

Can we place refugee children from Ukraine in clusters so they are being educated with other refugees from Ukraine?

Parents who are refugees from Ukraine have the same rights as any other families living within the UK to a school place for their child. This means that they have a right to express a preference for a school rather than their children being placed when schools they may want them to attend have vacancies.

Local authorities are under a duty under section 86(1A) of the School Standards and Framework Act 1998 to 'provide advice and assistance to parents of children in the area of the authority in connection with the preferences expressed or to be expressed by them'. They should therefore advise these families where vacancies exist and how to apply for a school. We have published a [Welcome Pack 'a guide for Ukrainians arriving in the UK'](#) and annex A provides them with advice on how to choose a school and apply for it. Please signpost this. It will, very shortly, be translated into Ukrainian and Russian.

If no schools within a reasonable distance of a child's home is willing or able to admit more pupils, the local authority should place these children under its in-year fair-access protocol, in the same way it will place all other hard to place children. A school place must be allocated under the protocol for all children referred to it within 20 school days. Once they have been allocated a school place via the protocol arrangements should be made for the child to start at the school as soon as possible.

Any thoughts of clustering Ukrainian children should not be used to inhibit a parent's right to apply for a school of his or her choice. However, if schools cannot or will not offer children places and it becomes necessary to use the fair access protocol to place children then it would certainly be possible to refer more than one Ukrainian child to the same school under the protocol, if parents advise the local authority that a level of clustering would help their children acclimatise. Care should, however, be taken not to prioritise the placement of Ukrainian children above the placement of other hard to place children – all hard to place children should be placed promptly under the protocol - and not to refer a disproportionate number of children under the protocol to any one school.

How will families know how to get their children into a school on arrival in the UK?

Any families returning to or moving to the UK are advised to consider, among other things, the supply of school places in the areas they intend moving to before returning to / moving to the UK. They can speak to the local authority school admission team in their chosen areas for information.

There is a [Welcome Pack for refugees from the Ukraine](#) and annex A to that pack provides advice for parents on navigating the English school admissions system. Please make refugee families aware of this advice and assist them in applying for a place.

Can we prioritise refugees from Ukraine for admission to schools?

Admission authorities for schools must apply their determined admission arrangements. Just like families entering under the Afghan and Hong Kong BN(O) schemes, refugees from Ukraine will have no specific additional priority for admission but the local authority is under a duty to offer advice to parents on the school application process and should advise them where vacancies exist and how to apply.

Where there are no vacancies in local schools, the local authority should use its in-year fair-access protocol to place any children (including refugee children from Ukraine) into schools, above those schools' normal capacity where necessary.

It should also build any migration estimates into its next SCAP return.

Can we place refugees from Ukraine into schools ahead of other children? OR Can we put refugees from Ukraine at the head of any waiting list for a school?

Just like families entering under the Afghan and Hong Kong BN(O) schemes, refugees from Ukraine will have no specific additional priority for admission. Admission authorities for schools must apply their determined admission arrangements. This means that refugees from Ukraine should apply for a place in the normal way and, should vacancies exist, their children should be admitted, like any other children, in strict order of priority according to each school's published admission arrangements. As is always the case, waiting lists must be ranked in order according to each school's published admission arrangements.

Admitting refugees from Ukraine without taking account of a school's admission arrangements would not only breach the School Admissions Code and be likely to lead to a number of successful admission appeals from those who are at the head of any existing waiting list, but may also be in breach of equalities legislation (i.e. by treating one nationality more favourably than another – 'race' is a protected characteristic under the Equality Act 2010 and is defined as '(a) colour; (b) nationality; or (c) ethnic or national origins').

Where there are no vacancies in local schools, the local authority should use its in-year fair-access protocol to place any children (including refugee children from Ukraine) into schools, above those schools' normal capacity where necessary. This would be the lawful approach. Refugees from Ukraine should be given the same level of priority (i.e. 'high') for a place under the protocol as any other children referred to the protocol.

Can we exceed the infant class size limit of 30 children to a teacher to accommodate refugee children from Ukraine?

Legislation limits the size of an infant class^[1] to 30 pupils per school teacher. Normally this cannot be exceeded but it is worth remembering that there are exceptions to this limit set out in paragraph 2.16 of the [School Admissions Code](#).

The exceptions are mainly for vulnerable groups of children, but also include children who move into the area outside the normal admissions round^[2] when there are no other available schools within reasonable distance.

Where possible and needed, we would encourage schools to admit children of refugees from Ukraine as exceptions to the infant class size limit, in the circumstances permitted by the Code.

Do schools have discretion for phased / gradual reintegration plan?

As a rule, no. All pupils of compulsory school age are entitled to a full-time education.

In very exceptional circumstances there may be a need for a temporary part-time timetable to meet a pupil's individual needs. For example, where a medical condition prevents a pupil from attending full-time education and a part-time timetable is considered as part of a re-integration package.

A part-time timetable must not be treated as a long-term solution. Any pastoral support programme or other agreement must have a time limit by which point the pupil is expected to attend full-time or be provided with alternative provision. In agreeing to a part-time timetable, a school has agreed to a pupil being absent from school for part of the week or day and therefore must record it as authorised absence.

What leeway do schools / LAs have in terms of providing access to education?

There is no leeway. Children of compulsory school age must receive full-time education. Parents are under a statutory duty to ensure their children receive a full-time education and local authorities are under a duty to provide suitable school places.

In Ukraine, children do not attend school until they are 7. Consequently, the English schools system will be unfamiliar to parents from Ukraine. We look to LAs to help parents understand that children of compulsory school age (aged 5 but under 16 at the start of the school year) must attend school full-time unless the LA is assured the child is receiving suitable home education.

Due to the trauma they may have suffered, some refugee children will have special educational needs. The local authority should assess children for an EHCP on the basis of their needs.

How strongly must schools and local authorities enforce attendance at school for refugees from Ukraine?

School attendance is mandatory, and parents have a legal duty to ensure that their child of compulsory school age receives a full-time education and regularly attends the school where they are registered.

Central to raising standards in education and ensuring all pupils can fulfil their potential is an assumption so widely understood that it is insufficiently stated – pupils need to attend school regularly to benefit from their education. Missing out on lessons leaves children vulnerable to falling behind. Children with poor attendance tend to achieve less in both primary and secondary school.

The government expects schools and local authorities to:

- promote good attendance and reduce absence, including persistent absence;
- ensure every pupil has access to full-time education to which they are entitled;
- act early to address patterns of absence.

Local authorities have a duty to put in place arrangements for identifying (as far as it is possible) those children of compulsory school age in their area who are not school registered or receiving suitable education otherwise than at a school. Local authorities should trace those children and ensure that they receive full-time education.

Only exceptional circumstances warrant an authorised leave of absence. Schools should consider each application individually taking into account the specific facts and circumstances and relevant background context behind the request — this may be particularly true for families who have recently come from Ukraine

Are there the usual funds for schools for refugee settlement children – schools might need to source trauma counselling

This financial year, we are offering 7,800 schools and colleges in England grants to train a senior mental health lead in their setting. The training will equip senior mental health leads with the knowledge and skills to implement effective processes for identifying students, or specific groups, who need additional mental health support. Furthermore, we have provided additional funding to accelerate the roll out of Mental Health Support Teams linked to schools and colleges, who provide early intervention on mild to moderate mental health issues, to cover approximately 35% of pupils in England by 2023.

For those who need immediate access to specialist support or help, all NHS Mental Health Trusts are providing 24/7 support. Furthermore, to help parents and carers, front line workers and volunteers support children and young people in emergency or crisis situations, The UK Health Security Agency (formally Public Health England) has developed a psychological first aid e-learning training package. The training aims to support those working directly with children and young people to help them access appropriate support needed during and after crisis situations: [CYP Psychological First Aid online course - FutureLearn](#)

You can also look out for an update to our website on school access rights for foreign national students which will shortly be updated <https://www.gov.uk/guidance/schools-admissions-applications-from-overseas-children>.