

17 September 2018**Agenda Item: 5****REPORT OF THE SERVICE DIRECTOR, EDUCATION, LEARNING AND
SKILLS****REVISED NOTTINGHAMSHIRE FAIR ACCESS PROTOCOL****Purpose of the Report**

1. This report seeks approval to consult upon a proposed revised Nottinghamshire Fair Access Protocol, attached as **Appendix 1**.
2. This report also seeks approval of a communication strategy to inform stakeholders about the consultation on Nottinghamshire County Council's proposed Fair Access Protocol.

Information

3. The Council is required to have in place a fair access protocol, developed in partnership with schools. This requirement is described in Fair Access Protocols: Principles and Process Departmental Advice 2012 which is available from the Department for Education website www.education.gov.uk
4. Fair access protocols support timely access to education for the most vulnerable children.
5. The Council's Fair Access Protocol has been revised to reflect changes in the operation of locality panels across Nottinghamshire and the publication of the updated School Admissions Code (SAC) 2014 which is available from the Department for Education website www.education.gov.uk
6. Nottinghamshire County Council's consultation on a revised Fair Access Protocol will run from 5th November – 21st December 2018.
7. To ensure that all stakeholders are informed and have the opportunity to respond to the consultation, it is proposed that a poster advising of the consultation and a summary of the consultation will be sent electronically to those listed below:
 - known Early Years providers – including children centres
 - all schools in Nottinghamshire
 - chairs of governors of schools clerked by the Council
 - County Councillors
 - Borough/District Councillors

- Parish Councils
- Dioceses
- MPs
- neighbouring local authorities
- internal services - including
 - Elective Home Education
 - School Admissions
 - Integrated Children's Disability service (ICDS)
 - Place Planning
 - School Improvement.

8. There will also be publicity via social media and the Council's intranet.

Other Options Considered

9. The existing Fair Access Protocol remains in place. This contains outdated information regarding the structure and operation of the Fair Access Protocol across locality panels.

Reason/s for Recommendation/s

10. To ensure that Nottinghamshire's Fair Access Protocol is fit for purpose and references the most recent DFE guidance.
11. To ensure that the most vulnerable children residing in Nottinghamshire, and those identified as children missing education, can be supported to return to education in a co-ordinated and timely manner.
12. The methods used are cost effective, particularly the use of social media.

Statutory and Policy Implications

13. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Financial Implications

14. Electronic communication will be used so there will be no postage costs incurred.
15. There is the potential for a financial risk to the Council should an educational negligence claim be brought as a result of the Council failing to ensure a young person has access to appropriate education. A robust and up to date Fair Access Protocol lowers the risk of this happening as it seeks to ensure that vulnerable children without access to education are identified and appropriate education arranged.

RECOMMENDATION/S

That:

- 1) approval is given to consult upon a proposed revised Nottinghamshire Fair Access Protocol, attached as **Appendix 1**.
- 2) the communication strategy to inform stakeholders about the consultation on Nottinghamshire County Council's proposed Fair Access Protocol be approved.

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Constitutional Comments (LM 21/09/18)

16. The Children and Young People's Committee is the appropriate body to consider the contents of the report.

Financial Comments (SAS 21/09/18)

17. The financial implications of the report are contained within paragraphs 14 and 15 above.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

None.

Electoral Division(s) and Member(s) Affected

All.

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