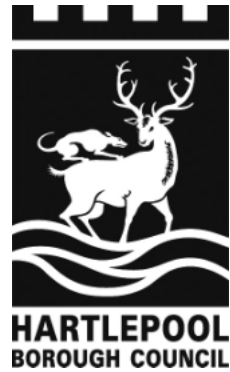


CHILDREN'S SERVICES PORTFOLIO

DECISION SCHEDULE



Monday 27 February 2012

at 4.00 p.m.

in Committee Room C, Civic Centre, Hartlepool.

Councillor C Simmons, Cabinet Member responsible for Children's Services will consider the following items.

1. KEY DECISIONS

No items.

2. OTHER ITEMS REQUIRING DECISION

No items.

3. ITEMS FOR INFORMATION

- 3.1 Safeguarding Children in Hartlepool - *Director of Child and Adult Services*
- 3.2 School Responsibility for Permanent Exclusion Trial 2011-14 - *Director of Child and Adult Services*

4. REPORTS FROM OVERVIEW OF SCRUTINY FORUMS

No items.

CHILDREN'S SERVICES PORTFOLIO

Report to Portfolio Holder
27th February 2012



Report of: Director of Child and Adult Services

Subject: SAFEGUARDING CHILDREN IN
HARTLEPOOL

SUMMARY

1. PURPOSE OF REPORT

- 1.1 To present information on the workload of children's social work teams in providing service to children in need in Hartlepool including those in need of protection and children looked after.

2. SUMMARY OF CONTENTS

- 2.1 This report presents information on the workload of children's social work teams and the current demands on the service. The information provided is an analysis of the activity from the period of October through to December 2011.
- 2.2 The report provides details of the numbers of children referred for and receiving services, workload and workforce information and details of complaints, comments and compliments received by the service during the quarter.

3. RELEVANCE TO PORTFOLIO MEMBER

- 3.1 The Portfolio Holder has a statutory responsibility to ensure that coordinated action is in place to safeguard children and should receive regular reports about how services are being delivered.

4. TYPE OF DECISION

- 4.1 Non key.

5. DECISION MAKING ROUTE

5.1 Children's Services Portfolio 27th February 2012.

6. DECISION(S) REQUIRED

6.1 That the Portfolio Holder notes the contents of this report of activity within children's social care.

Report of: Director of Child and Adult Services

Subject: SAFEGUARDING CHILDREN IN HARTLEPOOL

1. PURPOSE OF REPORT

- 1.1 To present information on the workload of children's social work teams in providing service to children in need in Hartlepool including those in need of protection and children looked after.

2. BACKGROUND

- 2.1 There is a clear expectation from Government that Elected Members are routinely and regularly informed of the workload of children's social care services. The Government requires that the information set out in this report is regularly presented to Members to ensure the Council is fulfilling its statutory responsibilities.
- 2.2 The report provides details of the activity in children's social care throughout the period from October to December 2011. Information provided in this report is taken from the Integrated Children's System (ICS), the electronic social care record.

Referrals and Assessments

- 2.3 During the third quarter, October to December 2011/12, a total of 292 contacts progressed to referral. This compares with 359 in the second quarter and 205 in the same quarter of 2010/11 indicating that the number of referrals is increasing. The average number of contacts progressing to referral during this period was 16.4% compared with an annual average last year of 10.8%. The average number of re-referrals to the service during the third quarter was 15%, a decline of 1% on the previous quarter. A re-referral audit is underway and is examining 25 cases referred during the month of September. The data will be used to identify any common themes and review the effectiveness of social work intervention. The new management arrangement in the Initial Response Team have now bedded in and already a new system for allocating assessment has been put in place which should facilitate a more effective work load management system. Although feedback from the team is positive it may be some time before we can evidence an improved timeliness of assessment due to the sickness absence of the team's Principle Practitioner.
- 2.4 Three quarters of all referrals received were coded to the Child in Need Category of abuse or neglect.

- 2.5 During the third quarter, a total of 214 initial assessments were completed; with 170 completed within the timescale of 10 working days. (110 completed within 7 working days). In the same period last year 129 initial assessments were completed and 100 were completed within timescales. As can be seen the increase in initial assessments has resulted in a decrease in the number of assessments completed within the timescale of 7 working days. If this trend continues we may need to look at more innovative solutions. There is a strong indication that timescales will be scrapped in July 2012, nevertheless, we have been advised that from December 2011 the completion of assessments will be measured from the point that the team manager authorises the assessment. This is a sea change in practice and there could be, if not carefully managed, disparity in terms of promoting a culture of rigorous quality assurances and learning and achieving timescales. The 10 day initial assessment and 35 day core assessment timescales are fraught with difficulties and do little to evidence if improved outcomes for children are being achieved. Professor Munro in her 'Review of Child Protection' makes the point that is social work is to be effective we must shift from compliance to a learning culture.
- 2.6 The number of core assessments completed was 57, compared with 48 in the same quarter of 2010/11. Where a referral in respect of a child relates to abuse or neglect and the local authority undertakes enquiries under Section 47 of the Children Act 1989, a core assessment must be completed. The core assessment provides a comprehensive analysis of the child's circumstances and needs and, in part, is evidence of the increase in the more complex nature of children referred under the Child in Need category of abuse and neglect.
- 2.7 There were no unallocated cases in the service during the period. Once a referral is received by the Initial Response Team, it is always allocated promptly within 24-48 hours. Similarly, when a child is assessed as requiring services and transferred to the Safeguarding, Assessment and Support Teams, a social worker is identified and the case is allocated without delay. Prompt allocation of cases is an important test of the effectiveness of local safeguarding arrangements.

Child Protection

- 2.8 The total number of children who became subject to a protection plan throughout the third quarter was 38 in comparison to 39 in the second quarter and 21 during the third quarter of 2010. There has been a 23% increase of children who were subject to a child protection plan in the 6 months up to December 2011. Neglect accounting for 94 children, physical abuse 18, sexual abuse 7 and emotional abuse 4. There are 2 children with disabilities subject child protection plans. When interpreting the data around protection planning one should factor in that within Hartlepool we have a number of large families and this should be taken into account when interpreting the data.

- 2.9 The average number of children who became subject to a protection plan for a second or subsequent time during the third quarter was 6.7% and this relates to only one child. The percentage of children becoming subject to a child protection plan for a second or subsequent time, together with the length of time the child has been subject to plan, is an important indicator of the effectiveness of previous interventions and gives an indication of the timeliness and effectiveness of local safeguarding arrangements, highlighting where children's circumstances may have drifted without effective intervention to reduce the level of risk. The service has implemented an early warning system whereby the Head of the Safeguarding Unit will highlight to the Head of the Business Unit the circumstances of children when the plan is likely to continue beyond the third child protection review meeting. In these circumstances, complex case meetings are being held to rigorously review cases that are identified by the social worker and manager as being 'stuck'. This forum is chaired by the Business Manager and involves a range of professionals, all with varying experience of social work practice, and will critically reflect on the progress of the plan and come up with a range of recommendations.

Looked After Children

- 2.10 There are 192 looked after children and that figure remains unchanged from the previous quarter. However there has been an increase in children becoming looked after for a second or subsequent time. Although outcomes for children in care have improved there remains a significant and wide gap between outcomes for children in care and their peers who are not looked after. There have been an increasing number of requests to resource panel for intensive family work to support children and their families within their own home.
- 2.11 Of the children looked after, 82.2% are placed in foster care, 8.3% are placed in residential care, homes or hostels and 5.7% are placed with parents. 69% of the children reside within the local authority boundary. In the year to date, 8 children have experienced three or more placement moves within the past 12 months. Placement stability is a critical measurement of the quality of looked after services as stability in placement supports education, health and well being and improved long term outcomes for children.
- 2.12 On 30 December 2011, 48.9% of the children looked after were subject to a legal order, for example an interim or Care Order or Placement Order. 40.6% were accommodated under Section 20 of the Children Act 1989 at the request of/with the agreement of their parents. 16 children receive family support via short break care where they receive care as part of a plan; this support is usually provided to disabled children who receive short break care at Exmoor Grove.
- 2.13 There are currently 23 cases, which relate to 55 children in public law proceedings. Within the last quarter, the authority has lodged 11 care proceedings applications and 4 applications for placement orders to place children for adoption. This increase is in line with a national rise in the

number of Public Law proceedings. The government's response to the recommendations in the Family Justice Review remains unclear. However, it is been widely speculated that the reduction in legal aid funding for Private Law matters by the Legal Service Commission will result in an increasing involvement for Local Authorities in Private Law matters.

Children in need

- 2.14 The service is working with 919 children in need or children in need of protection this compares with the figure of 867 in December 2010, an increase of 9.4%. As can be seen there is a steady increase in the number of children receiving services than a year ago.

Workforce/Workload

- 2.15 The service currently employs 44 qualified social workers who provide direct services to children and their families. There are currently no social work posts covered by an agency worker. We are waiting to see if any further funding will be made available from the Social Work Improvement Fund and if so, we may use this to once again invest in the successful practice of appointing over establishment of newly qualified social workers. We have appointed an agency worker on a short fixed term contract within the IRT to address some practice issues linked to the writing up of assessments.
- 2.16 All children receiving services are allocated to a qualified social worker. Three quarters of the social workers in the service are experienced, having worked two or more years since qualifying. The Head of the Business Unit has recommended that two further social workers progress to band 12 workers based on their proven ability to effectively manage the more complex child protection cases. The average social worker caseload remains at 24 children, although this does fluctuate between workers dependent upon their experience and the demands of the case.
- 2.17 The trend of an increasing number of children receiving services continues. The demand is able to be absorbed and cases loads remain manageable due to the more efficient quality assurance and management arrangements. However there are concerns that as the increase in work load filters through to the longer term teams it may impact on the capacity of the service to effectively manage the work. This area will continue to be monitored through supervision and close scrutiny by the head of business unit of the performance data. Should it be felt that the increase in work load impacts on the effectiveness of the safeguarding arrangement for children within Hartlepool, this will be escalated to senior management and Lead Member for Children's Services.

- 2.18 There will be a social work vacancy from 17th February but as we have an over establishment of 2 newly qualified social workers we anticipate that one of these workers will slot into the post. The over establishment of social workers has proved to be prudent as the newly qualified social workers are ready in post and have completed the induction programme. This practice enables the transfer of cases to be better managed through concurrent planning and eradicates the need for the 'caretaking' of cases by temporary workers. We continue to have a vacant team manager post in the over 11's team; the post has been advertised both internally and externally but unfortunately there has only been a limited interest and the post will be re-advertised in the coming weeks. The post will continue to be covered by an agency team manager until the end of March
- 2.19 There is only one member of staff on long term sickness absence. Consecutive periods of short term absence are identified by Human Resources and managed by the team manager in accordance with the Council's Attendance Management Policy.

Comments, Complaints and Compliments

- 2.20 Two complaints were received during the third quarter of 2011/12. One complaint was resolved at Stage 1 (informal) of one complaint remains ongoing at Stage 1. Of the 4 complaints ongoing from last quarter 1 complaint has been resolved at Stage 1 and 2 complaints have progressed to Stage 3. Seven compliments were received during the third quarter; 5 'thank you' cards which relating to appreciation and support of the services received 1 form commenting upon how much a Social Worker had been fair and helped in building relationships and 1 worker received flowers as an expression of thanks.

3. RECOMMENDATIONS

- 3.1 That the Portfolio Holder notes the contents of this report of activity within children's social care.

4. REASONS FOR RECOMMENDATIONS

- 4.1 It is part of the Lead Member's leadership role to ensure the effective discharge of the authority's statutory children's services functions. As the Lead Member for Children's Services, the Portfolio Holder has a responsibility to ensure there is a clear focus on safeguarding and that co-ordinated action is in place to safeguard vulnerable children.

5. CONTACT OFFICER

Wendy Rudd, Head of the Safeguarding, Assessment and Support Unit
Child and Adult Services
Hartlepool Borough Council

Tel: (01429) 523732
wendy.rudd@hartlepool.gov.uk

CHILDREN'S SERVICES PORTFOLIO

Report to Portfolio Holder

27th February 2012



Report of: Director of Child and Adult Services

Subject: **SCHOOL RESPONSIBILITY FOR PERMANENT EXCLUSION TRIAL 2011-14**

SUMMARY

1. PURPOSE OF REPORT

The purpose of this report is to inform the Portfolio Holder of the government proposals to trial a change in statutory responsibility in relation to the education of permanently excluded pupils. Currently the education of permanently excluded pupils is the local authority's responsibility. The government is piloting that responsibility being transferred to schools.

2. BACKGROUND INFORMATION

There is frequently an under-supply of suitable, high quality alternative provision for pupils at risk of, or subject to, permanent exclusion from a school. It is always a challenge in a small local authority such as Hartlepool to secure high quality alternative provision.

All research indicates the importance of working with families to address behavioural issues. It suggests this is even more essential when the young person has multiple vulnerabilities, many of which may be connected to home circumstances.

The trial will enable schools, normally working in clusters, to test out innovative approaches to these challenges.

Secondary Head Teachers in Hartlepool have indicated their willingness to be part of the pilot. The vast majority of permanent exclusions from schools in Hartlepool are secondary school age pupils.

3. RELEVANCE TO PORTFOLIO MEMBER

The Portfolio Holder has responsibility for Children's Services issues.

4. TYPE OF DECISION

This is a non- key decision; this report is for information.

5. DECISION MAKING ROUTE

The decision to express an interest to participate in the trial was made originally by Secondary Head Teachers and the Secondary Behaviour & Attendance Partnership in March 2011; however, this was not taken up by the Department for Education at that time. In January 2012, following an invitation from the DfE, this decision was re-visited and all agreed to explore further the possibility of joining the trial.

6. DECISION(S) REQUIRED

No decision is required. The Portfolio Holder is asked to note the contents of the report and support Hartlepool in volunteering to become a pilot Local Authority.

Report of: Director of Child and Adult Services

Subject: **SCHOOL RESPONSIBILITY FOR PERMANENT EXCLUSION TRIAL 2011-14**

1. PURPOSE OF REPORT

The purpose of this report is to inform the Portfolio Holder of the government proposals to trial a change in statutory responsibility in relation to the education of permanently excluded pupils. Currently the education of permanently excluded pupils is the local authority's responsibility. The government is piloting that responsibility being transferred to schools.

2. BACKGROUND

In many local authorities areas there is currently an under-supply of suitable, high quality alternative provision for pupils at risk of, or subject to, permanent exclusion from a school.

Feedback also highlights the importance of working with families to address behavioural issues. It suggests this is even more essential when the young person has multiple vulnerabilities, and that vulnerabilities can be connected with home circumstances.

The trial will enable schools, normally working in clusters, to test out innovative approaches to these challenges.

Hartlepool schools have a very good record of including some of the most challenging pupils and therefore maintaining a low number of exclusions. The Secondary Schools Behaviour & Attendance Partnership has been extremely successful in reducing the number of fixed and permanent exclusions as well as ensuring that the needs of pupils at risk of exclusion are identified and met. The trial would enable existing good practice to continue and to explore more innovative approaches in preparation for future proposed change.

3. RISK IMPLICATIONS

When the responsibility for the education of permanently excluded pupils moves from the LA to schools there is a risk that some of our most vulnerable students in Hartlepool may not receive a suitable

educational offer. The LA and schools will need to continue to work together to minimise this risk.

4. LEGAL AND FINANCIAL CONSIDERATIONS

- 4.1 It is likely that schools will need to assume legal responsibility for excluded pupils. This will happen by transferring to schools the local authority duty, under Section 19 of the Education Act 1996, to provide full time education to permanently excluded pupils. This will ensure there is still a review process when the pupil is excluded.
- 4.2 Schools and the LA will need to apply to the Secretary of State for a Power to Innovate to make this change.
- 4.3 The Local Authorities in the trial areas will retain all other duties, such as the duty of care towards every child living within their borders (Children Act 1989), and for alternative provision for all non-excluded pupils under the Section 19 duty.
- 4.4 Local authorities will remain responsible for the maintenance of statements of special educational needs.
- 4.5 The trial will provide an opportunity for schools and local authorities to share effective practice and problem-solve.
- 4.6 The White Paper (*The Importance of Teaching* Dec 2010) confirms previous statutory guidance that each local authority has a role to ensure that there is sufficient suitable alternative provision for pupils living in its area. This requirement will continue to apply in trial areas in line with the rest of the country.
- 4.7 In order to comply with these duties, a local authority may maintain a record of local providers that schools can consult for information on the quality of provision, and may use a site visit or other means to assess the quality of provision.
- 4.8 It is anticipated that local authorities will, in consultation with their participating schools, devolve a proportionate amount of DSG, from the budget currently used for this purpose, to individual schools to fund the new school responsibilities.
- 4.9 Local authorities will continue to fund and arrange alternative provision for non-excluded children, for example, those with medical conditions, those without a school place, teenage mothers and those previously missing from education.
- 4.10 Local authorities will also agree with schools how much schools will be charged for places in PRUs.

- 4.11 The trial will be operating at a time when PRUs are due to become entitled to a delegated budget from the local authority. The calculation of the PRU delegated budget will be a matter for local decision, and local authorities will need to determine how a proportion of this is recouped from schools commissioning places.

5. RECOMMENDATIONS

It is recommended that the portfolio holder notes the content of this report and the pending changes to legislation in relation to educational provision for permanently excluded pupils and supports the inclusion of Hartlepool schools to participate in the DfE trial in relation to the education provision for permanently excluded pupils.

6. REASONS FOR RECOMMENDATIONS

To enable the existing good practice of collaboration and partnership working between schools and the LA to develop in response to government proposals so that the education of a particular group of vulnerable pupils is maintained at a high standard.

7. BACKGROUND PAPERS

- The DfE have provided guidance for trial LA's which can be found in **Appendix 1**.
- Education Act 1996
- Children Act 1989
- Education Act 2011
- White Paper (The Importance of Teaching) December 2010.

8. CONTACT OFFICER

Zoe Westley, Head of Social and Education Inclusion

Tel: (01429) 287349

Email: zoe.westley@hartlepool.gov.uk

School responsibility for permanent exclusion trial
2011-14

Summary - the new approach

This document sets out principles that schools, local authorities and alternative provision providers may wish to consider when organising themselves to participate in the trial. We would welcome feedback from trial participants on any implementation issues raised by this document.

A decision to exclude a pupil permanently should only be taken in response to serious breaches of the school's behaviour policy or where allowing the pupil to remain in school poses a danger to the pupil or to others in the school.

In many cases alternatives to exclusion including preventative and early intervention measures, either in school or through an outside provider, will enable pupils to improve behaviour and remain in or return to mainstream education on the school premises.

Where other measures have proved ineffective, and the head teacher permanently excludes a pupil from school, the proposed new approach will see the school, rather than the local authority, placing the pupil in an appropriate alternative setting, funding the placement from a devolved budget and monitoring and being accountable for both attainment and attendance.

Trial Objective

The objective of the new approach is to improve the experience of pupils who are at risk of exclusion, so that a greater number benefit from early intervention to avoid repeated fixed term exclusions or permanent exclusion and, where exclusion is deemed to be necessary, the impact of effective alternative provision enables a greater proportion to be able to take the next step towards being responsible and successful members of society. This may be reflected in higher educational attainment or successful re-integration into mainstream learning or training.

The trial will provide schools, working in partnership with each other and the local authority, with an opportunity to design a fresh approach to addressing challenging behaviour around the principles of "Prevent, Provide, Return". The Department would like to explore how the new approach might best deliver improvements.

Timing

The trial is due to cover three school years, commencing in autumn 2011 and concluding in July 2014. Discussion with participants suggests that the period from September 2011 to March 2012 will be needed to establish the necessary infrastructures and systems, and participants have indicated that full implementation, with the new financial arrangements, will be possible from the start of the new financial year.

Background

Consistent feedback received from local authorities suggests that, in many areas, there is currently an under-supply of suitable, high quality alternative provision.

Feedback also highlights the importance of working with families to address behavioural issues. It suggests this is even more essential when the young person has multiple vulnerabilities, and that vulnerabilities can be connected with home circumstances.

The trial will enable schools, normally working in clusters, to test out innovative approaches to these challenges. For example schools will have devolved funding available to commission services designed to prevent exclusion; to work more closely with families and communities; to encourage new providers and to create their own in-house or third party provision.

Local authorities will work with schools to agree a methodology for devolving that part of their budget currently paying for permanently excluded and "At-Risk" pupils.

1. The role of local authorities

1.1 Making the change

Feedback from practitioners and preliminary legal advice suggests that the best way for schools to assume legal responsibility for excluded pupils is through transferring to schools the local authority duty, under Section 19 of the Education Act 1996, to provide full time education to permanently excluded pupils. This will ensure there is still a review process when the pupil is excluded. Schools and local authorities will apply to the Secretary of State for a Power to Innovate to make this change. Full details and guidance will be provided. Alternatively a voluntary arrangement, formalised using Service Level Agreements, may be put in place.

Local authorities in the trial areas will retain all other duties, such as the duty of care towards every child living within their borders (Children Act 1989), and for alternative provision for all non-excluded pupils under the Section 19 duty.

Local authorities will remain responsible for the maintenance of statements of special educational needs.

Schools or local authorities may wish to ask DfE for Power to Innovate on other issues during the trial. DfE will seek to be flexible in the consideration of such requests.

There is already good practice in many parts of the country, including admissions protocols and registers of providers, and the trial should build on these. The trial will provide an opportunity for schools and local authorities to share effective practice and problem-solve.

1.2 Structures

It is anticipated that, for reasons of scale and efficiency, schools will normally work together in local clusters, often drawing on existing partnership structures. Feedback to date suggests six or eight schools per cluster may be a sustainable minimum but we would welcome further views on this.

To help with the project evaluation Local authorities are asked to identify the schools and supply these to the Department.

We would like Academies to take part in the trial, and encourage local authorities to consider how best to involve, on a voluntary basis, existing and converting Academies.

Given the significance of early intervention in the trial, and the importance of transition to secondary school, we would hope that primary schools may be involved. We appreciate that, because of the low number of permanent exclusions from primary schools, it may not be possible for them to participate on the same basis as secondaries. It is for each participating local authority to determine how primary schools may be involved.

1.3 Process

While their statutory role in respect of permanently excluded pupils is being passed to schools local authorities are expected to adopt a supporting role, ensuring a transfer of knowledge and expertise takes place at the same time as the transfer of responsibility. This is expected to include providing structured training and guidance to schools.

The local authority will also have a key role in assisting schools, at least in the early part of the trial, with coordinating the multi-agency group of professionals supporting a child with complex needs.

The White Paper (*The Importance of Teaching* Dec 2010) confirms previous statutory guidance that each local authority has a role to ensure that there is sufficient suitable alternative provision for pupils living in its area. This requirement will continue to apply in trial areas as much as in the rest of the country.

In order to comply with these duties, a local authority may maintain a record of local providers that schools can consult for information on the quality of provision, and may use a site visit or other means to assess the quality of provision.

1.4 Trial Lead

Each authority will need to appoint a Lead Officer to supervise and take responsibility for the operation of the trial. All communication, coordination and reporting will normally be delivered or managed by the Lead Officer.

1.5 Transport

Transport costs can represent a significant portion of the overall cost of provision. It will be for each local authority to decide whether to devolve

transport costs to school clusters. Economies of scale may mean that local authorities continue to administer and pay for transport, in consultation with schools.

2. The role of schools

2.1 General

Participating schools will be subject to the same requirements as other schools with regard to admissions. In order to ensure that admissions procedures are fair and transparent we would look to all schools to adopt a Fair Access Protocol if one is not currently in place.

The trial will look into the effectiveness of moderation across partnerships so that thresholds for permanent exclusion operate at a consistent level across neighbouring schools.

2.2 Process

When a decision to permanently exclude has been taken by a head teacher the current initial arrangements, including the requirement for parental supervision for the first five days, will still apply. The current requirement for the school to notify parents on the decision day remains.

The parental right to appeal to Governors and to an Independent Appeal Panel (subject to the passage of the Education Bill that replaces the right to appeal to an independent appeal panel with the right to seek an independent review of the exclusion decision) is unaffected.

The established process is described in *"Improving behaviour and attendance: guidance on exclusion from schools and Pupil Referral Units"* (DCSF, 2008) and the first significant departure from this will see the school, rather than the local authority, taking statutory responsibility at day six for ensuring that suitable full-time education is provided to pupils of compulsory school age. The pupil's name will not be removed from the school roll.

2.3 Selecting providers

Several elements of the placement process may be unfamiliar to school staff for example, identifying suitable provision within reasonable travelling distance; verifying the quality of the setting; and confirming the exact nature of the course or training available. Staff should ensure they access coaching and guidance made available by the local authority.

It is recommended that, in addition to the above, when seeking to establish the suitability of a provider, schools consider its financial soundness, its ethos and staff skills, its structure and roles, public liability insurance, general health and safety procedures, safeguarding, arrangements for students with special educational needs, minibuses arrangements and licences for outdoor and adventurous activities.

To complement their own expertise in educational attainment and progression schools may wish to call on the experience of other professionals familiar with local sources of alternative provision, including behaviour support teachers, educational psychologists and Education Welfare Officers during the assessment and selection process.

While it is right that schools' decisions about the best placement for a pupil should take account of financial implications, including transport, decisions should be taken in the best interests of the child, ensuring that provision is suitable.

2.4 School/provider liaison

The school will need to agree, either as a contractual element in the commissioning of a suite of places or on an individual case basis, on a reporting process with the provider. It will need to send agreed baseline information to the provider, especially about educational performance to date, so that progress may be measured with clarity.

Schools should share in writing with AP providers the health, behaviour and pastoral background information for each excluded pupil at the commissioning or preparation stage.

As the school has selected and paid for the alternative provision it will wish to arrange a schedule of visits to the site. The visit frequency will depend on the nature of the pupil, for example either monthly or termly visits may be suitable. We would expect schools to monitor progress and raise with the provider any concerns about provision or outcomes.

2.5 Addressing multiple needs

In cases where a child is already receiving the support of more than one agency it is usual to carry out a Common Assessment Framework process, bring together a multi-agency group and appoint a "lead professional". The school, rather than the local authority, will be the coordinating body for this and will need to establish and maintain good links with the relevant local professionals if these aren't already in place.

2.6 Children with Special Educational Needs

Children with statements of special educational need should not normally be subject to permanent exclusion procedures. Should the needs of such pupils change over time, and a change of school place need to be considered, this should usually be managed through the annual review processes.

In the exceptional circumstance where a permanent exclusion is necessary, in the trial system the school would take responsibility for securing an alternative placement in the same way as for other children. However, for children with statements, this will need to be done in full co-operation with the parents and the local authority. This will ensure that parental rights about placements under the Education Act 1996, and the associated processes, are maintained.

Tribunals for children with SEN will continue as normal in the trial system.

2.7 Attendance

Attendance codes will be under review during the trial. Pupils being educated at a PRU or independent school should be Dual –registered (code “D”) and pupils attending other non-school provision should be marked as Educated off-site (code “B”).

2.8 Reintegration and keeping a pupil on roll

Schools will need to agree success criteria for each placement and these will often (though not always) include return and reintegration to a mainstream school setting. To reduce any incentive to retain a pupil in an alternative setting longer than necessary for their educational or behavioural improvement schools will wish to maintain a review schedule with the provider and consider methods, such as a completion payment, to recognise a provider's success in sustainably returning a pupil to school.

Excluded pupils will remain on the originating school roll for the duration of their placement. In a small number of cases this may be for more than an academic year. Each school cluster will wish to agree how to treat long-term exclusions; it may decide on an optimum period for the original school to manage the pupil and if return has not been possible in that time a managed move to a fresh school may be considered.

2.9 Performance tables

Pupils excluded in Key Stage 4 already feature in school performance tables. Pupils excluded in Key Stage 3, and still away from mainstream school when they sit GCSEs, should be few in number. Their results will not be included in the data for performance tables, but an analysis will be done to clarify the potential impact in the event their results were to be included.

2.10 Raising the Participation Age

The Participation Age is due to rise to 17 during the trial. This will require children to be engaged in some form of education or training – or a mix of both - to the end of year 12. The Comprehensive Spending Review provided funding for all 16-19 year olds and the Young People's Learning Agency will continue to manage this funding until such time as it is superseded by new arrangements. Schools will need to support year 11 students in the selection of their next steps. Where a pupil is excluded during year 11 the regular review that will have been arranged will need to include discussion with the young person about their most appropriate options.

2.11 Communication and sharing experience

Participating local authorities and schools are invited to share effective practice, challenges and discuss progress throughout the trial. The Department has established an on-line discussion forum to which trial authorities and other interested parties will be invited

3. The role of AP providers including PRUs

AP providers including Pupil Referral Units are already providing valuable services to schools and local authorities. The new arrangements, that suggest a more clearly-defined customer/provider relationship, may see AP institutions taking a more entrepreneurial approach to their communications and culture.

3.1 Registering

We would expect AP providers involved in the trial to register on the DfE Alternative Provision database if they haven't already done so. <http://www.education.gov.uk/schools/pupilsupport/inclusionandlearnersupport/alternativeprovisiondatabase>.

Those providing full-time education for five pupils of compulsory school age (or one looked-after child, or one with a statement of special educational need) have to register as an independent school. We would expect that schools would only use providers that meet this legal requirement.

3.2 Reporting

While a process may already be in place for this, reporting back to the school on pupil progress, attendance and attitude is expected to become a key element of the provider role. Clear agreements on the type and frequency of reporting will normally be in place at the start of every placement. As the commissioning school will continue to be responsible for the attendance of a child at an off-site placement, the AP provider will need to take prompt steps to alert both the school and local authority if the pupil does not arrive for a session as planned.

3.3 Re-integration

We see the overall objective of intervention as supporting a young person to realise his or her potential. This should enable each individual- to gain a foothold on the next step of their journey to employment as a self-reliant, economically active participant in society.

This may involve vocational or practical skills training but rejoining a mainstream setting will often be the most appropriate way to access continuing education.

Where the placement objective is to work towards returning the young person to school, providers will need to review the progress of each child on a regular basis with a view to a return to school as behaviour and motivation respond to the programme of support.

4. Funding

It is anticipated that local authorities will, in consultation with their participating schools, devolve a proportionate amount of DSG, from the budget currently use for this purpose, to individual schools to fund the new school responsibilities.

Local authorities will continue to fund and arrange alternative provision for non-excluded children, for example those with medical conditions, those without a school place, teenage mothers and those previously missing from education. The amount of the local authority budget dedicated to behaviour management (early intervention/ permanent exclusion) and the calculation of the share each school receives will be for the local authority to determine.

Local Authorities will also agree with schools how much schools will be charged for places in PRUs.

The trial will be operating at the time when PRUs are due to become entitled to a delegated budget from the local authority. The calculation of the PRU delegated budget will be a matter for local decision, and local authorities will need to determine how a proportion of this is recouped from schools commissioning places.

5. Evaluation

Evaluation will commence at the outset, it will be supported by a dedicated DfE team and will focus on:

- the impact on **educational outcomes and post-school destinations**
- the impact on **educational engagement**
- the impact on **placing in alternative provision** for (a) excluded pupils in alternative provision and (b) as early intervention to address challenging behaviour
- the impact on the incidence and strategies of **early intervention**
- the cost of AP of (a) excluded pupils and (b) pupils with challenging behaviour placed for early intervention; the impact on the **quality** of alternative provision
- the impact on the **admissions** and managed moves of pupils who may be perceived to be at higher risk of exclusions
- the impacts on **cost-effectiveness and value for money** of managing seriously disruptive behaviour well
- the **role of the LA / schools / alternative providers** in managing the local alternative provision market in terms of sufficiency; affordability; quality; variation
- the **distribution of funding** to schools by local authorities
- the key lessons for **implementation**.

All of the above will pay particular regard to the impact on and experiences of vulnerable groups including those with **special educational needs** (statemented and not statemented); **disproportionately excluded ethnic minority groups** and **children in receipt of Free School Meals**.