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Doncaster Alternative Provision Guidance

This guidance is based upon Section 19(1) of the Education Act 1996, which defines the exceptional provision of education in pupil referral units or elsewhere, such as Alternative Provision providers.

It follows the Alternative Provision Statutory Guidance, which provides a set of guiding principles that Doncaster schools should follow to ensure that children and young people benefit from high quality provision, which is safe, secure and appropriate to pupil needs.

What is Alternative Provision?

Alternative Provision is defined as 'education arranged by local authorities for pupils who, because of exclusion, illness or other reasons, would not otherwise receive suitable education; education arranged by schools for pupils on a fixed period exclusion; and pupils being directed by schools to off-site provision to improve their behaviour' (DfE 2013). Schools can use such provision to try to prevent exclusions, or to re-engage pupils in their education.

Pupil referral units are themselves a form of alternative provision.

It is expected that this guidance will be used by schools, and academies to commission Alternative Education for Children and Young People who are:-

- At risk of exclusion from school; or
- Excluded from school on a fixed term basis; or
- At risk of disengaging from mainstream education and/or;
- Require additional support during a negotiated transfer between mainstream schools; or
- Otherwise require Alternative Education provision to meet their educational entitlement, for instance in line with an Education, Health and Care Plan.

Alternative Provision Directory

Doncaster Council have developed an Alternative Provision Directory which is available on the Local Offer page here: [Local Offer - Schools and Alternative Provision - Doncaster Council](#)

The directory shows information such as courses available, ages supported by the provision, costs and Local Authority Quality Assurance outcome. The directory is an approved list of providers, and includes providers who have met our framework of standards around the safety and legality of provisions, to ensure that only provision meeting these standards will be listed.



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What is Good Alternative Provision?

Good alternative provision is that which appropriately meets the needs of pupils, which required its use and enables them to achieve good educational attainment on par with their mainstream peers.

All pupils must receive a good education, regardless of their circumstances or the settings in which they find themselves.

Provision will differ from pupil to pupil, but there are some common elements that alternative provision should aim to achieve, including:-

- good academic attainment on par with mainstream schools – particularly in English, maths and science (including IT) – with appropriate accreditation and qualifications;
- that the specific personal, social and academic needs of pupils are properly identified and met in order to help them to overcome any barriers to attainment;
- improved pupil motivation and self-confidence, attendance and engagement with education; and
- clearly defined objectives, including the next steps following the placement such as reintegration into mainstream education, further education, training or employment. (DfE 2013)

What schools should know about alternative provision

- Responsibility for the alternative provision usage rests with the school commissioning the placement. Commissioning schools should carefully consider what providers are available that can meet the needs of their pupils, including the quality and safety of the provision, costs and value for money.
- The school commissioning the placement should maintain on-going contact with the provider and pupil, with clear procedures in place to exchange information, monitor progress and provide pastoral support.
- The school commissioning the placement should maintain a full record of all placements they make, including a pupil's progress, achievements and destination following the placement. This should also include the pupil's own assessment of their placement.



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- It is the commissioning school's responsibility to make arrangements for payments to providers.
- Alternative provision accessed via the Doncaster Inclusion Panel is commissioned, funded and monitored by the Local Authority. There is an expectation that schools take an active role in the monitoring and target setting of the placement.

DfE Registration Requirements

Schools should be aware of any organisations operating outside of the registration processes for schools, and should inform Ofsted and the LA if they consider a provider to be operating as an unregistered school

Any provider of education should be registered as an independent school if it meets the criteria – that it provides full-time education to five or more pupils of compulsory school age, or one such pupil who is looked-after or has an Education Health and Care Plan.

All AP Academies and AP Free Schools must be registered as schools whether or not they are full-time or part-time.

Independent school registration

Unregistered schools - Ofsted may receive information regarding possible unregistered schools. If there is a possibility of any education provider operating illegally, Ofsted will conduct inspections at reasonable notice.

More info - Inspections of unregistered schools

If you suspect that a provider is potentially operating as an unregistered independent school, please contact victoria.birkwood@doncaster.gov.uk to discuss further.

Definition of full-time provision

"Full-time education" is not defined in law but the DfE consider an institution to be providing full-time education if it is intended to provide, or does provide, all, or substantially all, of a child's education.

Relevant factors in determining whether education is full-time including: -

- a) the number of hours per week that is provided - including breaks and independent study time;
- b) the number of weeks in the academic term/year the education is provided;
- c) the time of day it is provided;
- d) whether the education provision in practice precludes the possibility that full-time



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education could be provided elsewhere.

Generally, the DfE consider any institution that is operating during the day, for more than 18 hours per week, to be providing full-time education. This is because the education being provided is taking up the substantial part of the week in which it can be reasonably expected a child can be educated, and therefore indicates that the education provided is the main source of education for that child.

Inspectors from Ofsted may inspect any premises if they have reasonable cause to believe that an unregistered independent school is being conducted there. At such inspections, inspectors will assess whether the school meets the definition of an independent school, which will include assessing whether or not the school is intending to provide, or is providing, all or substantially all of a child's education.

All pupils must receive full-time provision in total, whether in one setting or more, unless a pupil's medical condition makes full-time provision inappropriate.

Compulsory school age

A child begins to be of compulsory school age if he or she attains five years of age on one of the prescribed days, or on the next prescribed day following his or her fifth birthday. The prescribed days are currently 31st August, 31st December and 31st March. A child ceases to be of compulsory school age on the school leaving date for any calendar year if he or she attains the age of 16 on (or will do so by) that date, or will do so after that date but before the beginning of the next school year. The school leaving date is currently set as the last Friday in June.

Key points for consideration before commissioning Alternative Provision

- Has the pupil, parents and relevant teacher been spoken to before a decision about alternative provision has been made?
- What other considerations are there, such as transport arrangements?
- What does the pupil want, or need, to get out of the provision?
- How long should the provision be for?



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- Is it part time or full time?
- How will it fit with the pupil's mainstream curriculum?
- What will success look like at the end of the provision?
- What outcomes do you hope to achieve – particularly in the areas of attendance, attitude, attainment, behaviour and positive destination?

Providers must inform parents/carers of any significant health and safety risks to their child on placement and how they are being controlled. Providers must also inform the school.

Quality Assurance of Alternative Provision

Doncaster Council completes quality assurance visits to all providers listed on the Doncaster AP Framework on an annual basis. The QA visit focuses on four key areas of quality within the provision: safeguarding, leadership and management, behaviour and safety, outcomes and health and safety. Providers are given an improvement plan if standards are not achieved. The QA report and judgement of all providers is published on the Doncaster Local Offer here: [Local Offer - Schools and Alternative Provision - Doncaster Council](#)

A quality assurance report is available for schools for any of the providers listed. Please contact Jessica.walker@doncaster.gov.uk to discuss further.

Commissioner Responsibilities

The commissioner is the **school** for any alternative provision funded directly by them or the Local Authority for any alternative provision accessed and funded through the Doncaster Inclusion, SEND or Joint Resource panels.

Once a placement has been agreed, the school maintains responsibility for:

- Pupil welfare: safeguarding, child protection and ensuring parents and pupil are aware of the arrangements;
- Attendance monitoring and follow-up of absences using a secure on-line attendance and absence reporting system;
- Meeting the needs identified within a child's Education Health and Care plan;
- Where a pupil is eligible for free school meals, this will need communicating to the provider and suitable arrangements made;
- Sanctioning a fixed term or permanent exclusion; pupils are legally on the roll of a school



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and therefore only the pupil's home school can sanction these

- Pupil outcomes – school's commissioning alternative provision must ensure it meets the child's educational and personal needs;
- Maintaining primary contact with parents, unless it has been agreed with the provider that this is delegated;
- Ensuring the child remains a member of the school community, such as involvement with extra-curricular activities, social events, parents' evenings, letters to parents or child, and rewards.
- Careers guidance, schools to ensure pupils receive their full entitlement to careers information, advice and guidance;
- Post 16 destinations, to prevent young people becoming NEET.
- Frequently reviewing pupils' placements so that they have a better understanding of how well pupils are doing and whether or not the placement continues to meet pupils' evolving needs.

Recording and Monitoring Attendance

The Local Authority has a statutory responsibility to identify and track pupils missing, or at risk of missing education. This includes children who are not attending school provision full time and those accessing alternative provision.

The LA role includes:-

- Establishing a central database of all children not accessing full-time education in the usual way, including those who are accessing alternative provision
- Monitoring the quality and amount of provision, educational and social outcomes, for all children and young people of compulsory school age who do not access education in the usual way
- Sharing information across LA boundaries in a timely and appropriate way
- Ensuring that every child is on the roll of a school, regardless of their circumstances, unless their parents have elected to home educate
- Supporting alternative providers of education to understand and comply with legal requirements especially safeguarding and registration
- Supporting schools to identify potential alternative providers through the Alternative Provision Directory.

Attendance and Duty of Care

Each pupil attending alternative provision must remain on a school roll and the school



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retains the ultimate duty of care for pre-16 pupils, wherever they are being educated. The school have the ongoing duty of care to the pupil, and the provider has an obligation and duty of care to the pupil and the school. To ensure robust safeguarding of pupils in placement, there is an expectation that schools and providers record and monitor attendance. The responsibilities for monitoring attendance on a daily basis are as follows:

The provider is responsible for enrolling pre-16 pupils onto their course(s) and for recording, monitoring and reporting attendance and absences. This **MUST** be completed twice a day, am and pm. This is a legal requirement for any pre-16 group in the same way as it is for post-16 groups (The Education Pupil Registration (England) Regulations 2006).

It is the schools' responsibility to authorise and unauthorise any unexplained absences marked by the providers. Schools and providers must adhere to the DfE national codes to record and monitor attendance and absence in a consistent way which complies with the regulations. They are also used for collecting statistics through the School Census System. The data helps schools, local authorities and the Government to gain a greater understanding of the level of, and the reasons for, absence. Schools are legally responsible for using the correct codes and the importance of using the correct code is also a safeguarding issue.

All sessions when a pupil is not expected to physically present in school should be marked appropriately using the DfE registration code as follows:

Code B: Off-site educational activity

This code should be used when pupils are present at an off-site educational activity that has been approved by the school. Ultimately schools are responsible for the safeguarding and welfare of pupils educated off-site. Therefore, by using code B, schools are certifying that the education is supervised and measures have been taken to safeguard pupils.

Code D: Dual Registered – at another educational establishment

This code is not counted as a possible attendance in the School Census. The law allows for dual registration of pupils at more than one school. This code is used to indicate that the pupil was not expected to attend the session in question because they were scheduled to attend the other school at which they are registered.

The main examples of dual registration are pupils who are attending a pupil referral unit, a hospital school or a special school on a temporary basis. It can also be used when the pupil is known to be registered at another school during the session in question. Each school should only record the pupil's attendance and absence for those sessions that the pupil is scheduled to attend their school.

Schools should ensure that they have in place arrangements whereby all unexplained and



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unexpected absence is followed up in a timely manner.

Statutory Guidance on Alternative Provision

Alternative Provision Statutory Guidance (DfE 2013)

Education Act (DfE 1996)

Keeping Children Safe in Education (DfE 2021)

Creating opportunity for all: our vision for alternative provision (DfE 2018)

School Attendance Guidance (DfE 2020)

Unregistered Independent Schools and Out of School Settings (DfE 2018)

Key things to know about Alternative Provision

1 A provider of alternative provision should be registered as an independent school if it caters full-time for five or more pupils of compulsory school age; or one such pupil who is looked after or has an EHCP.

2 Doncaster has a strong framework of alternative education providers. Providers listed in the directory are subject to specific requirements and annual checks. Schools are able to use the framework but can also commission provision from other providers.

3 All learners are entitled to a full time education (subject to DfE Registration Requirements). Learners placed in alternative provision must remain on their school roll unless permanently excluded. Learners should study English and mathematics as part of their core offer.

4 When making a decision to place a learner into an alternative provision setting, commissioners must have regard to the Statutory Guidance

5 Schools can arrange alternative provision by referring directly to the provider. If the school is a Special school or involves a pupil with an EHC plan, the SEND Caseworker must be notified.



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6 The school is responsible for all associated costs for the alternative provision for learners who have been identified as “at risk”.

7 Some providers include transport costs but if it is not included, the commissioner must arrange and pay for the service if eligible. All placements provided by the Local Authority include transport provision that is fully funded.

8 Other interventions should have been established before placing a learner into alternative provision. Agreement from all relevant parties is needed to ensure the placement is necessary, appropriate and in the best interests of the learner.

9 Learners in alternative provision require regular reviews to assess the ongoing suitability of the placement, to plan for transition back into school or to a post 16 provider. Learners are entitled to receive advice and guidance about their progression route.

10 Learners placed in alternative provision should be given clear objectives linked to outcomes. Schools are responsible for ensuring objectives are met and outcomes are evaluated regularly throughout the placement. At the end of the placement, outcomes should be reviewed to determine the success of the intervention