



**Shaw  
Education  
Trust**

# Use of Alternative Provision Policy

Document Owner:	Phil Harrison
Approved by and Date:	C-Suite
Queries to:	P Harrison (Policy) / D Platt (Education) / B Duffy (Safeguarding)
Review Interval:	3 years

## **Content:**

- 1. Introduction**
- 2. Policy Statement**
- 3. Aim**
- 4. Scope**
- 5. Objectives**
- 6. Role & Responsibilities**
- 7. Policy Information**
- 8. Policy Training**
- 9. Letter to Alternative provision providers**
- 10. Checklist for Academies using AP**

## 1. Introduction

Shaw Education Trust, subsequently in this policy referred to as 'SET', has a duty to ensure that appropriate policies and supporting procedures, protocols or guidelines are in place to comply with legislation, enabling all staff to fulfil their roles safely and competently to provide effective and appropriate education for all pupils.

To ensure the SET executive provides a robust and clear governance framework for use of alternative provision, the SET executive team has developed this policy to manage processes to achieve compliance and effective co-ordination across the organisation.

The policy creates a framework for the effective commissioning and review of alternative provision. Each academy is expected to have a local policy for the use of alternative provision which reflects this overarching policy.

"This policy has been equality impact assessed and we believe in line with the Equality Act 2010. It does not have an adverse effect on race, gender or disability equality."

## 2. Policy statement

The SET executive provides this policy as a structure for the development of local academy alternative provision policies. The structure includes:

- Ensuring that relevant legislation is acknowledged and adhered to:
- Ensuring that the equality impact assessment process is completed on this policy:
- Establishing a common approach to the commissioning and review of alternative provision:
- Ensuring systems exist to ensure the monitoring of pupil safety, behaviour and progress whilst attending alternative provision.

## 3. Aim

The aim of this policy is to provide a structure for the development, approval, and management of local alternative provision policy.

## 4. Scope

This policy applies to all SET academies.

## 5. Objectives

- To enable SET wide consistency in the approach to the commissioning and review of alternative provision.
- To establish a framework for ensuring pupils are safe from harm.
- To establish a framework to ensure pupils behaviour improves during their time in alternative provision.
- To establish the ethos that alternative provision is used for the purpose of securing an improved long-term outcome.
- To establish a framework to ensure pupils make progress during their time in alternative provision.

## 6. Roles and responsibilities

**SET Central Relevant Personnel** - the Chief Executive, as Accountable Officer, has overall responsibility for ensuring the SET academies have appropriate policies and other written control documents in place to ensure pupils access high quality alternative provision where it is needed. This may be delegated to various officers to carry out the tasks of ensuring:

- The policy is maintained, reviewed and updated as appropriate.
- Documents and training are cascaded appropriately across the organisation.

**Principals** - are responsible for ensuring that this policy is adhered to and locally regularly reviewed. They are responsible for ensuring that consideration is given to any training and resources implications that are defined through their local procedures.

**Chairs of Academy Council and Principals** – will:

- Acknowledge this policy when approving local policy.
- Cascade approved/amended policies in line with their procedures
- Provide advice and assistance to policy development as required.
- Understand the policy process and their role in supporting best practice

## 7. Policy information

### Reasons why an academy might offer Alternative Provision

Pupils may be referred to Alternative Provision on the basis that this provision is more appropriate for them than what the Academy can provide. Some reasons might be:

- The student's strengths are not being developed through the standard curriculum. The emphasis on vocational education that some alternative provision offers may better meet the pupil's needs.
- The pupil has had one or more fixed-term exclusions and is considered to be at risk of permanent exclusion from school. Alternative provision is seen as a desirable alternative to permanent exclusion for pupils and to encourage their continued inclusion in education.
- The student has not been attending school regularly and is therefore unlikely to achieve the progress expected of them. Alternative provision may provide a greater opportunity for a pupil to progress to a suitable placement during the next step of their education.

### Reaching a decision to explore an Alternative Provision placement

The decision must be taken through discussion with an appropriate range of professionals. The Headteacher / Principal must approve the decision.

Each academy must have a mechanism in place to consult with the pupil.

Each academy must have a mechanism in place to consult with those who have parental responsibility for the pupil.

The school will use DfE publication Alternative Provision: Statutory Guidance for Local Authorities (January 2013) as a basis for making arrangements for alternative provision.

Pupils who are referred to alternative provision will remain on roll of the academy and the school funds their place in alternative provision. The school remains ultimately responsible for the student, and the offer of alternative provision shows a commitment by the school to an inclusive approach to the pupil's education.

A representative from the school will clearly explain to pupil and his / her parents / carers the reasons why the alternative provision is being offered.

The pupil's parents / carers will sign a relevant alternative provision contract.

Responsibilities for supporting the pupil and timescales for reviewing the contract must be agreed during a meeting.

### **Establishing the suitability of alternative providers**

Each academy must ensure that:

- There has always been a clear rationale in place to establish that the alternative provision will allow the student to make good academic progress.
- The alternative provision is a legal entity. Following stringent check on the provision, if leaders deem that the alternative provision is working as an unregistered school, then the potential placement discussion must be halted. If the provision caters full-time for 5 or more pupils or 1 child with SEND or 1 child Looked After by a Local authority, then it must be registered as a school. These can be pupils from any school, not just a SET academy.
- Any qualifications the pupils can access will be nationally recognised and enable progression to the next steps of their education, employment or training.
- Alternative providers are able to offer pupils an appropriately broad and balanced curriculum. Academy leaders will be required to make a professional judgment about this aspect in relation to the needs of the pupil. Pupils should also expect to access personal, social, health and economic education (PSHEE). This will allow students to develop key skills and attributes such as resilience, sexual health, risk-management and self-esteem.
- All staff at the alternative provision have enhanced DBS checks. The academy must receive written confirmation that the appropriate checks have been carried out in line with the latest version of 'Keeping Children Safe in Education.
- All staff at the alternative provider have undertaken appropriate safeguarding and child protection training and that there are systems in place to update staff on a regular basis.
- The alternative provider has relevant policies and procedures in place to cover Child Protection and Health & Safety and reflect the latest statutory guidance.

The alternative provision should have high quality relevant policies and

procedures in place, which may be dependent on the nature of the provision, but it would be expected the following in some form or another are in place. Academies do not have to check through all of these individually and the AP should include confirmation of policies and procedures in the wider understanding within the verification letter. However, academy staff should be conscious of looking at the main safeguarding policy in place and procedures which most impact on the pupil's placement there, e.g. curriculum programme, tracking system, reporting procedures, attendance/absence reporting etc.:

- Safeguarding:
  - Overall Safeguarding Policy (essential and may include some of those listed below)
  - E-safety / acceptable use policy in place.
  - Anti-bullying policy in place.
  - Lone working policy in place.
  - Risk assessment system in place and it is used effectively.
  - Fire risk assessment and regular fire drills take place.
  - Public liability insurance in place and the certificate is displayed.
  - Administration of first aid and that facilities are readily available.
  - Procedures for the supervision of pupils.
  - Reporting daily attendance to the academy. Systems to address non-attendance are clear to both the alternative provider and the academy.
  - Appropriate Health & Safety policies and procedures.
- Education/Curriculum/Pastoral:
  - Target setting and tracking system in place to allow pupils to make good progress.
  - Use assessment information to inform their teaching practice.
  - Reporting progress to pupils, the academy and parents. This mechanism must be at least in-with academy expectations.
  - Resourced adequately to deliver on its stated offer.
  - Induction process in place.
  - Effective mechanism for pupils to be able to share their views.
  - Effective behaviour management processes in place, which include responses to punctuality concerns.

- The alternative provider has effective systems in place for providing careers education and guidance.
- In addition:
  - The alternative provider is able to counter-sign a written agreement with the academy regarding the provision to be offered. This will clearly set out the expectations of all parties.
  - The alternative provider is able to provide clear lines of communication between them and academy leaders.
  - The alternative provider is not acting in a way that would undermine the equalities act.

### **Reviewing the alternative provider's impact**

Any agreement around alternative provision for a student will be regularly reviewed. Timescales and responsibilities for reviewing the agreement will be agreed by the academy, alternative provider and parents / carers.

The impact and success of the placement will be measured against targets agreed in the initial meeting and these will be regularly reviewed.

The academy will use the written contract with the alternative provider to manage the arrangement. Failure to deliver on the agreement must be addressed immediately.

### **Attendance and Safeguarding**

All professionals have a statutory responsibility to safeguard and promote the welfare of children and young people and tracking and reporting attendance at alternative provision is an essential component in achieving this.

Attendance at off-site alternative provision will be monitored closely and every step should be taken to ensure that accurate attendance data is kept by the academy.

Alternative providers must contact the academy whenever the pupil is absent.

The academy will formally monitor attendance and update records and maintain contact with the alternative provider.

Pupils whose attendance falls below the academy target will be subject to interventions as set out in the Academy's Attendance Policy.



There is an expectation that any safeguarding concerns are raised with the Designated Safeguarding Lead at the academy and that all alternative providers adhere to the Child Protection and Safeguarding Policies of the academy.

### **Monitoring Academic Progress and Behaviour**

The pupil's attainment data will be communicated to the alternative provider on commencement of placement.

Regular reports will be completed by the alternative provider as part of the monitoring process.

The pupil will be visited on a regular basis by an appropriate staff member from the academy and a record of this visit will be completed and held in the pupil's file.

The pupil's own views on the placement will be taken into account as part of the monitoring process.

The provider will be expected to contact the academy to inform them of any serious behavioural incidents.

Pupils who are making less than satisfactory progress will be subject to a formal review meeting involving the academy leaders, the pupil, parents/carers and the provider.

### **Ceasing the alternative provision**

Academy leaders must immediately cease any placement which is likely to put the pupil in danger.

Academy leaders must hold the alternative providers to account for the progress pupils are making. If this is unsatisfactory, then academy leaders must seriously consider ceasing the placement.

The placement must be ceased at a point when the pupil is likely to be successful during the next stage of their education, employment, or training.

## **8. Policy training**

The initial implementation of the policy will involve a short webinar for senior leaders and academy councillors.

Academy leaders must ask the SET executive for specific training regarding the use of alternative provision if they identify a need.

## 9. Letter to AP

Dear Sir/Madam

*date*

### **Alternative Provision Verification Letter**

This letter is to outline our expectations of external organisations and individuals who offer Alternative Provision to the pupil of Academies within our Trust. In accordance with DfE statutory guidance contained within the most recent version of [‘Keeping Children Safe in Education’](#) Part Three: Safer Recruitment, regarding AP, our Trust will ensure all our Academies follow this guidance. It states:

*"Where a school places a pupil with an alternative provision provider, the school continues to be responsible for the safeguarding of that pupil and should be satisfied that the provider meets the needs of the pupil.*

*Schools should 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."*

Therefore, in accordance with these requirements, this letter sets out some of the expectations we have of AP providers in considering using them for the benefit of our pupils. We would be grateful if you could read these details contained in this letter and complete and return the declaration forms to the relevant Academy. Thank you.

Should you have any queries, please do not hesitate to contact the relevant academy.

Yours sincerely

Signed on behalf of Academy

**To be completed by Alternative Provision provider  
(Please complete and return to relevant Academy)**

<b>Provision Name</b>	
<b>Type of provision offered</b>	
<b>If registered, provide URN number</b>	
<b>If not registered, provide reasons why registration is not required (see table below)</b>	
<b>Has the provision received any recent quality assurance by external bodies? If so, please give details</b>	
<b>Does the provision use any other agencies that pupils may engage with? (If so, please provide full details and assurances of checks to Academy)</b>	
<b>Name of adult completing this verification</b>	
<b>Academy</b>	
<b>Name of adult at Academy in liaison with Provision</b>	
<b>Signed</b>	
<b>Date</b>	

Requirements	Y/N n/a
<p>The alternative provision is a '<b>legal entity</b>' This means that it is listed officially on for example, <a href="#">Companies House</a>, or listed in <a href="#">Charity Organisation</a>, and has legal identification of some appropriate form.</p> <p><b>Please insert relevant info to ensure verification can be made.</b></p>	
<p>Is the provision an <a href="#">Independent Registered School</a>?</p> <p>Every provider of education that is not a maintained school or academy must be registered as an 'independent school' if it provides full-time education to:</p> <ul style="list-style-type: none"> <li>• five or more pupils of compulsory school age, <b>or</b></li> <li>• one such pupil who is looked-after, <b>or</b></li> <li>• one such pupil with an Education Health &amp; Care Plan (EHCP).</li> </ul> <p>Definition of full-time provision "Full-time education" is not defined in law but DfE say it should equate to what the pupil would normally have in school – for example, for pupils in Key Stage 4 full-time education in a school would usually be 25 hours a week. DfE also say they will consider any institution that is operating during the day for more than <u>18 hours per week</u> to be providing full time education.</p>	
<p>All staff at the alternative provision have <b>enhanced DBS checks</b>, including Children's Barred List check, and have had relevant employment checks in line with KCSiE</p>	
<p>All staff at the alternative provider have undertaken <b>appropriate safeguarding and child protection training</b> and that there are systems in place to update staff on a regular basis</p>	
<p>The alternative provider has <b>relevant safeguarding policies and procedures in place</b> to reflect latest statutory guidance: (tick ones in place)</p> <ul style="list-style-type: none"> <li>• Acceptable Use (E-Safety/Online use)</li> <li>• Anti-Bullying</li> <li>• Behaviour Management</li> <li>• Fire and Evacuation</li> <li>• First Aid</li> <li>• Health &amp; Safety</li> <li>• Lone Working</li> <li>• Public Liability</li> <li>• <b>Safeguarding &amp; Child Protection</b></li> <li>• Staff Code of Conduct</li> <li>• Supervision of children</li> <li>• Risk Assessment</li> </ul>	
<p>The alternative provider has a mechanism for <b>reporting daily attendance</b> to the academy. Systems to address non-attendance are clear to both the alternative provider and the academy</p>	
<p>The alternative provider is not acting in a way that would undermine the <b>equalities act</b></p>	

## 10. Alternative Provision Checklist

This document is intended to be used by individual academies when they are considering commissioning alternative provision. The checklist is not intended to be exhaustive. Academy leaders must pursue lines of enquiry with tenacity. This checklist should be used in conjunction with the 'verification letter' to AP providers.

Academy name	
Senior leader completing the checklist	
Alternative provision name	
Date	
Date the checklist was shared with the academy leaders	

Criteria	Comment	RAG
<p>There is always a clear rationale in place to establish that the alternative provision will allow the student to make <b>good academic progress</b></p>		
<p>The alternative provision is a <b>'legal entity'</b>  This means that it is listed officially on for example, <a href="#">Companies House</a>, or listed in <a href="#">Charity Organisation</a>, and has legal identification of some appropriate form.</p> <p><b>Please insert relevant info to ensure verification can be made.</b></p>		
<p>Is the provision an <a href="#">Independent Registered School</a>?</p> <p>Every provider of education that is not a maintained school or academy must be registered as an 'independent school' if it provides full-time education to:</p> <ul style="list-style-type: none"> <li>• five or more pupils of compulsory school age, <b>or</b></li> <li>• one such pupil who is looked-after, <b>or</b></li> <li>• one such pupil with an Education Health &amp; Care Plan (EHCP).</li> </ul> <p>Definition of full-time provision  "Full-time education" is not defined in law but DfE say it should equate to what the pupil would normally have in school – for example, for pupils in Key Stage 4 full-time education in a school would usually be 25 hours a week.  DfE also say they will consider any institution that is operating during the day for more than 18 hours per week to be providing full time education.</p>		
<p>The AP has sent Academy the <b>verification letter</b> with confirmation of all safeguarding checks complete and policies and procedures in place? (see letter)</p>		
<p>Any <b>qualifications</b> the pupils can access will be <b>nationally recognised</b> and enable progression to the next steps of their education, employment or training</p>		

Alternative providers are able to offer pupils an <b>appropriately broad and balanced curriculum, including personal development</b> . Academy leaders will be required to make a professional judgment about this aspect in relation to the needs of the pupil. Pupils should also expect to access personal, social, health and economic education (PSHEE). This will allow students to develop key skills and attributes such as resilience, sexual health, risk-management and self-esteem		
The alternative provider has a good <b>quality target setting and tracking</b> system in place to allow pupils to make good progress		
The alternative provider has good quality systems in place to use <b>assessment information</b> to inform their teaching practice		
The alternative provider has a clear mechanism for <b>reporting progress</b> to pupils, the academy and parents. This mechanism must be at least in-with academy expectations		
The alternative provider is <b>resourced adequately</b> to deliver on its stated offer		
The alternative provider has a mechanism for <b>reporting daily attendance</b> to the academy. Systems to address non-attendance are clear to both the alternative provider and the academy		
The alternative provider has a good <b>quality induction</b> process in place		
The alternative provider has an effective mechanism for pupils to be able to <b>share their views</b>		
The alternative provider is able to <b>counter-sign a written agreement</b> with the academy regarding the provision to be offered. This will clearly set out the expectations of all parties		
The alternative provider is able to provide <b>clear lines of communication</b> between them and academy leaders		
The alternative provider has effective systems in place for <b>providing careers education and guidance</b>		



# Shaw Education Trust

Shaw Education Trust Head Office,  
Kidsgrove Secondary School,  
Gloucester Road,  
Kidsgrove,  
ST7 4DL

Twitter	@ShawEduTrust
LinkedIn	@ShawEducationTrust
Call	01782 948259
Email	<a href="mailto:info@shaw-education.org.uk">info@shaw-education.org.uk</a>
Visit	<a href="http://shaw-education.org.uk">shaw-education.org.uk</a>

**Pupil &  
people  
centred**

**Act with  
integrity**

**Be  
innovative**

**Be best  
in class**

**Be  
accountable**