

**Appendix B to the Fair Access Protocol (PART 3)**  
**In-Year Admission Application – Reasons for refusal to admit**

|   |             |              |
|---|-------------|--------------|
| <b>Pupil's name:</b>  | <b>DOB:</b> | <b>Year:</b> |
| <p><b>Please explain why school considers the above named pupil has challenging behaviour as defined below:</b></p> <p><b>(School Admissions Code 3.10)</b></p> <ul style="list-style-type: none"><li>• Where it would be unlikely to be responsive to the usual range of interventions to help prevent and address pupil misbehaviour or it is of such severity, frequency, or duration that it is beyond the normal range that schools can tolerate. We would expect that this behaviour to significantly interfere with the pupil's/other pupils' education or jeopardise the right of staff and pupils to a safe and orderly environment.</li><li>• A child with challenging behaviour may also be disabled as defined in the Equality Act 2010. When considering refusing admission on these grounds, admission authorities must consider their duties under that Act. Admission authorities should also consider the effect of the decision of the Upper Tribunal in <i>C &amp; C v The Governing Body of a School, The Secretary of State for Education (First Interested Party) and The National Autistic Society (Second Interested Party) (SEN)</i> [2018] UKUT 269 (AAC) about the implications of the Equality Act 2010 when a pupil exhibits a tendency to physical abuse of other persons as a consequence of a disability.</li></ul> |             |              |

**Please state below the reasons why admitting the above named pupil would cause prejudice to efficient education and the use of resources at your school?**

**Please provide evidence to support the claim of prejudice.**

**(School Admissions Code 3.11)**

- An admission authority should only rely on the provision in paragraph 3.10 (of the school admissions code) if it has a particularly high proportion of either children with challenging behaviour or previously permanently excluded pupils on roll compared to other local schools and it considers that admitting another child with challenging behaviour would prejudice the provision of efficient education or the efficient use of resources.

**Is it your view that this child should be referred to the Fair Access Protocol Panel?**

YES / NO

**School staff member completing this form**

**Name**

**Designation**

**Signature**

**Date**