



Guidance to Schools regarding the commissioning and use of Alternative Education Provision

What is Alternative Education Provision?

According to the statutory guidance from the government (2013), Alternative Education Provision (AEP) is as follows:

- 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 (now termed suspension).
- schools arranging pupils to receive off-site provision to improve their behaviour. Off-site direction is when a governing board of a maintained school requires a pupil to attend another education setting to improve their behaviour. Whilst the legislation does not apply to academies, they can arrange off-site provision for such purposes under their general powers. Where interventions or targeted support have not been successful in improving a pupil's behaviour, off-site direction should be used to arrange time-limited placements at an AP or another mainstream school. **During the off-site direction to another school, pupils must be dual registered.**

The governing body must keep the placement under review for as long as the requirement remains in effect and must decide following each review meeting as to whether the requirement should continue to have effect and, if so, for what period of time. The review should include the pupil's progress, attendance and any safeguarding concerns that may have arisen. The focus should remain on ensuring that a child continues to receive a good education on par with their mainstream peers whilst the needs which require intervention are being addressed; guidance on off-site direction taken from *Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement* (publishing.service.gov.uk)

AEP can be provided by:

- Registered providers such as Pupil Referral Units, Academies, Free Schools or Independent Schools, or other education providers who are OFSTED registered,
- Unregistered providers who are not OFSTED registered; these tend to be providers offering online tuition or bespoke packages of support.

The local authority commissions provision from both types of AEP in order to secure provision for pupils who have been excluded, those who are unable to attend school due to a medical condition or for pupils requiring specialist education provision to meet their individual needs.

Buckinghamshire Council commissions AEP from the following providers:

- Buckinghamshire Primary PRU – for provision for permanently excluded pupils, whole school outreach as well as individual outreach to pupils, SEMH training for teachers
- Aspire - for provision for permanently excluded pupils, individual outreach to pupils, home tuition for pupils unable to attend school due to medically diagnosed reasons, hospital teaching service and support for pupil with a CAMHS referral at Orchard House; more information about these services can be found at [Home tuition and hospital teaching services guidance | Buckinghamshire Council](#)
- Progress Schools – for provision for secondary aged pupils who have been excluded from special schools or from a PRU in Buckinghamshire
- Targeted Provision – an interim solution (for 12 weeks) which provides a blended approach of online and face to face tuition for pupils who experiencing emotional based school avoidance with a view to reintegrate the pupil back into their main school placement.

Buckinghamshire Council as the local authority hold regular contract meetings with these providers so as to monitor service delivery, review the referrals made by the local authority, the progress of pupils placed there and safeguarding arrangements.

With regards to specialist provision for pupils with an EHCP, the SEND Commissioning Team work with the Integrated SEND service to identify potential placements so as to carry out due diligence with a view to arranging and monitoring the delivery of this provision. Placements are determined at a monthly panel or through the area team surgery. These placements are monitored through the annual review and also through contract visits to the placements which take place within the annual timeframe. Looked after Children with EHCPS would also be monitored by the Virtual School.

Schools can commission AEP for pupils who have been suspended or need some off site provision in order to help with engagement in learning and/or help to improve behaviour. Schools may decide to engage the services of an unregistered alternative education provider to provide such services as well as submitting referrals for pupils for support or placement at either the Buckinghamshire Primary PRU or Aspire. **Even though the local authority commissions the PRU and Aspire, in the event that schools make direct referrals to these settings, it is the responsibility of the school to undertake due diligence and quality assure the provision in these circumstances.**

In all cases schools should follow [Statutory Guidance: Alternative Provision \(publishing.service.gov.uk\)](#)

Quality assurance of provision from unregistered providers – a suggested checklist

In order to have assurance regarding the quality of provision offered by unregistered providers, the following checklist may help schools assess the suitability of a provider that they wish to use in order to support pupils. An unregistered AP setting would need to provide the following:

- a. Details regarding the provider's experience of service delivery
- b. Details regarding staffing and ensuring all staff have been subject to the appropriate level of DBS checks
- c. The provider has a current and sound safeguarding protocol in place
- d. The provider has a current business continuity plan in place
- e. The provider can demonstrate financial viability
- f. The provider has a clear and consistent process in place to process referrals
- g. The provider can demonstrate adaptability and flexibility to meet the needs of the pupil being referred
- h. The provider can submit evidence of engagement metrics such as attendance figures, learner involvement and achievement (although it is the responsibility of the school to check with the provider that the pupil is attending and is progressing)
- i. The provider can demonstrate coherent pathways for transition and future learning for the CYP
- j. The provider can demonstrate monitoring of CYP outcomes
- k. There is evidence of regular communications with relevant organisations that are involved with the individual CYP (e.g., social workers, EHCCOs, previous schools)
- l. There is evidence of regular reporting of progress and outcomes to key stakeholders (e.g., parent/carers, the local authority, social worker)
- m. There is a clear mechanism for contract meetings to discuss progress and any service delivery issues

Unregistered provision should ideally be used for short term/time limited arrangements, although there is recognition that there are gaps in the market which unregistered providers are filling for both the interim and longer term. If unregistered AP is being used for a longer-term arrangement it is essential that there is a close working partnership between the school and the provider so that knowledge and resources (exam centres, PE halls, equipment, pastoral and curriculum linkages) can be shared to deliver the full breadth of education to meet the needs of pupils.

Responsibilities

Responsibility for the alternative provision used rests with the commissioning party i.e. the local authority or the individual school. The following should be in place:

- The nature of the intervention, its objectives and the timeline to achieve these objectives should be agreed and clearly defined. Progress against these objectives should be frequently monitored, appropriate reviews should be built in and continuity into the next stage in the child's life should be considered.
- Where reintegration to the school is an objective, there should be agreement on how to assess when the pupil is ready to return and the school should provide an appropriate package of support to assist their reintegration.

- These objectives and plans should be agreed with providers, set out in writing and regularly monitored, including through frequent visits to the provider.
- Commissioners should maintain on-going contact with the provider and pupil, with clear procedures in place to exchange information, monitor attendance and progress and provide pastoral support.
- If a pupil is on the roll of their previous or current school they should remain so and encouraged to feel part of the school.
- Records should be kept on a pupil's progress in the provision, appropriate staff liaison arrangements should be in place, and appropriate mechanisms of challenge should be agreed.

Recording attendance

Schools need to ensure that the correct coding is used if a pupil on the roll of the school is accessing alternative education.

Schools who commission AEP are still responsible for attendance when the pupil is not at their site. Schools need to check with the commissioned AEP that the pupil is attending as expected and that in the case that the pupil is not attending the AEP, that there are first day procedures in place. The commissioning school and the AEP need to work together to closely monitor the attendance and progress of the pupil so that any issues that are identified can be resolved to avoid entrenched patterns emerging.

Code D: Dual registered at another school

The law allows for a pupil to be registered at more than one school. This code is used to indicate that the pupil was not expected to attend the school 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
- pupils attending a hospital school or
- Pupils attending a special school on a temporary basis.

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 unexpected and unexplained absences are promptly followed up.**

Code B: Off-site educational activity

Attending an off-site educational activity that has been approved by the school and supervised by someone authorised by the school.

For pupils of compulsory school age, schools must also record the nature of the activity, examples are:

- attending taster days at other schools;
- attending courses at college;
- attending unregistered alternative provision arranged or agreed by the school.

The educational activity must take place during the session for which it is recorded.

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 the pupil. Schools should ensure that they have in place arrangements whereby the provider of the educational activity notifies the school of any absences by the pupil. The school should record the pupil's absence using the relevant absence code. This code must not be used for any unsupervised educational activity i.e., when a pupil is at home doing some school work.

Relevant attendance codes taken from School Attendance Guidance: *Working together to improve school attendance (publishing.service.gov.uk)*: