Education Committee: Call for Evidence – Alternative Provision

Response of the Association of School and College Leaders

A   Introduction

1   The Association of School and College Leaders (ASCL) represents nearly 19,000 heads, principals, deputies, vice-principals, assistant heads, business managers and other senior staff of maintained and independent schools and colleges throughout the UK. ASCL has members in more than 90 per cent of secondary schools and colleges of all types, responsible for the education of more than four million young people. ASCL has many members that work across the full range of alternative provision including Pupil Referral Units (PRUs) and hospital schools. This places the association in a unique position to consider this issue from the viewpoint of the leaders of schools and of colleges of all types.

2   ASCL welcomes the opportunity to submit evidence to this timely and important inquiry. We have collected information from a range of members and discussed this matter at our recent national committee meeting to inform this response.

3   Our submission is organised in line with the six issues identified in the call for evidence to the inquiry, beginning with some general points, as follows:
   A   Introduction
   B   General points
   C   Routes into alternative provision
   D   The quality of teaching in alternative provision (including pupil referral units)
   E   Educational outcomes and destinations of students
   F   Safety, accommodation and provision of resources for students
   G   In-school alternatives to external alternative provision
   H   Regulation of independent providers

B   General points

4   DfE statistics show that the overall rate of permanent and fixed period exclusions has increased in recent years and the majority of exclusions come from a minority of schools though this minority is growing. The evidence also indicates that there are specific groups that continue to have a higher incidence rate of exclusions than others.

5   There is also a significant and worrying rise in primary school exclusions.

6   ASCL believes that all schools in a local area need to take collective responsibility for all children and young people living in that area.

7   The association therefore encourages every school to be an inclusive school and this includes an expectation of some form of regional or local coordination for actively managing all managed moves and exclusions in that area.

8   Evidence indicates that many areas do this really well using arrangements such as managed moves but we are aware that such practice is not consistent across the country. It is ASCLs view there needs to be a clear expectation and effective accountability to ensure that all schools work collaboratively and take an active interest in meeting the needs of all local students.

9   Further some alternative provision is very good but provision is patchy across the country and the quality of services is variable. We urgently need greater focus on these most vulnerable children and young people.

10   It is not easy to find out about alternative provision providers nationally. This needs to be addressed. Local authorities (LAs) monitor alternative provision providers and hold a list of local providers but there is no effective regional or national coordination of provision. Equity of access to high quality alternative provision is a major issue – leaders require access to high quality provision when they need it.

11   The Secretary of State for Education recently announced plans[1] to transform alternative provision so that no pupils outside of mainstream education are left behind. She promised to work with school leaders, parents and local authorities to ensure all alternative provision is fit for purpose and ensure that every child has access to a good education, regardless of their background or their ability. ASCL fully supports the objectives of this initiative.

12   Ways need to be found to ensure that there is high quality alternative provision available to support the needs of all vulnerable children and young people wherever they live. But at present in some areas there are insufficient places at in alternative provision to meet demand. A comprehensive overarching strategy and appropriate national funding are needed.

13   Staffing in alternative provision is frequently cited as a major difficulty so a major part of addressing the issue must be to find ways of improving the supply of high quality teachers and leaders to work in alternative provision settings.

14   Members tell us that the nature and level of need of students including mental health issues is rising and this is increasing the number of children and young people needing alternative provision.

15   Funding constraints are having a major impact and there is a link between the reduction in funding to schools and local authority services and the rising rate of exclusions.

16   Due to budget constraints mainstream schools are having to close or reduce the scope of in-school units and limit intervention strategies causing a rise in placements with alternative providers.

17   It is reported that there are significant variations in the level of funding to support schools reducing exclusions and to provide alternative provision from area to area.

18   Previous inquiries into this field need to be taken into account, for example The Charlie Taylor review[2] of 2012 made recommendations about funding, accommodation and best practice.

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[1] https://www.gov.uk/government/news/new-education-and-skills-measures-announced
[2] https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/180581/DFE-00035-2012.pdf

C Routes into alternative provision

19   There is inconsistency across the country on the threshold criteria used to permanently exclude children and also variations in the criteria that enable pupils to access alternative provision.

20   The evidence indicates that the majority of exclusions come from a minority of schools however that minority is growing.

21   The accountability pressures that schools are under are considerable and there is some anecdotal evidence of instances of inappropriate exclusions or referrals for alternative provision from mainstream schools due to these pressures.

22   There are also reports of some schools using inflexible behaviour policies which lead to several students being permanently excluded.

23   Getting consistency into the system in terms of thresholds to trigger permanent exclusions and equality of access is not straightforward. ASCL would want there to be an expectation of some form of local or regional coordination for all exclusions and an expectation that all schools in an area work collaboratively.

24   There should be clear policy and procedure which all schools within the local authority adhere to. For example local agreements bought into by all schools in a geographical area, local schools leading fair access panels that enable positive challenge and ownership of at risk and vulnerable children and young people.

25   ASCL encourages members to enter into local agreements for exclusion/alternative provision. These local agreements should cover all schools irrespective of their designation with single academies and MATs working closely with local authority schools.

26   Appropriate challenge must be part of local agreements, with head teachers giving peer challenge to colleagues as and when needed. The Fair Access Protocol may well be a good forum for discussion on these matters.

27   There also needs to be clear communication between local authorities particularly to check that children do not get lost by or in the system. 'Off rolling' is a concern in some areas and the lack of local specialist mental health provision can lead to children being placed in specialist placements in a different local authority.

28   In some areas there is an over-reliance by schools and LAs on using alternative provision to solve long term issues with certain children and young people.

29   It may be helpful to promote some incentives for mainstream schools to become a mainstream 'alternative' AP provider.

30   PRUs include provision for pupils who are unable to attend mainstream provision due to medical needs. Some pupils are reintegrated back into mainstream schools but other may remain educated by the medical PRU though until Year 11. Teaching may take place in a unit, local library or centre, pupil's home with some taking place in medical settings for example hospital schoolroom or ward.

D   The quality of teaching in alternative provision (including pupil referral units)

31   This group of young learners needs excellent top-quality education in an establishment that sets high yet realistic expectations and staff that are fully committed and 'do not give up on' the children and young people they are working with.

32   The curriculum needs to be challenging and relevant and provide the route into positive destinations whether that be further education or employment/training.

33   More support is needed to attract good quality teachers to work in alternative provision and to keep them. The importance of having high quality staff is not limited to those teaching the children and young people as all staff that come into contact with children and young people in alternative provision have a key role their overall education.

34   There are indications that there are a significant number of unqualified teachers in alternative provision. It should be part of the system that those without QTS should be working towards becoming qualified.

35   As with all schools, alternative providers find themselves under significant funding pressures and this impacts on a range of issues including having to reduce the number of teachers they have and work within a reducing CPD budget to improve the professional development of their staff. .

36   As indicated previously one of the major issues is the variability of quality of provision: the quality of provision can be described as a bit of a 'postcode lottery.'

37   There are also many examples of good practice and we hear of good alternative provision quality-assuring and commissioning other local providers.

38   There are some really good examples of collaboration and other excellent practice. One colleague said *"We work regularly with our partner schools when we are short for staff, to see if they have over staffed in a particular area and can spare a teacher. We also support our own staff (mentors, TAs, HLTAs) to train to become teachers, we are about to support a fifth member of staff with their QTS. It is more cost effective to pay for their training costs and keep their years of experience then advertise continuously and lose their skills in our provision."*

E   Educational outcomes and destinations of students

39   As with much of what we are saying this is variable across the country. Positive destinations are key for these children and young people and learning pathways should start from this basis and the expected outcomes must be realistic.

40   The measures used to assess the effectiveness of alternative provision will need to be tailored to the nature of the provision. Using Progress8 to assess the success of most alternative provision is unrealistic and unreasonable.

41   The Statistical First Release data provides some insight into the educational achievements of pupils educated in PRUs, Hospital Schools and other alternative provision but it does raise the issue of the validity of using this data to make judgements about the effectiveness of such provision.

42   There may well be a case for having an alternative provider specific aspect of the Ofsted framework with even greater emphasis on the overall progress of individuals.

43   Some alternative provision providers have developed their own indicators.

44   A positive return to mainstream is usually the real goal for most children in alternative provision and although this is not always achieved, it is progress on personal and social skills as well as their overall educational attainment and progress that needs to be measured.

45   Many of the children who access alternative provision do so for short periods of time. We also note that they make up a significant part of the bottom 5% of the national cohort as far as attainment measures are concerned.

46   ASCL considers that the data for vulnerable children in mainstream 'alternative' alternative provision should be placed on the LA Virtual School's role not on the role of the receiving school. This way, schools that go out of their way to reach out to these highly complex children are not penalised by OFSTED due to dips in the school's results. Many members raise this as a real fear.

47   The destinations data from alternative providers is always readily available indicating more work needs to be done in terms of tracking and reporting this. The association would welcome further improvements in the use of destinations data as this can assist in the future planning of the curriculum for similar students.

F   Safety, accommodation and provision of resources for students

48   Cuts to mainstream schools' budgets mean that they are less well able to support vulnerable students. In the long term, this leads to greater costs for schools' budgets in increased specialist placements and greater long term costs to the wider public purse due increased risk that as adults these people will add significant costs to the justice, health and benefits departments.

49   Quality buildings impact positively on quality teaching and respectful relationships. Students needs to feel valued in order to change their direction and improve their life chances. Each local authority needs robust commissioned provision which is funded appropriately, and monitored. Often, good provision is dragged down by poor accommodation and resources.

50   There is no consistency of provision across the country for example Derbyshire vs Nottinghamshire. In Derbyshire, support only becomes available at the point of an exclusion and not before – there are high exclusion rates in Derbyshire. Some areas of Nottinghamshire however have zero permanent exclusions – in these areas all schools are provided with funding for support for the child before the situation gets to permanent exclusion. PRUs were closed in Nottinghamshire to provide this funding. Private companies are providing PRUs in Nottinghamshire.

51   These most vulnerable children need safe and secure sites where they can learn how to be safe themselves, with others, on-line and in their managing their mental health. Until they are safe, they cannot access learning. This requires both capital and revenue funding. A reduction in funding for these children is leading to less positive outcomes for them.

52   Investing in alternative provision will save society money in the long term. Alternative provision is currently underfunded and may be seen as a low priority in some parts of the country. It requires proper investment to educate more children and young people in alternative provisions and improve their life chances, reducing the chances of them ending up in the justice system or having to access adult mental health provision.

53   There is a significant risk that this group, if left inadequately supported, will go on to create significant social problems and add costs to society as well as economically.

54   A deputy head of a PRU said funding pressures have a major impact: "*The current budget is a huge concern for us as we never know our year's budget until days before the new financial year. We have never been able to set a three year budget as we can never predict numbers and the lateness in the arrival of the budget to us.*"

55   There is a shortage of provision in some areas and the lack of spaces in some PRUs has meant that they are full and therefore some pupils end up being taught at home, which is rarely a suitable solution to meeting the individual's needs.

G   In-school alternatives to external alternative provision

56   Permanent exclusion is seen as a last resort by most mainstream schools.

57   Several school have extremely well planned programmes to support children and young people at risk of exclusion, using in-school exclusions as an alternative and putting students on programmes designed specifically for their needs. Some schools have effectively developed their own in-school alternative provision, sometimes linked with FE colleges or work-based learning providers.

58   There is little data on the use of in-school alternatives to permanent exclusion and the scale of their use. It would be helpful to improve the data collection on this as well as spreading ideas on successful strategies and approaches.

59   Mainstream schools need to access quality training from specialists to enable them to support children and young people at risk of exclusion and to make adjustments for vulnerable students. They need the resources and expertise to provide appropriate additional support and alternative learning pathways for these children.

60   There are some very good examples of collaborative working to reduce exclusions and we are seeing some MATs setting up their own alternative provision so that they keep the children within their community of schools.

61   All of this work requires adequate funding and funding pressures have had a major impact on the ability of mainstream schools to provide the needed in-school support for all children at risk of exclusion. As the ability of mainstream schools to afford preventative measures has been reduced the inevitable consequence has been an increase in the number of exclusions.

H   Regulation of independent providers

62   There are already a number of organisations that provide an 'unofficial alternative' to alternative provision but this support may have limited impact due to the way these services are viewed by local authorities.

63   PRUs and alternative provision through schools, colleges or work based learning providers are inspected by Ofsted. Indications are that there are a number of unregulated independent providers.

64   It is ASCL's view that all alternative providers should be regulated in order to provide safeguarding for all children and young people. This does however bring about a risk that some organisations will not want to go through what they would see as a bureaucratic exercise and some valuable provision would be lost.

65   One deputy headteacher of a PRU stated that *"It is important to note that we have stopped using many independent providers as they simply did not have high enough standards for teaching, learning or behaviour."*

66   For those reasons we would recommend that under the current regulations any provider who is not registered and not inspected by Ofsted should only be used when there are clear lines of accountability and safeguarding and quality assurance procedures are in place.

67   We hope that this evidence is helpful in your inquiry and would be very pleased to be contacted should further information be required.

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