure appropriate education for their children. The letter will explain they have a right to request a placement in a state maintained school and of the process for making such a request. A copy of the application form and details of schools with vacancies will be attached.

Parents who do not wish to apply for a place at a maintained school or academy will be asked to let us know the arrangements they will be making for their child's education.

Parents who do not respond

The school attendance service will be asked to make contact with families who do not let the LA know the arrangements they will be making for their children's education. This is to ensure that the LA is able to establish the identify of children in their area who are not registered at a school and receiving suitable education otherwise than at school.

Once an offer is made

Before a child is placed on the roll of a school, Hackney Learning Trust (HLT) will attempt to gather as much background information as possible about the child. However, this may be limited if the school records are inaccessible following the school closure.

On receipt of the allocation notice, the receiving school should follow the normal admissions procedure, that is contact the family and invite them to an enrolment meeting.

Schools may have concerns about about a child's prior attainment and any gaps in the breadth of the curriculum. It is advised that schools complete assessments at the point of entry to ascertain the pupil's attainment levels and identify any support that may be required.

Children displaced following a school closure may be given a higher priority as part of the published oversubscription criteria for community schools.

Parents not offered a place at one of their preference schools

The parents of children not offered a place at any of their preference schools will either be notified of schools with vacancies and asked to indicate which schools they prefer and/or be referred to The Fair Access Protocol Panel. As far as possible, these children will be evenly distributed amongst schools. In some circumstances schools will be asked to admit above their published admission number as part of the Fair Access Protocol. No school will be asked to admit a disproportionate number of pupils above numbers.

If there are many more pupils than places available, the local authority will ascertain whether there are places available in local schools in neighbouring local authorities. If this is not the case, the local authority will seek to expand existing schools temporarily.

If the independent school that has closed is a faith school, there can be no guarantee that a place will be offered in a school of the same faith. There is also no guarantee that a place can be offered at a single sex school.

5.7.18