

# CHILDREN'S SERVICES OVERVIEW AND SCRUTINY COMMITTEE



Report subject	<b>Alternative Provision Update</b>
Meeting date	26 November 2024
Status	Public Report
Executive summary	<p>This report provides an overview of the work undertaken by the School Inclusion Service/local area partnership aligned to progress of implementing our Alternative Provision Improvement Plan.</p> <p>In the last 6 months, an Alternative Provision Improvement Plan and Oversight Board have been established to drive and monitor improvements in the Alternative Provision area. This update provides a narrative on the initial progress and priority areas of work, as well as the lived experience of children and young people going through the system from a permanent exclusion perspective.</p>
Recommendations	<p><b>It is RECOMMENDED that:</b></p> <p>The report is received as evidence of the work currently being undertaken across the wider partnership within BCP to secure improvement and transformation across Alternative Provision to support mainstream inclusion and contribute towards a sustainable SEND system and positively impact the trajectory of high needs expenditure.</p>
Reason for recommendations	To ensure that all stakeholders within and across the Education system are aware of the positive improvements in the Alternative Provision area and the future work required.

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Wards	Council-wide
Classification	For update

## 1. Background

1.1 Alternative Provision in BCP has been a focus of Children's Services since the SEND DfE and NHSE review visit in July 2023. Whilst that revisit looked at the SEND system as a whole across the local area, part of that focus and part of the wider scope of the renewed SEND Local Ofsted Inspection Area Framework that commenced in 2023 is on Alternative Provision. Against the outcome of the DfE and NHSE visit in July 2023 and subsequent Statutory Direction a new SEND Improvement Plan was co-produced across the partnership which is reported on in the accompanying SEND Update for this O&S Meeting.

1.2 In similar fashion an AP Improvement Plan has been created to address the priority areas across AP in BCP. There are 7 priority areas in the improvement plan focused on ensuring both that system and processes ensure the commissioning of high-quality, outcome focused provision, and also that the range of AP meets the demands and needs of the children and young people accessing the support.

1.3 The priority areas are:

- Commissioning
- Communication and engagement
- Inclusion and Intervention
- Safeguarding and QA
- Strategy and leadership
- Sufficiency and planning
- Systems and oversight

Each priority area has actions with agency and service leads being responsible for their delivery.

1.4 A new Alternative Provision Oversight Board was established in June 2024 and is chaired by Sharon Muldoon, Interim Director for Education & Skills. This Board meets every 6 weeks and reviews progress against the identified milestones.

## 2. Alternative Provision Improvement Plan updates

2.1 The 7 priority areas are currently focused on 46 actions, with work continuing in earnest since implementation started. Positive progress is being made in many areas and the

system is improving well. Of the 46 initial actions 15 are already completed and can be removed from the Plan. A further 1 is actioned and embedded and 20 are on track and running to plan and timescales. 7 are yet to be started as they are set on a timescale for the future and depend on other actions completing first – but are still within expected timeframes for when they are due to start. There are 3 actions that have been deemed a risk at the last review of the Improvement Plan for the October meeting of the Oversight Board. These are managed through risk assessment and mitigating actions, and regular internal monitoring processes which ensure there is consistent visibility. None of the delays in these three areas have had a significant impact in the overall direction of the improvement plan and are expected to be addressed and resolved within the next two months.

- 2.2 A focus of this area is on ensuring that Alternative Provision fits appropriately as part of the graduated response to meeting children and young people's needs, and that it delivers on the multi-tiered approach laid out by the DfE in the SEND and AP National Improvement Plan. This will ensure that Alternative Provision plays a key role in supporting inclusion by providing support at earlier stages to enable schools to continue to support their own pupils, by enabling reintegration back into school for many pupils who do access Alternative Provision, and by ensuring that there is a quality provision that results in positive outcomes for children and young people who do access it for both short and medium term periods of time.
- 2.3 Another key feature of the improvement plan is strengthening commissioning arrangements in relation to Alternative Provision, and positive progress has already been made in this area. All commissioned providers have had their arrangements reviewed for compliance against BCP commissioning requirements and a list of compliant providers has now been produced and shared with schools across BCP. This enables schools to arrange their own Alternative Provision with providers that they can have confidence have been assessed as compliant by BCP and it provides confidence to BCP that schools would only be using providers of that required for standard even when BCP is not directly involved in arranging the provision for that child.
- 2.4 Schools have indicated an interest in purchasing a traded offer from BCP whereby they pay for BCP to arrange their placements for students, reducing the workload and pressures for schools and providing BCP with a greater oversight of the packages arranged across the local area. This area of work is now in initial stages of development through the Commissioning Team.
- 2.5 A further focus area has been the pathways and processes leading to Alternative Provision placements directly provided by BCP through the SEND, School Inclusion and Virtual School Teams. Previous reviews of this area have been clear that these processes have been subject to delays on occasion, leading to delays in arranging placements for children or there being delays or gaps when children have moved, for example, between the School Inclusion and SEND Teams. This area of work has focused on bringing these areas more closely together to ensure timely responses to requests for Alternative Provision and to ensure that there are no gaps between services for children to fall between. A new multi-service Panel is now in development and due to

be implemented which will ensure clear grip and oversight of this area and timely responses to all requests received.

2.6 The 6<sup>th</sup> Priority Area of Sufficiency has been agreed to take forward for development following the Alternative Provision Oversight Board of 23.10.24 and pending the finalisation of the SEND Sufficiency Strategy, which is due for publication by the end of November 2024. Once this has been finalised this will inform the key actions required in this area of the Alternative Provision Improvement Plan. Similarly, a number of the Performance Indicators to measure progress in the Improvement Plan are awaiting finalisation of the data reporting to enable these figures to be included in the Improvement Plan going forwards. It is anticipated that these will be available before the end of calendar year.

### 3. Alternative Provision Data

3.1 The most recent data available on 13.11.24 shows 739 pupils currently receiving Alternative Provision through BCP compared to 624 on 30.05.24 – an increase of 115 or 18%.

3.2 When broken down into key stages as in the table below, the highest percentage increases come across KS1&2 in primary and KS5 post-16. The rises in primary reflect current system difficulties for schools with supporting pupils with additional needs and resonate with wider narratives in the SEND update in relation to difficulties with mainstream inclusion.

3.3 Table:

	<b>EYFS</b>	<b>KS1</b>	<b>KS2</b>	<b>KS3</b>	<b>KS4</b>	<b>KS5</b>	<b>Post-19</b>
30.05.24 – No. Pupils	4	13	47	184	286	51	39
30.05.24 - % of total Pupils	0.6%	2.1%	7.5%	29.5%	45.8%	8.2%	6.3%
31.07.24 – No. Pupils	5	19	56	224	220	65	28
31.07.24 - % of total Pupils	0.8%	3.1%	9.1%	36.3%	35.7%	10.5%	4.5%
13.11.24 – No. Pupils	5	24	78	199	297	104	32
13.11.24 - % of total Pupils	0.7%	3.2%	10.6%	26.9%	40.2%	14.1%	4.3%
<b>Number change from 30.05.24 to 13.11.24</b>	<b>+1</b>	<b>+11</b>	<b>+31</b>	<b>+15</b>	<b>+11</b>	<b>+53</b>	<b>-7</b>
<b>% change from previous No. pupils 30.05.24 to 13.11.24</b>	<b>+25%</b>	<b>+85%</b>	<b>+66%</b>	<b>+8%</b>	<b>+4%</b>	<b>+104%</b>	<b>-18%</b>

## 4 Voice of the Child – Permanent Exclusions

4.1 At the end of the Summer Term 2024 an exercise was carried out with 22 local Children and Young People who were accessing Alternative Provision to learn more about their lived experiences and the challenges they faced, along with their suggested solutions.

Questions asked included:

- What did your previous school do to help and support you before you were permanently excluded?
- How could your school have prevented your permanent exclusion? And
- What needs to change?

4.2 What did your previous school do to help and support you before you were permanently excluded?

- Nothing – 77.3% - *'Nothing. They hated me.'*
- Something – 13.6% - *'Exit pass, shorter timetable for a week. Moved along too fast to be a help for me.'*
- Not enough – 9.1% - *'Lots of meetings but nothing really.'*

4.3 How could your school have prevented your permanent exclusion?

- Top 2 theme of answers focused on connection and belonging, and providing more support

4.4 What needs to change?

- Connect and Belong – 36.4% e.g. trust and being listened to. *'Teachers in mainstream [should be] more understanding of the real world. [They are] too disconnected from their emotions.'*
- Help and support – 31.8% e.g. emotional support or 1:1 support. *'Get the right support earlier.'*
- More and or better options – 22.7% e.g. new school options. *'More help with apprenticeships.'*
- Nothing – 9.1%. *'Teachers expect me to do something wrong so no point.'*

4.5 A range of general comments were also collected from the children and young people including the below:

- *'School didn't support me with my dyslexia and my long-term memory loss.'*
- *'Mainstream teachers are uptight, classy and not normal people. Can't have conversations and relationships with staff.'*
- *'I feel stuck and that all school have given up on me. They will still get rid of people they don't like. Can't fake their face.'*
- *'[Be more] understanding if [I am] wearing wrong stuff not just telling me off. I was put in ISO because I didn't have the right uniform. I didn't have white socks, my family couldn't afford.'*
- *'I was excluded because of drugs. After being excluded I got more drugs. I needed help.'*
- *'Managed moves should be different. I feel abandoned all the time.'*
- *'Should have been more understanding with situations outside of school [family life, abuse and poverty].'*

- *'They didn't support me, even when I was asking for both help and support.'*
- *'There were false promises of counselling and anger management which never happened.'*
- *'Manage my days better. I struggled in primary so I don't know why I wasn't supported in Secondary.'*
- *'Be more polite and talk to me better rather than shouting all the time.'*
- *'I want a voice in decisions that include me and for people to ask why I am acting this way.'*
- *'One of the assistant heads tried to help me because he understood my family.'*
- *'My behaviour has become better due to teachers allowing me to be myself.'*
- *'Teachers can be natural and speak to a connection. Have a conversation and a proper relationship with staff.'*
- *'I am leaving [AP] with qualifications that I never thought I could, or would, achieve.'*

4.6 The outcomes of this exercise have already been shared and discussed with Headteachers through the Head Teachers' breakfast forum and with SENCOs through the SEN Forum, producing debate and reflection. The feedback given by our children and young people will help inform the support and challenge provided to schools through the Inclusion Fund as discussed in the SEND update paper. The feedback collected here is the perspective and lived experience of the child or young person in these positions. There will be some situations here, for example, where the CYP states 'nothing' in response to what did their previous school do to help or support them, where the school might have a different perspective on what was provided. However, regardless of this, this is still a clear message from the CYP as to how that situation made them feel and how they experienced that situation. BCP would expect schools to apply a graduated response to meeting a CYP's needs in these situations, and it should be clear to them as to how they can access that support and what it is. This exercise will be repeated again this academic year to help measure progress in the lived experience of the system.

## **5 Summary of Financial Implications (in consultation with Finance support)**

5.1 Alternative Provision funding forms part of the High Needs Block budget. As per the SEND update report, while the BCP Local Area SEND system has significantly improved over the last academic year, the overspend within the High Needs Block budget has increased. This has been explored in detail in recent reports to the council's Cabinet (October 2024) and work has taken place to refresh the forecast overspend. Up to date figures forecast an overspend of £16.5m. This is £0.6m more than indicated in the quarter 1 budget monitoring report. This forecast also means the Council is predicting to spend £44.5m more in 2024/25 than the grant made available by the government. [Appendix 2 - Cabinet Paper 02-Oct - High Needs Expenditure forecast](#)

## **6 Summary of Legal Implications (in consultation with Legal support)**

6.1 As per the SEND update report, whilst there are no direct legal implications arising from this update report, it is imperative that the Director of Finance and Section 151 Officer, as detailed within the financial implications carefully monitors the Council's financial position in view of the current expiry of the statutory override on 31 March 2026. The impact of failure to extend this statutory override could result in the Section 151 Officer,

in consultation with the Council's Statutory Officers, considering what action may be required under the Local Government Finance Act 1988.

## **7 Summary of Human Resources Implications (in consultation with HR support)**

7.1 N/A - this report provides an overview of the work of the Alternative Provision Oversight Board and Improvement Plan.

## **8 Summary of sustainability impact**

8.1 N/A - this report provides an overview of the work of the Alternative Provision Oversight Board and Improvement Plan.

## **9 Summary of public health implications**

9.1 Health colleagues are involved in the work of the Alternative Provision Improvement Plan and are therefore appropriately engaged.

## **10 Summary of equality implications**

10.1 N/A - this report provides an overview of the work of the Alternative Provision Oversight Board and Improvement Plan

## **11. Summary of risk assessment**

11.1 N/A - this report provides an overview of the work of the Alternative Provision Oversight Board and Improvement Plan

## **12. Supporting Documentation/Appendices**

Appendix 1 - Alternative Provision Improvement Plan

Appendix 2 - High Needs Grant Expenditure Forecast report to Cabinet 2.10.24