

# Request for a direction to admit a child to an academy

This form is **not** to be used for looked-after children or previously looked-after children.

This process should be used in conjunction with:

* locally agreed fair access protocols
* the departmental advice [fair access protocols on school admissions](https://www.gov.uk/government/publications/fair-access-protocols-in-school-admissions)

There is an expectation from the Secretary of State that the local authority and the academy work together to ensure the successful admission of a child.

A request for the Secretary of State’s direction should only be used if the in-year admissions process and the fair access protocol do not secure the child a place. Where the local authority and academy cannot agree:

* the local authority and the academy must document the case for and against admission
* the local authority must provide evidence that the academy has been consulted setting out the academy’s reasons for refusal and the local authority’s response.

When we receive a request, we will inform the academy.

Where the request is for a child that has been considered by the local fair access protocol, we will consider:

* if the local fair access protocol has been applied appropriately
* the arguments of the academy and local authority
* whether the local authority has considered the arguments for refusal and why it still considers the academy to be the appropriate provision for the child
* whether the academy has been asked to accept a disproportionate number of children under the fair access protocol compared to other schools

We can seek advice from the Schools Adjudicator in reaching its decision. This is set out at paragraph 3.29 of the School Admissions Code and Section 25 of the School Standards and Framework Act 1998. The Office of the Schools Adjudicator (OSA) may contact the local authority and the academy regarding this referral.

ESFA’s decision is final and binding.

## Requestion a direction

The local authority should complete this form and submit it using the [ESFA online enquiry form](https://form.education.gov.uk/service/Education_and_Skills_Funding_Agency__ESFA__enquiry_form). Please select “Some other academy related query” and put “Request for a Secretary of State direction” at the start of your query.

## Background of child named in the proposed direction

|  |  |
| --- | --- |
| Full name: |  |
| Address: |  |
| Date of birth (DD/MM/YYYY): | Select |
| Year group for which a place is required. |  |
| Name of academy to which direction is being sought. |  |
| Is a place being sought outside the normal admissions round (as defined in Schools Admissions Code)? |  |
| If the child is primary school age, please list the name(s) and address(es) of all schools attended since reception year.  If the child is secondary school age, please list the name(s) and address(es) of all schools attended since Year 7. |  |
| Dates of attendance for the most recently attended school. |  |
| Reason(s) for the child being out of mainstream education (for example: permanent exclusion, family moved and so on). |  |
| If the child is out of mainstream education because they have been permanently excluded, please provide full documentation relating to the exclusion.  This could include any assessments made prior to exclusion such as educational psychologist report, records of incidents prior to exclusion and full information on the needs of the child. |  |
| Details of assessment of SEN, any relevant medical matters, child’s behaviour, attendance. |  |
| Details of the child’s educational attainment. |  |
| Details of all other permanent exclusions within the last five years, including name of school(s), date(s), reason(s). |  |
| Length of time out of mainstream education with relevant dates (if appropriate). |  |
| Details of any alternative education currently being received as arranged by the LA and including details of when this provision commenced. |  |

## Consultation with the child and parent/guardian

|  |  |
| --- | --- |
| Has the child expressed a view and, if so, what is it? If not, please explain why. |  |

|  |  |
| --- | --- |
| Have the parents/guardian been consulted? If not, please explain why. Please provide copies of any letters sent to the parents/guardian and / or any evidence of consultation prior to the local authority’s decision to direct. Please also summarise any responses received. |  |

Please provide documentation from any applications made by the parents for places at schools (including the academy) and information about the outcome of any appeals made by the parents where places were refused (It is not necessary for there to have been an appeal before a direction can be made).

## Consultation with relevant school

|  |  |
| --- | --- |
| Has a place been sought using the fair access protocol? |  |
| Please provide details on the provision of the Schools Admissions Code that has been applied. |  |

If the place is being sought following conclusion of the fair access protocol please provide:

* copy of the fair access protocol
* the minutes of the meeting where this child was discussed
* the panel’s decision including a list of the schools represented at the meeting

## Local authority’s case for choosing the school named in the direction request

Please provide:

|  |  |
| --- | --- |
| A summary of the consultation |  |
| Details of any other schools considered by the authority or by the fair access protocol panel. |  |
| A summary of the academy’s response. |  |
| A statement on why the local authority regards the named academy as the appropriate provision for the child taking into account the academy’s arguments for refusal. |  |
| If applicable, what re-integration package has been offered to the child/school? |  |
| Other information the local authority considers to be relevant. |  |

Please attach the full consultation. and copies of correspondence and notes of meetings etc) of the local authority’s consultation with the academy asking it to admit the child.

In the table (Annex A), please list all schools which the local authority considers are within a reasonable distance.

## Your details

|  |  |
| --- | --- |
| Name: |  |
| Position: |  |
| Local authority: |  |
| Email address: |  |
| Telephone number: |  |
| Are you the primary contact for this application? | Yes/No |
| Further local authority contact: |  |

# Annex A – local background information

Accurate home to school distance: Please list in order:

(a) Academy for which direction is sought

(b) All other alternative schools within a reasonable distance

|  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Name of school(s) | Distance from home | Is public transport available? (Y/N) | Category of school | Original published admission number (PAN) for the year group in question | Total number of pupils on roll (whole school) | Total number of pupils in the year group in question | FAP  admissions made in current academic year | FAP admissions made in last academic year | FAP admissions made in previous to last academic year | FAP admissions agreed for current academic year for the year group the child to be admitted to | FAP admissions agreed for previous 2 academic years for the year group the child to be admitted to |
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Please provide a map of the local area identifying the home address and schools referred to