

Friday 30 September 2022

By email: [cfe.unregisteredAP@Education.gov.uk](mailto:cfe.unregisteredAP@Education.gov.uk)

## **ADCS response to Department for Education call for evidence: understanding the use of unregistered alternative provision**

1. The Association of Directors of Children's Services Ltd. (ADCS) is the national leadership organisation in England for directors of children's services (DCSs) under the provisions of the *Children Act (2004)*. The DCS acts as a single point of leadership and accountability for services for children and young people in a local area, including children's social care and education.
2. Alternative provision (AP) offers a valuable alternative to mainstream schooling for children and young people who, for a variety of reasons, find it difficult to access a full-time timetable or the national curriculum as well as those who have been excluded from school. AP is a broad church, from pupil referral units (PRUs), alternative provision free schools and hospital schools to bespoke vocational or recreational arrangements put in place to meet the needs and aspirations of individual learners. ADCS members believe reintegration to a mainstream provision must be a priority, AP should be used as an intervention to stabilise poor behaviour, understand suddenly emerging complex needs or to provide additional help and support in times of crisis. It should not routinely be considered as a destination in itself.
3. The SEND and AP Green Paper proposes a statutory framework for all pupil movements around the school system, including into and out of alternative provision. This is fine in principle but it must acknowledge from the outset that some managed moves, when done in a child centred way, are a positive alternative to exclusion. Any statutory framework in this space must be based on the principles of inclusion and allow for some flexibility to avoid exclusions while meeting children's needs.
4. Some local authorities will commission the use of unregistered AP as part of a blended approach with the focus on re-integrating the child or young person into mainstream education. For example, this can be accessed alongside formal education tuition via a qualified teacher. For key stage 4 pupils, the use of unregistered AP should also consider the transition to post-16 education and preparation for adulthood. ADCS welcomes the SEND and AP Green Paper's focus on post-16 transitions via the AP performance framework, however, the narrow view on attainment is disappointing. ADCS members would suggest progress is just as important in this context.
5. The best AP units enable learners to stay for short periods during which the demands of a fulltime timetable is too great e.g. during family breakdown. Where unregistered AP is utilised, it should form part of a carefully planned programme with a focus on providing a child or young person with the support they need to re-integrate and must be part of the system approach to an inclusive education.
6. Where unregistered AP is used successfully, it will be put in place using the appropriate formal commissioning routes and include all checks and balances to ensure adequate safeguarding measures are put in place. This should include ongoing regular monitoring, including site visits (which can be both announced and unannounced) to satisfy the LA of the quality of provision being provided and that progress is being made.
7. It is important that where these arrangements are used, they are agreed by parents/carers and the relevant professionals involved with the child. Where the child has an EHC plan, this bespoke learning package should be detailed within the plan.

8. A more defined role for AP is needed which sets out the high quality nature of the service and the need for it to be close to home with the aim to support children and young people back into mainstream education; AP is an intervention, not a destination, and reintegration should always be a primary aim.
9. To discuss further points raised in this response, please contact the relevant policy officer via [Matt.Cunningham@ADCS.org.uk](mailto:Matt.Cunningham@ADCS.org.uk) in the first instance.