

Report to the Cabinet

Meeting to be held on Thursday, 1 October 2020

Report of the Executive Director of Education and Children's Services

Part I

Electoral Division affected:
(All Divisions);

Alternative Provision Strategy

(Appendices 'A' and 'B' refer)

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Executive Summary

This report focusses on alternative provision for children and young people in Lancashire. It provides an overview of the alternative provision that is currently available across the county, how this is being used and the potential impact this may be having on key outcomes for children and young people.

This information, in conjunction with that from other relevant local and national initiatives, including the SEND Sufficiency Strategy, the Strategy for Behaviour and the 2019 review of alternative provision in Lancashire, has been used to inform the development of an Alternative Provision Strategy. This strategy is presented as the proposed approach to alternative provision for children and young people across the county, over the next four years.

Recommendation

Cabinet is asked to:

- (i) Consider the information set out in this report which provides an overview of the current situation in Lancashire with respect to alternative provision and key outcomes in comparison with England.
- (ii) Consider approaches and recommendations that have been set out in the report in relation to alternative provision.
- (iii) Approve the proposed Alternative Provision Strategy, as set out at Appendix 'A' that has been developed to align with existing strategies within Lancashire to support children and young people with additional needs.

Background and Advice

This report sets out how alternative provision will be developed in Lancashire over the next four years, based on the following information:

- a) how it can be aligned with other strategies and initiatives that have been developed to support children and young people with additional needs;
- b) an overview of the current demand for alternative provision in relation to key performance outcomes in Lancashire and in comparison with the national picture;
- c) an overview of the alternative provision that is currently available;
- d) the identification of key principles underpinning the proposed Alternative Provision Strategy.

Appendix 'B' provides a summary of the national context and some of the background information that has been used to inform the development of this proposed Alternative Provision Strategy.

Alternative provision is:

- education for pupils who, because of exclusion, illness, or other reasons, would not otherwise receive suitable education;
- education arranged by schools for pupils on a fixed-term exclusion;
- education for pupils being directed by schools to off-site provision to improve their behaviour.

There is a broad range of alternative provision on offer, provided by the local authority, independent schools, further education colleges, charities, and businesses.

Alternative provision may be therapeutic in nature, for example, for children and young people with social, emotional and mental health needs, or it may offer vocational learning.

This report builds upon an independent review of the arrangements for children and young people with social, emotional and mental health needs in Lancashire in December 2018/19. This review was undertaken by send4change.

Demand for alternative provision Exclusion Rates – Lancashire

The most up-to-date data permitting comparison with national figures was published in July 2020. A summary of this is presented in the tables below.

	Permanent exclusion rates (%)			Fixed term exclusion rates (%)		
	2016/17	2017/18	2018/19	2016/17	2017/18	2018/19
Primary						
England	0.03	0.03	0.02	1.37	1.40	1.41
Lancashire	0.06	0.04	0.03	1.16	1.25	1.06
Secondary						
England	0.20	0.20	0.20	9.40	10.13	10.75
Lancashire	0.45	0.42	0.44	8.93	8.59	10.47
Total						
England	0.10	0.10	0.10	4.76	5.08	5.36
Lancashire	0.21	0.19	0.19	4.42	4.36	5.06

It should be noted that it is difficult to predict permanent and fixed term exclusion rates for the 2019/20 because of the effect of the coronavirus outbreak.

Permanent Exclusion Rates: Although permanent exclusion rates have reduced in primary schools nationally and in Lancashire over the last three years, 50% more pupils were excluded in 2018/19, in comparison with the national average. In secondary schools, the permanent exclusion rates across Lancashire have remained relatively static, but in 2018/19 were more than twice the national average.

Fixed term exclusion rates: at both primary and secondary level, fixed term exclusion rates in Lancashire have remained below the national average. However, at primary level nationally, there has been a gradual increase over the last three years and this is not consistent with the picture in Lancashire, where fixed term exclusion rates have been more variable over the same period.

Special Educational Needs and Disabilities: government data in 2018 indicated that children and young people with special educational needs represented 14% of the state-funded school population, but that they accounted for almost 50% of all permanent exclusions.

Children and young people who receive special educational needs support are almost six times more likely to be subject to a permanent exclusion than pupils without special needs.

In Lancashire, only two young people with an education, health and care plan were permanently excluded in 2019/20 from school.

Nationally, children and young people with social, emotional and mental health needs have the highest rates of permanent exclusion, although pupils with other

types of needs such as those with specific and moderate learning difficulties and those with autism spectrum disorders also have high rates of exclusion.

A higher proportion of children and young people with education health and care plans are identified as having social, emotional and mental health needs in Lancashire, in comparison with the national average. In January 2020, 15.7% of children and young people were identified as having social, emotional and mental health needs in Lancashire, in comparison with 14.2% of pupils in England. This equates to 109 more children and young people than if the Lancashire figure was aligned with the national average.

Alternative Provision in Lancashire

Current approach, take up

Primary: There are two state funded alternative provision providers in the primary phase in Lancashire. These are Stepping Stones Short Stay School in Lancaster and Golden Hill Short Stay School in Leyland near Preston.

Across the country, on average there are eleven primary age places in local alternative provision per 10,000 primary age pupils. In Lancashire, there have been between nine and ten primary age places in local alternative provision per 10,000 primary age pupils over the last three years.

In 2017/18 and 2018/19 there appeared to be a limited, if any, relationship between permanent exclusion rates and alternative provision placement. However, the relationship between these two factors is more pronounced in 2019/20, and the main factors affecting the take up of placements in alternative provision across the county would appear to be location and in 2019/20 permanent exclusion rates.

Children living in Lancaster, Preston and South Ribble take up the greatest number of alternative provision placements. Preston has high levels of deprivation, but this is not the case for either Lancaster or South Ribble. Furthermore, the use of alternative provision placements has been variable in Preston over the last three years, whereas in South Ribble there has been a gradual increase over the last three years and, in Lancaster, the use of alternative provision placements per 10,000 primary aged children has doubled.

Secondary: There are seven state funded alternative provision providers for secondary age pupils, as shown below along with their location.

Chadwick High School	Lancaster
M ^C Kee College House	Fylde
Coal Clough Academy	Burnley
Oswaldtwistle School	Accrington
Larches High School	Preston
Shaftesbury High School	Chorley
The Acorns School	Ormskirk

There were, on average, 88 secondary age places in local alternative provision per 10,000 secondary age pupils across the country. In Lancashire, in 2018/19 and

2019/20, there were 118 secondary age places in local alternative provision per 10,000 secondary age pupils.

All districts, except for Ribble Valley and West Lancashire, have above the national average number of alternative provision placements per 10,000 of the secondary age population, and there is considerable variation between districts. In 2019/20, the range extended from 24 alternative provision places per 10,000 of the secondary age population in the Ribble Valley to 198 in Burnley.

Districts with the highest levels of deprivation tended to have higher number of alternative provision placements, although there were some districts with lower levels of deprivation that had more alternative provision placements per 10,000 of the secondary age pupil population such as Fylde, Wyre and Rossendale.

The relationship between the number of alternative provision placements and number of permanent exclusions per 10,000 of the secondary age population was more evident at secondary level than for primary age pupils, and the evidence suggests that the greater the number of alternative provision placements, the greater the number of permanent exclusions within a district.

In addition to the alternative provision identified above, Lancashire County Council also commissions a further 83 placements from independent providers, including four out of county placements.

Funding

Lancashire primary schools de-delegated funds of £1,000,000 to support inclusion during the last academic year. This was part of the inclusion hub model in which each district hub received money to address the issues relating to pupils' exclusion and non-engagement in school. Different approaches have been used by different district hubs; one district, for example, commissioned an alternative provision provider directly to provide support through outreach and short-term intervention placements and another commissioned an external provider to provide training for schools within the district. Further evaluation of the different approaches that have been adopted is planned.

Lancashire Secondary schools have not de-delegated funding and do not have a hub model across each district.

However, at both primary and secondary phases, there has been an overall increase in the number of alternative provision placements that have been commissioned from state funded alternative provision providers over the last three years, and this will be commissioned in 2020/21, as can be seen in the table below.

	2017/19	2018/19	2019/20	2020/21
Number of commissioned places	687	805	805	861

The cost of these placements in the 2020 summer term was £5,732,426; this was £1,084,382 more than had been anticipated from the indicative costs at the beginning of the academic year, and £251,225 more than the cost during the 2019 summer term.

The total estimated cost of alternative provision this financial year is £12.9 million.

An approach to alternative provision in Lancashire

The information presented above is consistent with the principles underpinning the SEND Sufficiency Strategy and the Strategy for Managing Behaviour. It is therefore proposed that a new approach to alternative provision in Lancashire is implemented that will:

- increase the number of children and young people supported in mainstream provision;
- reduce the number of exclusions from our schools;
- address the rising number of young people receiving home tuition;
- stop off-rolling, leaving young people without education;
- halt the increasing use of specialist provision;
- ensure specialist provision is in the right locations;
- increase the number of young people in education, employment and training.

To achieve the changes identified above, the priorities for action will be to:

- **Identify children's needs much earlier:** building on and sharing strategies which support development, learning and improved behaviour to promote inclusive practice.
- **Develop shared agreements about roles and responsibilities:** these could include individual and collective responsibility for the outcomes and destinations of individual pupils, the fair and equitable access to alternative provision and the oversight and quality assurance of this provision.
- **Work with partners:** implementing a consistent and coherent approach between alternative provision and other parts of the local area, including mainstream education, special educational needs provision and services, early help, social care and local health services.
- **Co-design and develop intervention support and local provision:** increasing the capacity of schools and the local area; to provide a greater range of intervention support, and ensuring equitable access to support that could include appropriate support options and pathways, outreach, turn around and longer term placements.
- **Co-design alternative Key Stage 4 and post-16 programmes:** thinking creatively so that we prepare young people for the next stage of their learning and for adulthood.
- **Develop the role of alternative provision:** identifying a clear strategic plan for inclusion and clear roles for all alternative provision providers, so that they are responsive to local needs across the local area.
- **Agree outcomes:** developing collective agreement about the systems that are put in place, and performance measures that are aligned to strategic priorities across the local area.
- **Provide education for children and young people without a school place:** improving monitoring systems and developing more flexible packages to meet individual need.

- **Share information and data openly:** informing decision making and improving practice, to include financial and other resources available to schools and the local area.
- **Refine and develop funding arrangements:** using funding flexibly to incentivise inclusion and support strategic priorities, ensuring that consideration is given to the impact on the high needs block, and benchmarking data when decisions are made.

Risk management

The local authority has duties under section 19 of the Education Act 1996 to make arrangements for the provision of suitable education at school or otherwise than at school for those children of compulsory school age who, by reason of illness, exclusion from school or otherwise, may not for any period receive suitable education unless such arrangements are made for them.

Financial Implications

High needs funding within the Dedicated Schools Grant supports provision for children and young people with special educational needs and disabilities. This funding enables local authorities and education providers to meet their statutory duties under the Children and Families Act 2014.

The escalating pressures on the high needs block are not unique to Lancashire. The special educational needs reforms introduced in 2014, placed new statutory duties on all local authorities, which included an extension in the age range from birth to 25 years, previously this was up to the school leaving age of sixteen for the majority of young people.

Nationally the average spend on high needs has increased, and high needs block allocations fall short of existing levels of expenditure and, despite increased funding and the use of Dedicated Schools Grant reserves to support the high needs block, a net deficit continues.

The strategy identified in the report looks to de-escalate the need for higher cost provision both inside and outside of county and to keep children within, or closer to their home communities and schools. This should improve the outcome for children, their parents and their communities and also increase the efficiency and effectiveness of the use of funding received from the government.

Most recently the increase in demand for high need provision has been escalating with the funding received both nationally and locally being less than that required to pay for provision provided. This Alternative Provision Strategy as one part of the county council's high needs delivery should help to reduce high needs block deficits.

On successful implementation, it would be expected, that whilst savings would start in the first year, these savings would increase over a number of years to offset deficits that would otherwise be incurred and which could be used to fund the expected increases in demand in the future. Reintegration rates are an example of how the implementation of the Alternative Provision Strategy would serve to reduce

the deficit to the high needs block. In 2018/19, 7.8% of pupils attending alternative provision were reintegrated successfully back into mainstream schools. The results of a national survey in 2018 found that 65% of primary pupils and 64% key stage three pupils returned to mainstream school. Reintegration rates for key stage four ranged between 10% and 53%; the lower integration rates were found in year 11. If the reintegration level of pupils rose to 33% over three years in Lancashire then this may achieve, by the end of the third year, a reduction of circa £1 million in high needs provision and assist in offsetting the cost of growth in demand for high needs provision. If the strategy achieved a reintegration level of approaching 50% across all age ranges then this could achieve circa £2 million to offset the cost of growth in demand for high needs provision.

Equality and Cohesion

This proposal impacts on both the age (young people) and disability protected characteristics of the Equality Act 2010, and is designed to contribute positively to the Public Sector Equality Duty's general aim of advancing equality of opportunity and its related aim of increasing participation in public life for these children and young people, their families and carers. The information contained within the report indicates that there are proportionally fewer children and young people educated in mainstream schools in Lancashire than nationally. There are also more children educated in specialist provision and secondary alternative provision than nationally.

The lack of access to supported provision in mainstream schools and to local specialist provision of particular designations and for those with the most complex needs is resulting in some children and young people travelling to schools outside their community.

List of Background Papers

Paper	Date	Contact/Tel
None		
Reason for inclusion in Part II, if appropriate		
N/A		