

Cheshire West and Chester Local Authority Commissioning Requirements

Permanently Excluded / Other Pupils.

Schedule A – LA Statutory Responsibilities

The DFE has provided statutory guidance for Local Authorities responsibility for alternative provision*. Local Authorities are responsible for arranging (commissioning) suitable full-time education for permanently excluded pupils and for pupils who – because of other reasons – would not receive suitable education without such provision. This applies to all children of compulsory school age resident in the Local Authority area, whether or not they are on the roll of a school, and whatever type of school they attend.

Full-time education for permanently excluded pupils must begin no later than the sixth day of the exclusion. Whilst full-time is not defined in law it is expected that pupils will receive the same amount of education as they would in a mainstream school. Full-time education can be made up of 2 or more part-time provisions.

The responsibility for alternative provision rests with the commissioner. In Cheshire West & Chester the responsibility for this group of pupils lays with the Education Access Team. The Local Authority commissions mainly full-time alternative learning for pupils who are permanently excluded from school. It secures provision by:

- Commissioning places – this includes directly funding places in PRU's
- Procuring Alternative Provision – where the Local Authority enters into a contract with an independent alternative provider.

The Education Access Team has the responsibility for:

- Commissioning the provision
- Quality assuring the provision
- Monitoring pupil progress

The process for the above responsibilities is laid out in **Schedule B**.

The DFE has published statutory guidance around the commissioning of Alternative Provision which Local Authorities must have regard to.

As the commissioners of Alternative Provision the Local Authority expects its providers to deliver these common elements:

- Good academic attainment on par with mainstream schools, particularly in English, Maths and Science (including IT) with appropriate accreditation and qualifications
- The assessment and identification of pupils personal, social and academic needs to overcome barriers to attainment

- A curriculum designed to Improve motivation and self- confidence, attendance and engagement in education
- Clearly defined objectives to enable pupils to return to new schools or to move into further education, training or employment.

The Local Authority will work in partnership with the commissioned services and its schools to re-integrate pupils who are ready to return into new schools through the Local Authorities Fair Access Protocol the process of which is described in **Schedule B**.

A decision may be reached that some pupils needs may be best met outside of mainstream education until the end of their statutory schooling. For those pupils an appropriate full time alternative pathway will be agreed.

In all cases parents and pupils will be included in any decisions or changes to provision.

- *DFE 'Alternative Provision – statutory guidance for local authorities' Jan 2013

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Schedule B.

Permanently Excluded Pupils

Full-time education for permanently excluded pupils **must begin no later than the sixth day of the exclusion**. Schools inform the Local Authority of a permanent exclusion by sending a copy of the exclusion letter to the exclusions inbox within one day of the exclusion. This letter is emailed immediately to the Education Access Team and the commissioned service if known at that time. This allows for immediate decisions about initial visits, start dates and timetables to be made.

Schools send the information sharing agreement (the BSP1 form) to the Local Authority within 48 hours of the exclusion. Again this is shared with the Education Access Team and the commissioned service.

The process followed is laid out below:

- The relevant Education Access Officer who is commissioning the provision will immediately make a home visit to gather further information from the pupil and the family.
- At that home visit an initial decision will be made about the pupil's ability to move straight into a new school. Where this decision is made the Local Authority may commission alternative education for the pupil whilst a new school is named.
- The Local Authority is working with schools to develop other alternative pathways for some pupils who are able to move straight into new schools following a permanent exclusion.
- The Access Officer will assess transport needs and request transport where appropriate. They will also make contact with the excluding school to gather further information about the pupils' attainment and any identified SEN.
- The information obtained as detailed above will be collated onto a commissioning form (**Appendix A**) and forwarded to the head teacher / manager of the identified provision with any specific requests such as continued work or alternative placements the pupil is already accessing and / or specific examination subjects being studied. The commissioned service will take over the responsibility as commissioner for any alternative provision placements and will follow DFE guidance.
- The commissioned service will set up a meeting with the pupil and parent / carer within the initial 6 days. A member of the Education Access Team may attend these meetings. At that meeting the start date and induction timetable will be agreed. This information will be shared with the Access Officer.
- The commissioned service will be responsible for conducting various initial assessments to inform the individual pupil plan and relevant target setting.

- The Education Access Team will meet at a monthly panel on the first Monday of each month (Tuesday in the case of a bank holiday) to review all of the pupils they have statutory responsibility for. This will allow the sharing of information and collective decision making about pupil progress and pathways.
- On the Friday prior to the meeting all commissioned services will complete the information dashboard (**Appendix B**) for all pupils the Local Authority commission places for. This dashboard will give key information about the pupil's progress.
- Based on the information shared and discussions with partners, decisions will be made about changes to provision; readiness to return to school or for pupil's to remain on an alternative provision pathway.
- When pupils are put on a reduced timetable for any reason the expectation will be that they will be increasing that timetable gradually to return to a full timetable within 3 – 5 weeks. The progress of these pupils will be regularly monitored at panel meetings.
- When the commissioned service informs the Access Team that a pupil is ready to return to a new mainstream school a review meeting will be held to evidence pupil progress and agree a transition plan. The Education Access officer will make a referral to the next Fair Access panel. The commissioned service will be responsible for providing evidence of the pupil's progress against their targets and completing the referral form (**Appendix X**). The Access Officer will either have a dialogue prior to panel with one or more schools or present the referral at the next panel.
- When a placement is identified in a special school the commissioned service will liaise with the school to facilitate transition.

Other Pupils

Local Authorities are responsible for arranging (commissioning) suitable full-time education for pupils who – because of other reasons – would not receive suitable education without such provision.

This responsibility would only apply in a very small number of cases for example:

- Pupils who move into the Council area at the end of their statutory schooling and have been out of school in their previous authority for some time.
- Pupils who have moved schools frequently and have been out of school for more than two months and are waiting a placement through the Fair Access Panel.
- Pupils who for whatever reason/s have been refused a number of school places
- Pupils from complex family situations where the parent has not applied for a school place for their child

- Pupils discussed at a Fair Access Panel and the decision has been to offer an intervention because of their complex needs
- Support for a pupil on a managed move agreed at the Fair Access Panel to avoid a permanent exclusion

The process followed for these pupils would be the same as that for excluded pupils. There may be slight differences e.g. where the Local Authority is commissioning a time limited place for a pupil.

