

Wiltshire Council

Select Committee

26th November 2024

Alternative Provision in Wiltshire

Proposal:

That the committee:

- a) Considers the activity and impact data on Alternative Provision presented in this report

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Alternative Provision in Wiltshire

1.0 Purpose of report

1.1 To set out information on the Alternative Provision available in Wiltshire, known issues or gaps and development plans.

2.0 Background

2.1 Alternative provision is for learners who are not able to attend school due to their SEN/D, medical needs, as a result of exclusion from school, or who otherwise may not receive suitable education.

2.2 Alternative Provision is defined as education provision in which a pupil participates:

- as part of their regular timetable
- (typically) away from the site of the school and
- not led by school staff or by parents. (Ofsted 2016)

2.3 Pupil referral units (PRUs) are schools registered with the DfE to teach learners who aren't able to attend school and may not otherwise receive suitable education. Wiltshire does not have any pupil referral units within its school estate. Every provider of education that is not a maintained school or academy must be registered with the DfE as an 'independent school' if it provides full-time education to:

- five or more pupils of compulsory school age, or
- one such pupil who is looked-after, or
- one such pupil with an Education Health & Care Plan (EHCP).

2.4 The DfE requires any provider offering 18 hours per week to any pupil to be registered. Alternative Providers that do not meet these criteria are not required to be registered.

Currently there are two small independent DfE registered providers of AP for secondary aged learners in Wiltshire:

- Brunel College (Previously known as WASP) in Salisbury
- On Track in Westbury

3.0 Wiltshire Alternative Provision Strategic Plan 2022-24:

3.1 This co-produced strategy set out how AP is used across the school system including SEND to deliver the following priorities:

- To create a shared understanding with parents/carers, schools, and providers about when alternative provision may be appropriate, what is available in Wiltshire, and how it can be accessed.
- To ensure all pupils experience consistent and inclusive education that is sufficiently informed to meet needs through equitable access to inclusive pathways.
- To work with providers and schools to ensure a sufficiently broad-ranging, needs-led Alternative Provision that is fit for purpose in improving outcomes and post-16 rates of young people in Education Employment or Training (EET).
- To provide high quality alternative provision locally, operating alongside mainstream and special schools to meet the needs of Wiltshire pupils for some or all their education.
- To ensure all pupils provided with AP are offered their entitlement to suitable full-time education.

4.0 Completed Strategic AP Activity Summary

4.1 Wiltshire Approved Alternative Provision (WAAP) directory set up with robust quality assurance of prospective provision and annual review.

Providers apply to be listed on the WAAP Directory. The initial application process comprises a comprehensive questionnaire which details their business security and sustainability. The responses given must demonstrate that the required health and safety arrangements are in place and ensure that safeguarding practice is in line with requirements (Keeping Children Safe in Education).

Quality assurance visits are made to all settings as part of the application process. Providers are required to evidence their arrangements as per their responses in the application form. Subject to meeting the requirements, providers are issued with formal approval notification, prior to being listed on the published WAAP Directory.

The WAAP Directory provides information about the types of provision available locally. The information details the geographical area in which the provider operates, delivery mode, pricing structure and staff skill set. Each page carries a link to the provision's website (where available) so that commissioners can access additional detail.

4.2 Ongoing Quality Assurance

A cycle of review over one year includes on-site visits where appropriate (i.e. where the provision offered takes place at a setting and not solely online or in a learner's home). Providers are required to evidence appropriate safeguarding arrangements and progression of learners against agreed outcomes as set for individual learners. Providers who have not worked with any Wiltshire learners – on roll or Educated Other Than In School (EOTIS) - for two academic years, will be removed from the directory to reduce unnecessary ongoing quality assurance.

Any provider found to be operating below our QA standards is removed from the directory.

Two marketplace events were held where schools and commissioners explored what alternative provision is available in the local area and providers gained a better understanding about the needs of schools, learners (including SEND) and other commissioners.

To provide sufficiently broad-ranging, needs led alternative provision across Wiltshire, the Alternative Provision Team sought feedback from commissioners to identify areas of need for potential WAAP applicants to fulfil. This has informed the WAAP application process for 2024-25.

Procurement of a DfE registered alternative provision for the north of Wiltshire is currently in progress (The Northwood Centre).

Improvements in specialist place sufficiency in Wiltshire over the last 2 years has ensured impact for children 'right place, first time' which is also supporting a reduction in the need for alternative provision and/or for suspensions for EHCP learners.

4.3 All Wiltshire schools are asked are requested to report their use of alternative provision on a monthly basis to the Council's AP team.

Learners on a school roll

At the end of 2023/24, 81 schools reported there had been a total of 601 placements that had ended during the year:

Totals	Total Schools	Total Pupils	No SEN	SEN Support	EHCna	EHCP
Total	81	601	111 (18%)	162 (27%)	25 (4%)	303 (50%)
Primary	57	169	8 (5%)	39 (23%)	13 (8%)	109 (64%)
Secondary	24	432	103 (24%)	123 (28%)	12 (3%)	194 (45%)

Totals	FSM	CIN	CP	CLA	CLA
Total	251 (58%)	35 (8%)	5 (1%)	16 (4%)	16 (4%)
Primary	68 (16%)	8 (2%)	1 (0.2%)	3 (1%)	3 (1%)
Secondary	183 (42%)	27 (6%)	4 (1%)	13 (3%)	13 (3%)

Schools are asked to report on the outcomes of the placement when it has ended. Compliance with this request is strong and is reflective of the positive relationships which exist between schools and the local authority teams.

During 2023/24 over 70% of placements were recorded as having met the expected outcomes of the placement. The percentage of secondary placements for which no outcomes were met was significantly higher than primary placements and is an area for development with schools as commissioners of AP.

	Placements ended						Not Recorded (% total ended)
	(% of total where outcomes were recorded)						
	Total ended	All Outcomes Met	Some Outcomes Met	No Outcomes Met	Some Outcomes Partially Met	Pupil left the School	
Total	675	161 (37%)	161 (37%)	84 (19%)	12 (3%)	17 (4%)	240 (36%)
Primary	184	36 (39%)	38 (41%)	1 (1%)	5 (5%)	12 (13%)	92 (50%)
Secondary	491	125 (36%)	123 (36%)	83 (24%)	7 (2%)	5 (1%)	148 (30%)

The dataset showing the number of learners at AP and the number of current placements at AP across Wiltshire schools may not capture all school-commissioned AP. It is not statutory for schools to report this information to the council. However, the number of schools reporting has increased significantly over time.

4.4 All EOTIS (Educated Other Than In School) learners have a Learner's Intervention Plan created by the Alternative Provision Team which enables providers to target their support to meet specified outcomes.

All Wiltshire approved providers are required to complete weekly attendance returns for the EOTIS cohort, and this is monitored by the AP team. Attendance is discussed as part of the AP review meetings for learners.

For children with an EHCP and an EOTIS designation, the SEND Lead Worker leads on establishment of a suitable AP offer. For any learner permanently excluded from school, the AP team leads on provision from Day 6 and beyond.

All EOTIS learners have three Learner's Intervention Plan progress reviews across an academic year. The reviews also focus on next steps and transitioning planning. For learners with an EHCP one of these reviews will be their EHCP Annual Review.

Each learner's provision package is monitored by the AP team and consideration given to whether the learner is offered their entitlement to full-time education. Where the AP team considers that an EHCP learner's AP package is not sufficient, the team works closely with the SEND Lead Worker and providers in order to extend the provision offer.

Outcomes set in the LIP are linked to the learner's EHCP (where relevant) and focus on the skills and knowledge needed to support a return to a school setting or to transition to post 16 employment, education or training. The Wiltshire Council Post 16 Skills and Participation team works with the Preparation For Adulthood Team (PFA) within the SEND service to ensure information is shared that supports participation of all learners with an EHCP.

Since June 2024, 57 placements have been reviewed for 46 learners.

Total reviews	Total learners	Total outcomes reviewed	Outcomes met	Outcomes partially met	Outcomes not met	Total placements ended
Current EOTIS	36	548	147 (27%)	271 (49%)	88 (19%)	5
EOTIS ceased	10	125	56 (45%)	48 (38%)	21 (17%)	11

4.5 Behaviour Support Service (BSS) works with primary schools to build stronger collaboration between schools and providers by signposting schools to the WAAP directory and supporting documents to ensure they are aware of what approved provision is available. BSS also support schools with sourcing appropriate alternative provision and creating and reviewing Learner's Intervention Plans.

The primary behaviour support teachers (BSTs) monitor reporting of the use of AP in primary schools and work with schools to support regular reviews and to report closed placements where appropriate.

In some cases, where a BST is working closely with the school, funding is provided for alternative provision.

During 2023/24, of the 46 learners supported:

- 30 learners had been identified as being at risk of permanent exclusion and only 2 learners continued to be at risk of permanent exclusion at the end of the placement. No pupil supported in this way was permanently excluded. The purpose of these placements was both to prevent the need for permanent exclusion and to help identify what approaches and strategies work well, to inform the assessment process.
- 22 learners were supported while EHC needs assessment process was underway.

A Learner's Intervention Plan (LIP) is put in place for each learner supported in this way, which is reviewed at termly intervals with the school, the AP and the Behaviour Support Service.

As a measure of success, each of the learners supported during 2023/24 received fewer suspensions from school during the term following the start of placement at alternative provision than during the same period prior to the placement.

Learners' Intervention Plans - support for AP	Total Schools Supported		33	
	Total Placements Supported		36	
	Total Learners Supported		46	
	All outcomes met	4 (11%)	Some outcomes met	25 (69%)
	No outcomes met	1 (3%)	Not yet reviewed	6 (17%)

Primary behaviour support teachers support and advise primary schools to ensure every learner attending AP, commissioned by the school, has a LIP.

A Service Level Agreement with Wiltshire Wildlife Trust has been established to support day 6 provision for primary aged permanently excluded learners.

4.6 Service Level Agreement for Secondary Schools – Devolved Inclusion Funding

Arrangements were made under the Wiltshire Council (Arrangements for the Provision of Suitable Education) Order in 2012, enabling the DfE's alternative provision trial to be set up. This Order facilitated an innovative project by Wiltshire Council ("the local authority") whereby funding related to the local authority duty to provide suitable full-time education to permanently excluded pupils to the governing bodies and proprietors was devolved to secondary schools for a period three years.

Following the end of the trial, secondary head teachers and governors chose to extend the contract which became a three year Service Level Agreement, the first one of which was in place between 2014-2017. This approach is set out and validated in the 2021 DfE research report 'responsibility-based models of decision-making, funding and commissioning for alternative provision'.

In 2020, co-production work with ISOS partnership and secondary headteachers led to establishment of a set of working principles which underpin the current Service Level Agreement whereby schools are committed to using funding to increase their inclusion offer and to prevent the need for permanent exclusion which includes the use of AP for those learners who need it to supplement the school's mainstream offer.

Schools who are part of the SLA participate in annual discussions about the use of funds received to review the impact and onboarding conversations take place with every headteacher and with MAT CEOs leading up to the end of an SLA period and before a new draft SLA is issued.

In 2023, one grammar school and one multi academy trust (two schools) chose not to be part of the current SLA.

Of the 26 secondary permanent exclusions in 2023/24, 20 were from these 3 schools (1 from the grammar school and 19 from the MAT). Funding not devolved to these 3 schools who remain outside the SLA has been used for AP for these learners permanently excluded. The recent increase in permanent exclusions is attributable to the decision of these schools to step outside of the model. Headteachers in the local area have responded with a strong moral purpose, working together to meet the needs of these permanently excluded young people and effectively support their inclusion.

Through our SEND transformation programme, a new team of secondary behaviour support teachers is being established (academic year 2024/25). This is being set up as a traded service running with a 100% subsidy for two years for all secondary schools. The new behaviour support teachers for secondary schools will build schools' capacity to meet the SEMH needs of learners, reducing the rate of suspension, especially for those young people with an EHCP. They will also support/advise secondary schools to ensure any learner attending AP commissioned by the school has a LIP with clearly defined outcomes.

All behaviour support teachers will work with the newly established team of MISAs (Mainstream Inclusion School Advisers) to ensure alternative provision commissioned by mainstream schools is planned for and used robustly within a graduated approach to meeting learners' identified social emotional and mental health needs.

4.7 The AP Team works collaboratively with teams in the Targeted Education Service and wider directorate to provide advice and support to schools and commissioners about suitable alternative provision, commissioning arrangements and monitoring of placements so that learners have access to suitable provision.

The extended duties (Virtual School) and the behaviour support teams have promoted the council guide 'Supporting inclusion of children with a social worker' to ensure joint working to prevent the need for suspension of learners with a social worker.

Work undertaken by the Post 16 Skills and Participation team with the targeted schools and the Education Employment Advisers in all schools, along with the work by SEND team for learners with an EHCP and for learners EOTIS (without an EHCP and due to permanent exclusion), support the planning and assessment of need focussing on transition and preparation for adulthood for older learners in alternative provision.

A draft Promoting Attendance and Managing Absence protocol is currently being co-created by Education Welfare and the AP Quality Team. It will be published at the end of November 2024 following consultation with teams within Education and Skills directorate, WPC and wider stakeholders.

Our highly effective FAP (Fair Access Protocol) process and commitment of school leaders to belonging means that we can respond quickly and effectively to identify appropriate provision for learners who have been permanently excluded.

Additional inclusion funding to support these transitions via AP is allocated by the Fair Access Panel and progress monitored by the panel (headteachers).

Training has been provided to the SEND team by the AP team to enable them to better support schools and families.

The Section 19 multi agency panel considers cases where the council has a responsibility for education for any Wiltshire learner and tracks progress at any alternative provision placement made towards outcomes.

4.8 The voice of the learner and their parents is heard and contributes to the set up and review of alternative provision placements.

The views of parents and the learner (where possible) are sought through discussion with the commissioner:

- as part of the commissioning process of alternative provision placements
- as part of the placement review meetings.

Consent is requested at the point of commissioning for parent details to be shared with Wiltshire Parent Carer Council, who contact parent carers to discuss what worked well and what could have been better in terms of:

- the setting up of the placement/s
- communication from providers about progress, reviews and transition arrangements
- views about whether their child felt valued and included in their school/provision community while at AP

Feedback from WPCC (first round of conversations has been held with parents during September 24) will contribute not only to casework with the individual learner (where appropriate) but to our wider quality assurance of providers, and to training for schools and providers as well as commissioners.

5.0 Evidence of Impact

- Wiltshire schools continue to have very low rates of permanent exclusion compared to the south-west and national rates.
- Rates of suspension in Wiltshire for learners with SEND (with and without an EHCP) reduced in 2023/24 compared to the previous year (internal data).

- No CLA has been permanently excluded in the past 5 year and suspensions for CLA with SEN (with and without an EHCP) have reduced from 2021/22 to 2022/23. Suspensions are below the national rate.
- Locally held data show a reduction in the rate of suspension between 2022/23 and 2023/24 of learners with a CiN plan and those with a CPP (from 6.2% to 6% and from 1.5% to 1.3% respectively).
- Analysis by Post 16 Skills and Participation team of post 16 outcomes for learners who have been at alternative provision when in Year 11 at school, for 2021 and 2022 shows 80% met the duty to participate in September 2021. Early tracking for learners in year 11 in 2023/24 indicate that that the numbers of young people in EET are high for the EHCP and SEN support cohorts.
- An SLA with Brunel College prevented two Wiltshire learners attending out of county schools from being permanently excluded.
- Reviews of EOTIS cases show that of 595 outcomes reviewed since June 2024, 82% were either met or partially met (30% totally met).
- Attendance returns from providers currently show average attendance at provision for learners who are EOTIS as 79% (144 placements) where returns are received. Of those returns, the attendance rate of 102 placements (71% of these placements) is over 90%. Of the 4 placements showing 0% attendance, action is being taken to review and change the placement, support the family and learner to attend. No learner is currently showing 0% at all provisions.
- The impact of this funding through the SLA with secondary schools and via BSS to primary schools is reflected in the permanent exclusion rate from Wiltshire schools which is consistently significantly lower than the national rate and compared to schools in the south-west.
- It also reflects an impressive inclusion commitment from these school leaders, that Wiltshire children belong in local Wiltshire schools, accessing support from those who know them (and their families) the best.

The strategic direction for alternative provision is now set out in our new strategic plan, Meeting Needs Together - [Our Plan for Children and Young People with SEND or in Alternative Provision in Wiltshire 2024-29](#)

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Appendices

N/A
