

Alternative Provision Policy & Guidance

**THIS POLICY APPLIES ACROSS ALL TRUST SCHOOLS AND SERVICES**

|  |
| --- |
| **Document Management:**Date Policy Approved: 6 July 2023Date Policy Reviewed: Next Review Date: July 2026Version: 1.0Approving Body: Standards Committee  |

**1.0 Introduction**

Alternative provision is educational provision for pupils who are unable to access, or unsuited to, mainstream education for a variety of reasons. It aims to ensure the continued education of pupils in the school in a supportive and nurturing environment. The school strives to reintegrate all pupils back into mainstream education wherever possible.

This guidance outlines the key aspects of alternative provision, including the reasons for which a pupil may be directed to alternative provision, the referral process and the methods for reintegrating pupils back into the school.

**2.0** **Legal framework**

This Guidance has due regard to all relevant legislation and statutory guidance including, but not limited to, the following:

* Education and Inspections Act 2006
* Education Act 2002, Section 29
* DfE (2013) ‘Alternative Provision’
* DfE (2022) ‘Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement’
* DfE ‘Keeping children safe in education’

**3.0** **Purpose of alternative provision**

Mainstream education is not suitable for everyone. Alternative provision will focus on ensuring that pupils continue to receive a high-quality education whilst their needs are being addressed and will offer a variety of alternative curriculum provisions in order to support pupils’ wider development.

The school will arrange alternative provision for pupils for several reasons including, but not limited to, the following:

* To encourage the inclusion in education of pupils who have had one or more fixed-period suspensions, or who are at risk of permanent exclusion
* To ensure pupils are offered a variety of alternative curriculum provisions as a way of supporting their wider development, and equip them with skills and experience that will benefit them later in life
* To further personalise the curriculum for some pupils, where there is a need
* To meet the needs of pupils who struggle to meet the academic and social demands of mainstream education expectations
* To meet the needs of pupils who because of illness or other reasons, including SEMH needs, would not receive suitable education.
* To negate any damage caused by negative experiences a pupil may have had in subject areas they cannot access
* To meet legal obligations

Once directed to alternative provision, the length of time a pupil spends there will be dependent on what best supports their needs, providing the placement is appropriate and their progress is regularly monitored.

**4.0 Planning for alternative provision**

The school will focus on the early assessment and identification of a pupil’s needs, including any SEND or SEMH need, and will work in collaboration with partner agencies in health and children’s social care, educational psychology, and CAMHS to support the pupil to engage in education.

If the support and interventions provided by the school pupil does not lead to increased engagement in education or improvements in the pupil’s welfare and/or behaviour, the headteacher, in collaboration with other members of staff such as the SENCO, will consider if the pupil should be directed to alternative provision.

If a pupil is directed to alternative provision, the school will ensure that a personalised learning plan is developed, setting clear objectives for improvement and attainment, timeframes, arrangements for assessment and monitoring progress, and a baseline of the current position against which to measure progress. Learning plans will be linked to other relevant information, such as EHC plans.

Full records of all alternative provision placements will be maintained, including information on the pupil’s progress, achievements and destination following their placement, as well as the pupil’s own assessment of their placement.

**5.0 Quality Assurance – Choosing Appropriate Alternative Provision**

Alternative provision will differ from pupil to pupil dependent on their needs; however, the providers commissioned by the school will:

1. **Match the provision to the learner** – Commissioners should carefully consider what providers are available that can meet the needs of their learner, including the quality and safety of the provision, costs, and value for money. This should involve a visit to the site where possible or meeting with the provider to assess whether the provision is a good ‘fit’ for the needs of the learner.

2**. Ensure learner** **safety** – It is the responsibility of the commissioner to seek assurance that safeguarding, pastoral support and health and safety arrangements at the provision including transport arrangements are suitable for the individual learner. The suitability of the providers of alternative provision commissioned by the school will be continually assessed to ensure they continue to offer the best path for the pupil.

The school’s DSL will ensure all providers to the school are registered with Ofsted, and that they have relevant policies in place to cover safeguarding and health and safety.

The DSL will obtain written confirmation from the alternative provider that appropriate safeguarding checks have been carried out on individuals working at the establishment, i.e. those checks that the school would otherwise perform in respect of its own staff. **See supporting documents.**

The school will ensure that the provider is aware of the additional risk of harm to which pupils placed at alternative provision may be vulnerable to.

The school will continue to be responsible for the safeguarding of a pupil placed at alternative provision in accordance with the Child Protection and Safeguarding Policy and will satisfy itself that the provider meets the needs of the pupil.

**3.** **Provide personalised** **learning** - A personalised learning plan should be prepared by the commissioner that sets clear objectives for improvement and attainment for the pupil to help them to overcome any barriers to attainment. The plan should include:

1. Timeframes, transition arrangements at the start and end of the placement, arrangements for assessment and monitoring progress, and a baseline of the current position against which to measure progress should be agreed at the outset
2. Plans should be linked to other relevant information or activities such as EHCPs for learners with SEND and should lead to learners demonstrating motivation, self-confidence, and engagement with education.

**4.** **Collaborate –** Information sharing arrangements should be agreed between the commissioner and provider/s that are robust and secure. A school commissioning alternative provision must retain responsibility for safeguarding and SEND leadership for the learner and ensure all relevant information is shared with providers (in line with advice set out in Working Together to Safeguard Children 2018). The commissioner should maintain on-going contact with the provider/s and learner and parent. Such contact will need to be regular and proportionate to the learner’s age and needs. As a minimum the Trust recommends that:

1. Regular meetings are scheduled to discuss progress and to allow providers to contribute to any assessments and support that may be needed. As a guide we recommend a minimum of:
	1. one visit/meeting at the alternative provision per month or
	2. one visit every ten sessions (one session being the equivalent of half a day including travel), whichever is more frequent.
2. Any provider who works with a learner with an EHCP should be required by the commissioner to attend or to submit a written report for the review of the learner’s EHCP.

**5.** **Information sharing** – It is the responsibility of the commissioner to ensure:

1. Where the learner attends more than one alternative provision, that each provider knows which other providers are involved. By knowing who is involved in the learner’s daily/weekly life, providers can more readily contribute to a contextual approach to safeguarding.
2. Absence information is shared daily.
3. A chronology of any safeguarding concerns and actions are shared by the commissioner with each provider at the start of a placement. Any new or developing issues are shared by provider/s and the commissioner who must ensure other providers involved are kept informed.
4. Low-income families whose children are eligible for free school meals are offered vouchers, food, or meals to make sure they continue receiving this support when attending alternative provision.

**6.0 DfE registration** – It is the responsibility of the commissioner to ensure that every provider of education that is not a maintained school or academy is registered with the DfE as an ‘independent school’ if it provides full-time education to:

* five or more pupils of compulsory school age, or Good alternative provision Quality assurance of alternative provision
* one such pupil who is looked-after, or
* one such pupil with an Education Health & Care Plan (EHCP).

The DfE requires any provider offering 18 hours per week to any learner to be registered.

It is an offence to operate an unregistered independent school and applications for registration must be submitted and approved before a school begins to operate and admit learners.

**7.0 Referral process**

A decision to refer a pupil off-site for educational provision intended to improve their behaviour should be made after taking into consideration the local circumstances and individual case of the pupil concerned. An off-site referral will ordinarily only take place after other interventions within the school setting have been tried and if it is felt that additional training or education would be beneficial to the pupil in helping to improve their behaviour. A pupil should not, for example, be required to attend off-site provision from the first day of the school year.

When making the decision to refer off-site, all parties concerned (head teacher, class teachers, parents and the pupil) should understand the reason for the referral and the nature of the incidents that led to the referral. **It should be made clear to the pupil and parents that this is not an exclusion and is to address the pupil’s behaviour with additional help from an external training / education provider or Pupil Referral Unit.** Parents, and the pupil where they are over 18, must be notified of the referral at least two school days before the education provision begins. The referral notice must include the following information:

1. the address at which the educational provision is to be provided for the pupil;
2. particulars identifying the person to whom the pupil should report on first attending
3. the address for the purposes of receiving the educational provision;
4. the number of days for which the requirement is to be imposed;
5. the reasons for, and objectives of, imposing the requirement; and
6. in relation to the educational provision:
	1. where two sessions per day are provided, the times at which the morning session commences, the afternoon session ends and the break between them commences and ends, or
	2. where a single session per day is provided, the times at which the session commences and ends.

 In these instances where a pupil is directed off-site, the school will:

1. Ensure that the pupil’s parents (and the LA, where the pupil has a statement of SEN or EHC plan) are given clear information about the placement, i.e. why their child has been directed to off-site provision, when the placement will begin, where the placement will be, and how it will be reviewed.
2. Keep in touch with the pupil throughout the placement.
3. Keep the placement under review and involve the pupil’s parents in this process. The frequency of these reviews is decided on a case-by-case basis.
4. Hold a review meeting upon the request of the parent or where the pupil has an EHC plan.
5. Keep the length of time a pupil spends in alternative provision and the reintegration plan under review.

Pupils who are not making satisfactory progress at their placement will undergo a formal review meeting, which will be attended by the commissioner, pupil, their parents and the provider. If a pupil’s progress does not improve following further formal review meetings, then the school may end the placement.

**The school does not need to obtain permission from the parents to send the pupil off-site.** Where a pastoral support programme is in place, or where other agencies (e.g. a social worker or a mental health worker) are known to be working with the child and / or their parents, (although not a requirement under the Regulations), it is recommended that all other agencies involved should be notified that the referral off-site is being made.

Before deciding to refer off-site

Extra consideration should be made for pupils who have SEN before they are directed off-site and particularly children with statements for whom local authorities are under a statutory duty to arrange special educational provision which meets their SEN. In the case of a statemented pupil, (although not a requirement under the Regulations) it is recommended that an officer from the local authority should be consulted before the off-site direction is decided upon and this person should have expertise in SEN. If it is agreed that a referral off-site would be in the best interests of the pupil, then the school should make sure that the education / training addresses the pupil’s special educational needs. The school should also make sure that the venue is appropriate to the needs of the pupil and that the accommodation is suitable.

Many pupils with SEN may also be disabled and have rights under the Disability Discrimination Acts 1995 and 2005. Commissioners must ensure that they do not discriminate against disabled pupils in their use of off-site referrals. They must make sure that:

* they are not treating disabled pupils less favourably for a reason related to their disability; and
* they are making reasonable adjustments so that disabled pupils are not placed at a substantial disadvantage.

Once the school has taken the decision to direct a pupil to alternative provision, the pupil and their parents will be called for a meeting. At the meeting, a clear explanation will be provided to the pupil and their parents the reasons for directing the pupil to alternative provision.

Although the permission of parents is not required for an off-site direction, where possible the agreement of the parents should be sought. This agreement should be reviewed on at least a termly basis, and the timescales and responsibilities for reviewing the agreement will be made clear to providers, parents and pupils. Where parents refuse to accept the offer of alternative provision, this will be documented.

Responsibilities for supporting the pupil and timescales for reviewing the alternative provision agreement will be made during the initial meeting.

Parents of the pupil will be fully involved in the referral process and any decisions taken to refer their child to alternative provision.

Once directed the pupil must attend any on- or off-site provision. Failure to attend the provision will carry the same consequences as non-attendance at the school, as outlined in the Attendance Policy.

A pupil referred to alternative provision will be dual registered from the day the provision commences. Code B should be used for any off-site educational activity, if the provision is an approved educational activity that does not involve the pupil being registered at any other school.

The school must comply with the [Education (Educational Provision for](https://www.legislation.gov.uk/uksi/2010/1156/regulation/5/made)

[Improving Behaviour) Regulations 2010](https://www.legislation.gov.uk/uksi/2010/1156/regulation/5/made) which outline the procedure that must be

followed when directing a pupil off-site.

**8.0 Arranging provision for suspended pupils**

The school will arrange suitable full-time education for pupils who receive a fixed-period exclusion of more than five school days. This provision will begin no later than the sixth school day of exclusion; however, the school will endeavour to arrange the alternative provision to begin as soon as possible after the commencement of an exclusion. For LAC, this process will be streamlined and the school will aim to get this in place from the first day of the exclusion. If alternative provision is being arranged, then the following information must be included with this notice where it can reasonably be found out within the timescale:

• the start date for any provision of full-time education that has been arranged for the child during the suspension or permanent exclusion;

• the start and finish times of any such provision, including the times for morning and afternoon sessions where relevant;

• the address at which the provision will take place; and

• any information required by the pupil to identify the person they should report to on the first day.

Where this information on alternative provision is not reasonably ascertainable by the end of the afternoon session on the first day of the suspension or permanent exclusion, it may be provided in a subsequent notice, but it must be provided without delay and no later than 48 hours before the provision is due to start. The only exception to this is where alternative provision is to be provided before the sixth day of a suspension or permanent exclusion, in which case the information can be provided with less than 48 hours’ notice with parents’ consent.

The notice must be provided in writing but can be provided by any effective method including text or email.

Consecutive fixed-period suspensions are regarded as a cumulative period. If a pupil is excluded for more than five consecutive days, the alternative provision will be arranged for the sixth school day of exclusion, regardless of whether this is a result of one or more fixed-period suspensions.

The LA will arrange suitable full-time education for any pupil permanently excluded from the school; this alternative provision will begin no later than the sixth school day of exclusion. The school must document the provision of immediate suitable education in the pupil’s PEP

Where a pupil who is permanently excluded has an EHC plan, the LA may review the plan or reassess the pupil’s needs, in conjunction with their parents, with a view to identifying a new placement.

Where it is not possible or appropriate to arrange alternative provision during the first five school days of an exclusion, the headteacher will ensure that the pupil is set work and that this is marked.

Provision does not have to be arranged for a pupil in the final year of compulsory education who does not have any further public examination to sit.

**9.0 Communication with providers**

The objectives of placing individual pupils in alternative provision will be clearly communicated to providers and progress against these objectives will be monitored by the alternative provision lead.

The school will maintain ongoing contact with the provider and the pupil in order to exchange relevant information, monitor progress and provide pastoral support.

All relevant information shared between the school, provider and other parties will be communicated in a readable format and in accordance with data protection principles; including any information on SEND, literacy, safeguarding or other issues, as well as any information requested by the provider as appropriate.

Providers will be made aware that they should raise any safeguarding concerns regarding a pupil of the school with the DSL.

# 10 Monitoring attendance

The school will recognise that, for alternative provision to benefit pupils, they must attend the provision; therefore, the school will monitor the attendance of all pupils in alternative provision.

Providers will be required to contact the school whenever a pupil placed there is absent.

The school will contact pupils’ parents, where their child has been absent from provision, in order to resolve the issue and to ensure regular attendance is achieved.

The school will formally monitor the attendance of pupils placed in alternative provision and update attendance records on a weekly basis.

Pupils whose attendance falls below the school’s target will be subject to interventions as per the school’s Attendance and Truancy Policy.

**11 Reintegration**

Schools should support pupils to reintegrate successfully into school life and full-time education following a suspension or period of off-site direction (see paragraphs 35 to 46). They should design a reintegration strategy that offers the pupil a fresh start; helps them understand the impact of their behaviour on themselves and others; teaches them to how meet the high expectations of behaviour in line with the school culture; fosters a renewed sense of belonging within the school community; and builds engagement with learning.

The reintegration strategy should be clearly communicated at a reintegration meeting before or at the beginning of the pupil’s return to school. During a reintegration meeting, the school should communicate to the pupil that they are valued, and their previous behaviour should not be seen as an obstacle to future success. Where possible this meeting should include the pupil’s parents. However, it is important to note that a pupil should not be prevented from returning to a mainstream classroom if parents are unable or unwilling to attend a reintegration meeting. To ensure ongoing progress, the strategy should be regularly reviewed and adapted where necessary throughout the reintegration process in collaboration with the pupil, parents, and other relevant parties.

Where necessary, schools should work with relevant staff and multi-agency organisations, such as teachers, pastoral staff, mentors, social workers, educational psychologists or the safer schools team, to identify if the pupil has any SEND and/or health needs.

A part-time timetable should not be used to manage a pupil’s behaviour and must only be in place for the shortest time necessary. Any pastoral support programme or other agreement should have a time limit by which point the pupil is expected to attend full-time, either at school or alternative provision. There should also be formal arrangements in place for regularly reviewing it with the pupil and their parents. 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 treat absence as authorised.

Schools can consider a range of measures to enable the pupil’s successful reintegration which can include, but are not limited to:

• Maintaining regular contact during the suspension or off-site direction and welcoming the pupil back to school;

• Daily contact with a designated pastoral professional in-school;

• Use of a report card with personalised targets leading to personalised rewards;

• Ensuring the pupil follows an equivalent curriculum during their suspension or off-site direction or receives academic support upon return to catch up on any lost progress;

• Planned pastoral interventions;

• Mentoring by a trusted adult or a local mentoring charity;

• Regular reviews with the pupil and parents to praise progress being made and raise and address any concerns at an early stage;

• Informing the pupil, parents and staff of potential external support.

**[Secondary schools]** If a pupil will not reintegrate before the end of Year 11, the school will work with the provider to ensure the pupil can move onto suitable education, employment alongside part-time studying, or training whilst providing ongoing arrangements to support their mental wellbeing. The school will collect and record information about the pupil’s next destination as part of its planning for alternative provision intervention.

**12 Supporting Documentation**

Templates are provided for the following in supporting documentation folder:

1. School and Alternative Provision - Service Level Agreement
2. Learner Information Form
3. Alternative Provision Learner’s Plan
4. Alternative Provision Progress Review
5. Template letter of safeguarding assurance for commissioners