



LIONHEART
EDUCATIONAL
TRUST

ALTERNATE PROVISION POLICY

**This policy applies to all schools within
the Lionheart Educational Trust**

Approved by the Trust

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<https://www.gov.uk/government/publications/school-exclusions-guide-for-parents/a-guide-for-parents-on-school-behaviour-and-exclusion>

<https://wslaw.co.uk/wp-content/uploads/2021/09/2021-Directing-a-pupil-to-Alternative-Provision-Academies.pdf>

https://assets.publishing.service.gov.uk/media/5fcf72fad3bf7f5d0a67ace7/alternative_provision_statutory_guidance_accessible.pdf

https://assets.publishing.service.gov.uk/media/65ce3721e1bdec001a3221fe/Behaviour_in_schools_-_advice_for_headteachers_and_school_staff_Feb_2024.pdf

Objectives of this Policy

The objectives of this policy are:

- To outline the reasons why a pupil might be offered alternative provision.
- To ensure that alternative provision is offered to suitable pupils in a consistent way.
- To provide guidance on the referral process and the suitability of alternative providers.
- To ensure there are suitable procedures in place relating to attendance and the safeguarding of pupils when under the care of alternative providers.
- To outline the arrangements in place to monitor academic progress, behaviour and pastoral welfare of pupils on alternative provision.
- To guide and support staff with the monitoring and support of alternative provision.

Purpose of Alternative Provision

- Each academy recognises that all pupils are individuals with different strengths and weaknesses, and mainstream education is not suitable for everyone.
- Alternative provision focusses on ensuring pupils continue to receive a high-quality education whilst their needs are being addressed and offers a variety of alternative curriculum provisions in order to support pupils' wider development.

Each academy may arrange alternative provision for pupils for several reasons including, but not limited to, the following:

- To encourage the inclusion in education of pupils who have had one or more fixed-period suspensions, or who are at risk of permanent exclusion
- To ensure pupils are offered a variety of alternative curriculum provisions as a way of supporting their wider development, and equip them with skills and experience that will benefit them later in life
- To further personalise the curriculum for some pupils, where there is a need
- To meet the needs of pupils who struggle to meet the academic and social demands of mainstream education expectations



- To meet the needs of pupils who, because of illness or other reasons, including social, emotional and mental health (SEMH) needs, would not receive suitable education.
- To negate any damage caused by negative experiences a pupil may have had in subject areas they cannot access
 - To ensure all pupils who have alternative provision have a positive experience in education suited to their needs.

This document is based on statutory guidance and provides a set of guiding principles that the school will follow to ensure that children and young people benefit from high quality provision which is safe, secure and appropriate to their individual needs.

1. What is an off-site direction.

- An off-site direction can be used by the school as part of a behaviour support package.
- An off-site direction requires a pupil to attend another educational setting to improve their behaviour.
- The off-site direction should be time limited. Pupils may be directed to attend either an alternative provision provider or another mainstream school.
- An off-site direction may be used when interventions and targeted support have not been successful in improving a pupil's behaviour.

What is a direction/"notice to attend" alternative provision?

If a pupil is required to attend alternative provision, a written notice to attend alternative provision should be issued by the governance board/proprietor of the main school to the parent(s). This would be issued under Section 29(3) of the Education Act, 2002 for maintained schools.

Parents' approval is not needed for the arrangements to be put in place. This will be referred to hereafter as a 'notice to attend', or 'notice'.

If a pupil is required to attend alternative provision for the purposes of improving behaviour, a formal direction must be issued, under section 29(A) of the Education Act, 2002 for maintained schools. This will be referred to hereafter as a 'direction'.

The notice/direction provides the formal framework within which alternative provision can be put in place to meet the needs of the pupil. Where the attendance of a pupil at the alternative provision to which they have been directed is an issue, parent(s) are under the same duty under section 444(1) of the Education Act 1996, requiring them to ensure their child's attendance at that provision as if it were their main school.

Transport to the Alternative Provision

Where a pupil is being directed/required to attend alternative provision the governance board must consider whether the distance to the alternative provision means that transport/funding for transport is required.

Parental Appeals against a Notice/Direction to Attend Alternative Provision



In the first instance parents would put their appeal in writing to the governance board of the main school. However, whilst an appeal is being processed, the pupil is still expected to attend the alternative provision to prevent the risk of legal sanctions being used.

2. What is alternative provision?

- Alternative provision (AP) can be defined as something in which a pupil participates as part of their regular timetable and not always led by school staff.
- The school will use such provision to try to prevent suspension and or permanent exclusions, or to re-engage pupils in their education.

3. Commissioning of alternative provision or placement at a mainstream school.

- The school will carefully consider what providers are available that can meet the needs of our pupils, including, the quality and safety of the provision, costs and value for money.
- A personalised plan for intervention will be prepared by the school setting clear objectives for improvement and attainment, timeframes, arrangements for assessment and monitoring progress, and a baseline of the current position against which to measure progress. Plans will be linked to other relevant information or activities such as EHCPs for children with SEND.
- The school will maintain on-going contact with the provider and pupil via the off-site learning mentor. Clear procedures will be in place to exchange information, monitor progress and provide pastoral support. This may vary depending on the nature and length of time a pupil attends the placement.
- The school will maintain a full record of all placements they make, including a pupil's progress, achievements and destination following the placement.

4. What is good alternative provision?

Good alternative provision is that which appropriately meets the needs of pupils and enables them to achieve good educational attainment on par with their mainstream peers. Provision will differ from pupil to pupil, but the DfE say provision should:

- Have a clear purpose with a focus on education and achievement as well as meeting the pupils needs and rigorous assessment of progress
- Offer appropriate and challenging teaching on par with mainstream education - unless this is being provided elsewhere within a package of provision
- Be suited to the pupil's capabilities, give pupils the opportunity to take appropriate qualifications and involve suitably qualified staff who can help pupils make excellent progress; and
- Have good arrangements for working with other relevant services such as social care, education psychology, child and adolescent mental health services, youth offending teams, and drug support services, etc.

The school will also ensure that:



- the specific personal, social and academic needs of pupils are properly identified and met in order to help them to overcome any barriers to attainment;
- provision leads to improved pupil motivation and self-confidence, attendance and engagement with education; and
- provision has clearly defined objectives, including the next steps following the placement such as reintegration back into mainstream education, further education, training or employment.

5. Key points for consideration of an off-site direction

- Have the pupil, parents/carers and relevant teacher been spoken to before a decision to initiate an offsite direction has been made?
- Are the nature of the intervention, objectives and timeline clearly defined?
- What other considerations are there, such as transport arrangements?
- What does the pupil want, or need, to get from of the off-site direction?
- How long should the provision be for?
- Is it part time or full time? If part-time, the pupil should attend school as usual on the days they are not in the alternative provision.
- How will it fit with the pupil's mainstream curriculum? If part-time or temporary, it should complement and keep up with the pupil's current curriculum, timetable and qualification route.
- What will success look like at the end of the alternative provision placement?

6. DfE registration requirements for alternative providers

The school will only commission places at AP if they meet the criteria for AP as set out by the DfE. This is outlined below: 'Every provider of education that is not a maintained school or school must be registered 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).

It is an offence to operate an unregistered independent school. Applications for registration by new schools must be submitted and approved before a school begins to operate and admit pupils. Ofsted may decide to make an unannounced visit to an institution on the basis of information they have received about it operating as an unregistered independent school. If Ofsted consider in the course of such a visit that an institution is operating unlawfully and should cease to operate as a school, they will inform the operator it is an offence to operate without registration and take any appropriate steps with the LA to ensure the premises are closed and the children provided for.'

7. Definition of full-time provision

"Full-time education" is not defined in law but the DfE say it should equate to what the pupil would normally have in school – for example, for pupils in Key Stage 4 full-time education in a school would usually be 25 hours a week.



DfE also say they will consider any institution that is operating during the day for more than 18 hours per week to be providing full time education. This is because the education being provided is taking up the substantial part of the week in which it can be reasonably expected a child can be educated, and therefore indicates that the education provided is the main source of education for that child.

Relevant factors in determining whether education is full-time include, the number of hours per week including breaks and independent study time, the number of weeks in the academic term/year the education is provided, the time of day, and whether the education provision in practice precludes the possibility that full-time education could be provided elsewhere.

All pupils must receive full-time provision in total, whether in one setting or more, unless a pupil's medical condition makes full-time provision inappropriate.

8. Off-site direction commissioning checklist

The school will:

- Check the registration status of each provider and whether they should be registered.
- Check the provider's policies and procedures:
 - a written behaviour policy setting out amongst other matters the sanctions to be adopted in the event of pupil misbehaviour
 - detailed curriculum plans and schemes of work, and pupil assessment procedures
 - particulars of arrangements to safeguard and promote the welfare of pupils and how those arrangements have regard to DfE guidance: Keeping Children Safe in Education.
 - anti-bullying policy
 - health and safety policy
 - complaints procedure
 - quality of accommodation
 - qualifications and experience of staff
 - arrangements for administering First Aid
 - fire risk assessment and procedures
 - recruitment and vetting checks for staff and management
- Give providers information in writing about social networking, the use of social media and e-safety, making the school's expectations clear
- Give providers information in writing about the school's expectations for child protection and procedures they should follow if they have a concern about a pupil
- Support providers to access appropriate safeguarding training and information
- Give providers information in writing about how the school should be informed of attendance and agree the subsequent follow up of absence.

9. Health and safety

The Health and Safety at Work Act 1974 places a duty on employers, including alternative education providers to ensure, so far as is reasonably practicable, the health, safety and welfare at work of its



employees, and others who are affected by their activities such as young people on educational placements.

Under the Management of Health and Safety at Work Regulations 1999, employers have a responsibility to ensure that young people at work (including those attending alternative education provision) are not exposed to risk due to lack of experience, being unaware of existing or potential risks and/or lack of maturity, physical capability etc.

The school follows the current guidance by the Health and Safety Executive (HSE). This information should be referred to in conjunction with this guidance.

Key points:

- When a school is commissioned as part of the off-site direction, it is assumed that the school meets all of the necessary health and safety requirements to operate as a school.
- Where an AP placement is commissioned, the alternative education provider has primary responsibility for health and safety of the pupil and should be managing any significant risks. The school will take reasonable steps to satisfy themselves that providers are doing this.
- The school will ensure that AP is competent and ensure it is appropriate for pupils concerned. Provision must be age appropriate and take into consideration any pupils who might be at greater risk, for example due to health conditions or learning difficulties, so this can be taken into account when planning the placement. This should include details of any medical or behavioural conditions as well.
- The school will discuss with the provider what the pupil will be doing during the placement, noting any relevant precautions. The alternative education provider (employer) can include specific factors for young people into their existing risk assessment as appropriate.
- Providers will inform the school of any significant health and safety risks to pupils on placement and how they are being controlled. The school will inform parents/carers.
- When commissioning alternative education provision, relevant health and safety information will be obtained to assess the suitability of the provider.
- The school will decide the extent of checks that are carried out when commissioning provision. This will be based on the type of environment and potential risks involved within the placement. Checks should be kept in proportion to the risks involved. In lower risk environments, information gained may be relatively straight forward and limited, whilst in environments with less familiar risks or for those in higher risk environments, such as construction, agriculture, manufacturing or motor vehicle repairs, as well as workshop/machinery environments etc.; the checks will need to be more robust.
- The school will ensure that adequate health and safety arrangements are in place and the work the pupil will be doing is being effectively managed to ensure their health and safety. This will need to consider induction, training, supervision, site familiarisation and any protective equipment that might be needed etc. In addition, pupils should know how and who to raise health and safety concerns.
- The school will check that the provider understands about the specific factors relevant to young people at work, including certain industry specific prohibitions and limitations.



- The school will conduct a physical check of the provider and placement is carried out by a competent person. A competent person is somebody who has suitable training, skills, experience and knowledge. Physical checks should look at the general suitability of workplace conditions, housekeeping, toilets and washing facilities, fire precautions, guarding of machines, provision of any necessary protective equipment etc. This list is not exhaustive and there may be other important aspects to consider dependent upon the type of environment and risks involved.
- Any serious incidents should be reported immediately to the school.
- The school will carry out appropriate monitoring throughout the placement to satisfy them that providers are continuing to manage the health and safety of pupils on placement. This could be undertaken as part of a general quality assurance visit to assess the overall effectiveness of the provision. Health and safety checks should be undertaken by a competent person and be kept in proportion to the environment and risks involved. Checks should be recorded.

10. Safeguarding

- All providers must be compliant with the most up to date version of the statutory guidance Keeping Children Safe in Education. A key part of this process should be school staff ensuring that staff at the registered alternative provision had appropriate checks, for example Disclosure and Barring Service (DBS) Checks.
- Providers must have a designated Safeguarding Lead and deputy and have undertaken the relevant and appropriate training.
- The school will retain responsibility for the process of making referrals to children's social care and for statutory assessments under the Children Act 1989 and any role they might be expected to play in such assessments (KCSIE).

11. The off-site placement

The school maintains responsibility for:

- Pupil welfare: safeguarding, child protection; health and safety
- Sharing all relevant information with the provider including any information on SEND, literacy, safeguarding or other issues.
- Ensuring that parents/carers (and the LA where the pupil has an EHCP) have clear information about the placement - why, when, where, and how it will be reviewed
- Setting out in writing the agreed objectives and plans for the placement, and monitoring progress against the objectives of the placement, including carrying out frequent visits to the provider

Where reintegration to school is an objective, planning for and providing an appropriate package of support to assist the pupil's reintegration

- Involving parents/carers (and LA if child has EHCP) in regular reviews of the placement.
- Attendance monitoring and follow-up of absences
- Meeting the needs identified within a child's EHC plan or statement of Special Educational Need;



- Transport arrangements;
- Where a pupil is eligible for free school meals, this will need communicating to the provider and suitable arrangements made;
- Sanctioning a suspension or permanent exclusion;
- Ongoing contact with the pupil and provider to exchange information, monitor progress and provide pastoral support
- Careers guidance, the school will ensure pupils receive their full entitlement to careers information, advice and guidance;
- Pupil outcomes – obtaining a final report on the pupil’s achievements during the placement including attainment and progress, attendance records and evidence of change in behaviour.
- Seeking pupil’s views on success of the placement.
- For Year 11s, working with the provider to prevent young people becoming NEET and ensuring that they can move on to suitable education, training or employment alongside part-time study. The school will collect and record information about the pupil’s next destination, as an indicator of alternative provision quality.

12. Recording and Monitoring Attendance

- Each pupil attending an off-site provision will remain on roll and the school retains the ultimate duty of care for pre-16 pupils, wherever they are being educated.
- The provider is responsible for enrolling pre-16 pupils onto their course(s) and for recording, monitoring and reporting attendance and absences. This MUST be completed twice a day, am and pm. This is a legal requirement for any pre-16 group in the same way as it is for post-16 groups (The Education Pupil Registration (England) Regulations 2006).
- The provider will inform the school immediately of any absences. The school will record the pupil’s absence using the relevant code and follow the school’s attendance process for absence immediately.

13. Attendance register codes

All sessions when a pupil is not expected to physically present on the school site will be marked appropriately using the DfE registration:

- Code B (off-site educational activity). This code should be used when pupils are present at an off-site educational activity that has been approved by the school. Ultimately, the school is responsible for the safeguarding and welfare of pupils educated off-site. Therefore, by using code B, schools are certifying that the education is supervised and measures have been taken to safeguard pupils.
- Code D (dual Registered – at another educational establishment). This code is used to indicate that the pupil was not expected to attend the session in question because they were scheduled to attend another school at which they were registered. The main examples of dual registration are pupils who are attending another school, pupil referral unit, hospital school or a special school on a temporary basis.
- Code C (leave of absence authorised by the school).



- Unexplained absences. The school attendance policy will be used to follow up unexplained absences in a timely manner.
- Part-time timetables. If the school has agreed to a pupil being absent for part of the week or day and therefore this will be recorded as authorised absence.

14. Quality assurance and evaluating the impact of the off-site direction?

The school will consider the following when commissioning and reviewing provisions:

- The quality of teaching and learning at the placement.
- Academic progress, ensuring targets are suitably challenging
- Accreditation including English and maths
- Safeguarding and health and safety (including quality of accommodation)
- Personal development and well-being
- The pupil's views
- Employability and skills for life – progression to post-16 destinations

15. What are providers responsible for?

- Ensuring they are compliant with the most recent DfE guidance around legislation and the definition of an independent school.
- Maintain contact with the school and the pupil's parent/carer, with regular updates on the pupil's progress:
- Carry out an initial assessment of educational needs for the pupil within one week of referral to confirm what level of course and support is appropriate;
- Notify the school of attendance and absence; good practice would determine this is twice daily;
- Provide relevant policies and procedures that relate to the child's welfare, education and safety for example; Safeguarding policy including the use of social media and E-safety, Health and Safety Policy and Behaviour Policy;
- Attend relevant multi-agency meetings around the pupil when required, for example: Personal Education Plan (PEP) for children looked after, EHCP meetings, SEND review meetings and Social Care meetings;
- Have clear monitoring criteria to judge the quality of the teaching and learning, and report this to the school at agreed intervals;
- Provide a named contact for all matters pertaining to the pupils;
- Maintain Individual Learning Plans, these set out the targets that the pupil will achieve on programme (e.g., L1 Functional Skills English, Pass grade) as well as the wider targets (e.g., 95% attendance, behaviour). All targets must be agreed by the pupil, the provider and the school.



16. Monitoring

- This policy will be reviewed annually.
- Annual checks will be conducted by a competent person from the school.
- Half termly monitoring visits will be conducted by the off-site mentor.
- Pupil progress will be monitored at least on a half termly basis