

Proposal for retention of the LA non statutory Alternative Provision Service and move towards a full cost recovery model.

Introduction

The former LA Practical & Applied Learning funding, for placing pupils into Alternative Provision, was fully devolved to schools in 2012. This means that £529,596 is now paid directly to secondary schools and schools are now responsible for directly purchasing quality assured places from approved alternative providers. Over the past five years Havering secondary schools, academies, PRU's and LA departments have placed a total of 1,360 pupils into 18 different provisions. These opportunities have supported some of the most vulnerable pupils, which may have otherwise been permanently excluded.

In support of this work, the Local Authority has continued to provide an AP Commissioner, who maintains a register of alternative education providers. The register ensures that schools, academies, PRUs and LA departments have access to the highest quality providers, as all providers on the register being quality assured by the AP Commissioner. Working closely with Havering secondary schools the AP Commissioner has developed a local centralised system that approves and quality assures providers in line with DfE statutory guidance and best practice. This due diligence process supports schools when commissioning alternative provision. The QA process has been further developed since 2013 in collaboration with LA colleagues from across East London ensuring a consistent approach to using only the highest quality provision.

Given current economic pressures on LA budgets, the local authority would require schools to make a financial contribution if it is to continue with the management of the approved provider list and with supporting schools in relation to placing pupils within quality assured AP settings. The proposed contribution of around £1,500 per school aims to ensure the approved provider list and quality assurance process continues to exist and to provide schools with the assurance they require when commissioning alternative provision in compliance with OFSTED guidance*.

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The case for continued Local Authority Support

'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.' (Alternative Provision, Statutory guidance for local authorities' (January 2013)

* Paragraph 77: Inspectors may wish to speak to key partners who work with the school.... to help assess the school's quality assurance arrangements. They must evaluate the rigour with which the school monitors the attendance, behaviour, learning and progress of pupils attending alternative provision.

* Paragraph 79: The lead inspector should ask the head teacher to provide details of all the provision used by the school or PRU. Priority should be given to visiting unregistered providers and evaluating how the school assures itself of, for example, safeguarding and attendance.

Whilst schools may commission alternative providers directly, there is a strong case for the LA to coordinate such arrangements to support consistency of approach, negotiate standardised costs and to assist schools to ensure compliance with comprehensive statutory guidance. Without LA support, schools would need to devote a substantial amount of time and resources to ensure such compliance. For example, paragraph 30 of this guidance states that:

‘Alternative provision should be good quality, registered where appropriate and delivered by high quality staff with suitable training, experience and safeguarding checks. It should have clearly defined objectives relating to personal and academic attainment.’

The review on AP carried out by Charlie Taylor, the government’s expert advisor on behaviour - Improving Alternative Provision (2013) also recommends under the section Quality Assurance of AP that:

‘schools, LAs and PRUs as commissioners should set up local systems for quality assuring the AP in their area, so they can place children in the right provision’.

In discharging her duties, the AP Commissioner will provide specialist guidance on government legislation, registration, policy changes and national priorities. Other services which may be offered include pupil data tracking, including attendance management, reviews, achievement and progression.

The AP Commissioner will also facilitate liaison with other key LA services including:

- **Legal team** – for models of good practice in line with national and local constitutional and contractual practice and procedures. Legal compliance around the London Borough of Havering’s approval framework.
- **Procurement** - guiding on commissioning rules and regulations and on due diligence checking of provision.
- **Finance** – financial analysis of alternative provision & access to social inclusion funding.
- **Safeguarding** – Continuous Professional Development of AP staff, including access to LSCB Safeguarding Training.
- **SEN** – Supporting children with additional needs, developmental delays, learning difficulties or disabilities.
- **Health & Safety** – Advice & guidance and auditing of provisions to a Chartered level
- **Partnerships** – (East and North East London) Pan London and Havering Partnerships promoting and supporting developments of approved provisions and contributing to the administering of the London Councils Quality Assurance standards.
- **Attendance, Behaviour & Travellers Support** – Providing behaviour support.
- **Transitional Support** – One to one support for IYFAP pupils moving between provisions.

The AP Commissioner will use her experience, networks and resources to collectively enhance children’s learning and improve the overall quality of provision. This includes facilitating the Havering Partnership, whose purpose is to maintain and develop further new ways of working that build on existing effective practice. It also strives to ensure that developments are rigorous, challenging, supportive and productive.

Summary of Alternative Provision Service (APS)

The benefits and assurances for schools, academies and pupil referrals services when using Alternative Provision:

- Users of APS will be Ofsted ready
- APS will provide support during Ofsted inspections
- Users of APS are carrying out their own commissioning in accordance with DfE guidelines
- Access to approved providers is in accordance with procurement and legal guidelines
- Assurance is provided that providers have been subject to ongoing quality assurance
- Assurance that all provisions are safe
- Ongoing advice and guidance is available for users of APS
- Support available in the event of an AP placement breaks down
- All approved providers have signed a contract of general terms and conditions
- All approved providers have adopted the LBH schools Safeguarding Policy
- All approved providers have access to LSCB Safeguarding Training Brochure
- Access to new and innovative provision
- De commissioning of provision that does not meet standards
- Cost negotiations with provisions
- Agreement of payment terms with providers
- Invoice checking
- Support provided for the development of Service Level Agreements
- Benefit from economies of scale regarding costs of alternative provision
- Access to top up funding for at risk of exclusion pupils
- Matching of provision to pupil
- Brokerage
- Pupil attendance monitoring
- Pupil attainment reviews
- Termly provision feedback
- Reporting of concerns
- Termly APS Network meetings
- Continuous Professional Development and Training

Guidance Documents for reference:

Ofsted Inspection Handbook 2014 - www.ofsted.gov.uk/resources/school-inspection-handbook

Charlie Taylor Review - <https://www.gov.uk/government/uploads/..DFE-00035-2012.pdf>

AP Statutory Guidance for Local Authorities 2013 <https://www.gov.uk/government/publications/alternative-provision>