



**achieving  
for children**



**Malden Oaks**  
School & Tuition service

Making the **MOST** of every day

# **Alternative Provision Policy**

**November 2022**

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## About the policy

This policy identifies the duties and local procedures for children who are unable to attend a mainstream or special school because of their health or other reasons. The policy applies to all children and young people who would normally attend mainstream schools, including academies, free schools, independent schools and special schools, or where a child is not on the roll of a school (electively home educated). It applies when a child cannot attend school at all or can only attend intermittently due to their illness or specific needs.

This policy relates to:

‘The delivery of the local authorities’ duties and policies in relation to providing full time education for Kingston and Richmond children of compulsory school age who are unable to attend school due to health needs or other reasons’.

## Legislation and statutory guidance

- Ensuring a good education for children who cannot attend school because of health needs’. (Department for Education [DfE] statutory guidance) in January 2013
- ‘Supporting pupils at school with medical needs’ (DfE statutory guidance) Dec 2015
- Section 19 of the Education Act 1996
- Equality Act 2010

## Statutory duties

### Local authorities

- Local authorities have a statutory duty to provide education other than at school for children unable to attend school because of illness or other reasons who would not receive suitable education without such provision.
- Children’s services for Kingston and Richmond councils are delivered by Achieving for Children (AfC), a community interest company wholly owned by the two councils. This statutory duty is therefore provided by AfC.
- Local authorities must have a named officer for children missing education (CME). The role of this officer is the Associate Director for Pupil Support.

### Schools and academies

- Children at school with medical conditions and other needs should be properly supported so that they have full access to education, including school trips and physical education.
- Governing bodies must ensure that arrangements are in place in schools to support children at school with medical conditions and other needs.
- Governing bodies should ensure school leaders consult health and social care professionals, children and parents to ensure the needs of children with medical conditions and other needs are properly understood and effectively supported.

This policy outlines the functions, roles and responsibilities pertaining to AfC's and Malden Oaks' Alternative Provision Service. Further guidance on information regarding schools' duties and responsibilities can be found in 'Supporting pupils at school with medical conditions. Statutory guidance for governing bodies of maintained schools and proprietors of academies in England, December 2015'. Alternative Provision Statutory guidance for local authorities January 2013 also includes useful guidance.

Achieving for Children through its Education Service has commissioned Malden Oaks School and Tuition Service (which includes small group provision on their school sites) to deliver the local authorities' duties for secondary aged children. Provision for primary aged children is delivered through AfC's Education Inclusion Support Service (EISS).

Malden Oaks and the EISS share common objectives and responsibilities, which are outlined below. The roles and responsibilities of schools and the referral criteria are also described.

## **Objectives of the service**

- To ensure a suitable and flexible education including a broad and balanced curriculum, similar to that received at school for children who cannot attend school because of health or other needs. This is in line with the DfE's statutory Alternative Provision guidance January 2013. The guidance states that it is to support the educational attainment of a child of compulsory school age with health needs whether or not the child is on the roll of a school and whatever type of school they attend. It applies to pupils in academies, free schools, special schools and independent schools as well as maintained schools and those who are electively home educated.
- To provide continuity of learning and facilitate inclusion.
- To arrange suitable full time education (or as much as the child's health or other needs allow) for children of compulsory school age as soon as it is clear that the child will be away from school for 15 school days or more, which do not have to be consecutive.
- To develop effective liaison arrangements with the child's home (main) school, parents, carers and other relevant professionals such as the SEND team, Child and Adolescent Mental Health Service (CAMHS), education welfare officers, family support workers, educational psychologists, school nurses and other health professionals including hospital staff to promote a joint approach to the child's needs.
- To track and monitor the child's progress and attendance while in receipt of alternative provision.
- To facilitate reintegration to school, as and when appropriate, through a tailored reintegration plan.
- To provide access to teaching in a range of settings that include an education building (one that the EISS or Malden Oaks use), in other settings such as a local library or, in the home. Where appropriate, to provide a suitable education based on the needs of the individual unable to attend school and to facilitate the use of suitable IT systems.
- To liaise with the home school regarding examination entries for public exams and any special arrangements that may be required.

- To work in partnership with families, carers, medical (or other appropriate) professionals, schools and support agencies.

## Referral and admission procedures

Most children's educational needs are best met in school, but for some children, at specific times, an education in an alternative venue or at home may be appropriate.

It is expected that before a referral is made, schools will have made reasonable adaptations to ensure that the needs of the young person have been met. Best practice would include:

- having an early help plan or multi-agency support in place (as part of an individual health care plan)
- having had consultations with appropriate professionals including, for example, the Education Inclusion Support Service and an educational psychologist
- using our [15 day absence guidance](#) (Guidance supporting pupils with medical or other needs in schools) for schools to help provide a graduated response to supporting children with health conditions or other needs that may affect their ability to attend school
- having a designated key worker in school who oversees the referral and will act as the main link with the alternative provision team if the referral is accepted. This also requires participation at planning and review meetings

Referrals to the service for Kingston and Richmond resident children who cannot attend school because of illness or other reasons should originate from the child's home school. The child remains on the roll of the home school while receiving the provision, and the school is involved in the plan for the child and reintegration. If a referral for a pupil on roll at a school is made by parents, this referral will be sent to the school to contribute to before being discussed at the panel meeting. For those pupils electively home educated, it is expected that the referral will be made by the parent.

There may be occasions when a child is not on the roll of a school, for example:

- a child has recently moved in to the borough, has a medical or other need and is awaiting a place in a school
- a child is awaiting a place at a suitable school after a medical condition or other need which has significantly altered their physical, cognitive or communication and learning needs
- a child is electively home educated

## Criteria for accessing the alternative provision

There will be a wide range of circumstances where a child has a health or other need, but receives suitable education that meets their needs without the intervention of the local authority. For example, a child can still attend school with some support or the school has made arrangements to deliver suitable education outside of school using the school's resources.

Schools must have a policy that sets out the support for children at school with medical conditions (or other needs). (DfE statutory guidance September 2014). However, there are some children for whom the local authority must arrange suitable full-time education (or as much education as the child's health condition or needs allow) who cannot attend school due to illness or other reasons.

### Alternative provision will be made available for the following

- Children of compulsory school age (5 to 16) who are unable to attend school due to illness or other reasons. Education should be provided as soon as it is clear that the pupil will be away from school for 15 school days or more, whether consecutive or cumulative. Medical (or other) evidence should be provided by an appropriate professional such as a medical, CAMHS consultant or education psychologist.

For referrals relating to health needs where supporting medical (or other) evidence is not quickly available due to extensive service assessment waiting times, consideration will be given to other professional evidence, such as that provided by the child's GP.

- Evidence must clearly state that, due to illness or other reasons the child is unable to attend school and set out the reasons why and where possible the expected time period of the condition and absence from school. If a child is under the care of CAMHS, there is an expectation that CAMHS practitioners will form part of the multi-agency Team around the Child (TAC), and support education professionals with advice and guidance and offer relevant timescales for regular alternative provision reviews which they attend and support.

The alternative provision service managers will, at the initial alternative provision meeting (and subsequent review meetings) discuss with the medical (and other) professionals, parents, carers and the child (where appropriate) the number of hours of provision the child can reasonably manage, whether provision can take place in a group or requires individual provision in the home and address the needs of the individual child.

The purpose of alternative provision is to provide short term provision, either in groups, or on a one-to-one basis and to support the child to reintegrate to school as quickly as possible whilst retaining a degree of flexibility (whether the child is unable to attend school because of illness or other reasons). Suitable full-time education is the aim (or part-time according to the child's needs). Although full-time is not defined in law, children with health needs should have provision which is equivalent to the education they would normally receive in school.

However, if the child is receiving individual or small group provision, the hours are likely to be fewer as the provision is more concentrated. The number, frequency and length of sessions will be determined at the planning meeting and reviewed thereafter at half termly reviews. We are responsive to the home school providing education on site or virtually to supplement the education provision being delivered.

Our rationale for the frequency and duration of sessions is based on the referral information received and through discussions held at review meetings. Due to the complex nature of the referrals received, each programme of education (eg, frequency and duration) will be decided upon according to the reason for the referral (illness or other reasons) needs of the individual (age, aptitude, ability, SEN and health condition) and based on what the child, their parents, carers and professionals discuss at the review meetings.

Secondary aged children who are able to access small group teaching may be able to attend Malden Oaks' school at either the Surbiton site (key stage 3), the Dukes Centre site (key stage 4) or the Norman Jackson Tuition centre (key stage 3 and key stage 4).

'Suitable' means appropriate to the child's age, aptitude and ability and any special educational needs they may have. For pupils where the prognosis is longer term, then a review every term or eight weeks will be undertaken. For pupils who are reintegrating to their school, the tailored reintegration plan should set out the levels of support required between the service and the home school.

The service should address the needs of individual pupils in arranging provision to ensure the right level of educational support they are well enough or (or in relation to 'other reasons') able to receive, guided by medical or mental health practitioner advice (and other appropriate professionals when provision is being delivered for 'other reasons'). Flexibility should also enable the service to maximise resources as efficiently as possible.

The school's special educational needs co-ordinator (SENCo) or inclusion leader is usually the key contact for Malden Oaks or EISS staff. Sharing of information will be necessary between colleagues from the Malden Oaks or EISS, schools, health and other professionals and parents or carers.

Schools and settings should make available relevant information such as school records, assessments, provision maps, individual health care plan planning, (individual support plans (ISPs), education, health and care plans (EHCP), reviews, relevant medical diagnoses, educational psychologist's report, professionals' reports and staff or child views, etc. Where the child has an active child in need, child protection, early help family support plan, or is looked after, relevant information must be shared. Confidentiality and data protection policy must be followed involving the sharing and use of such information (see privacy notice).

If the referral is not agreed the EISS (primary) or Malden Oaks (secondary) will contact the referrer to confirm why the referral does not meet the criteria and alternative arrangements can be discussed. Further evidence may be submitted in order that the referral can be reconsidered.

## **Roles and responsibilities**

### **The school's role (or on occasion, the parent or lead professional making the referral)**

- Complete the Malden Oaks or EISS referral form as soon as it is known that the child is unable to attend school due to illness or other reasons.
- Provide supporting evidence from the NHS or consultant (or appropriate professional if the referral is for 'other reasons'). Please note: the referral should state that the child is either awaiting or being offered treatment or in a period of recovery following a medical procedure (or for 'other reasons' what the status of their current education programme is).
- For referrals relating to health (or other) needs, where supporting medical (or other) evidence is not quickly available due to extensive service assessment waiting times, consider other professional evidence, such as that provided by the child's GP.
- With the support of EISS or Malden Oaks, arrange an initial meeting between the Tuition Service, parents, the referring school and medical representative (and appropriate professional if for 'other reasons') to agree educational support, mainstream reintegration plan and joint review cycle. Where the medical representative's (or appropriate professional for 'other reasons') attendance at this meeting would cause a significant delay, the school may decide to obtain this information in writing or verbally so that it can be available in the meeting.
- To provide a programme of curriculum and relevant materials and liaise with the alternative provision staff in order to agree the individualised learning programme. This will be designed to ensure continuation in learning and where possible, taking into consideration child's health, to prevent gaps in learning occurring.
- Continue to maintain any plans such as IHCP, personal education plan (PEP) and ISP, etc.
- Be active in the monitoring of progress (including the marking of coursework for secondary pupils), etc.
- Ensure parents and children are kept informed of school events (social as well as school curriculum meetings and parent interviews).
- Ensure arrangements for all examinations and SATs.
- The pupil must remain on the roll of the school throughout the period of alternative provision.
- Mark the pupil receiving alternative provision in the home the same as for primary and secondary - a 'B' for sessions offered and an 'I' for sessions where there is no offer of alternative provision. The 'D' code is only for those attending provision on site at Malden Oaks, in which case they will be formally dual-registered.
- With the support of EISS or Malden Oaks, convene half termly reviews, ensuring up-to-date medical advice or evidence (or appropriate information for 'other reasons') is available for the meeting.



## **The parent's role (if provision is being delivered in the home)**

- Ensure the child is up, dressed and ready to engage in learning.
- Ensure regular attendance (including access and engagement if at home.)
- When in the home, a responsible adult must always be present in addition to the tutor.
- Provide an appropriate work space (not in the child's bedroom) to allow work to be completed.
- Commit fully to the reintegration plan and eventual return to school.
- Provide early information to either the school or the Malden Oaks or EISS if a problem arises.
- Attend meetings and agree to share information and views regarding the child's medical or other needs.
- Sign the alternative provision agreement form which outlines the expectations around alternative provision, including an appropriate home environment.

The [parent and carer guidance document](#) (AfC parent and carer guide - long term health conditions or needs) helps explain the process of alternative provision.

## **The child's role (if provision is being delivered in the home)**

- Be ready to engage and work with the tutor.
- Complete any agreed independent home work within the agreed timescales.
- Be ready to communicate any needs or views.
- Work together with the tutor and the school regarding the planned return to school (reintegration).

## **Malden Oaks or EISS role**

- Attend an initial meeting between the Malden Oaks or EISS, parents, the referring school and medical representative (and appropriate professional if for 'other reasons') to agree educational support, mainstream reintegration plan and joint review cycle.
- To complete an initial home visit and risk assessment.
- Arrange alternative provision suitable to the child's needs as quickly as possible. Alternative provision may commence in a Malden Oaks or EISS building, the home school, local public venues such as libraries or in the home.
- Provision will be sensitive to the needs of the child and the family and provide flexibility where possible.
- Regular reviews with pupils, parents, school and health professionals (or appropriate professionals for 'other reasons') to monitor progress and plan for re-integration.
- When well (or able) enough, the service will support the pupil to successfully reintegrate into their school.

- The tutor will liaise directly with the school, parent, carer and pupil regarding the individualised learning programme and, in the case of secondary students, support the return of set pieces of work for marking.

If the referral is not agreed the EISS (primary) or Malden Oaks (secondary) will contact the referrer to confirm why the referral does not meet the criteria and alternative arrangements can be discussed. Further evidence may be submitted in order that the referral can be reconsidered.

### **The medical or health service's role (consultant, paediatrician, EWMHS clinician, GP) or appropriate professional for 'other reasons'**

- Provide advice and guidance on the frequency, duration, length and suitability of the alternative provision - if the child is able to access the provision in a public place and expected hours of provision according to the child's health (or other) needs.
- If the child is under CAMHS (or another specialist medical team or other professional team) then there is an expectation that the practitioners will form part of the multi-agency team around the child and support education professionals with advice and guidance and offer relevant timescales for regular alternative provision reviews which they attend and support.
- Attend review meetings where possible.
- Provide written reports where necessary.

### **Withdrawal of the programme**

The commissioned programme may be withdrawn if any of the following apply.

- The pupil fails to be available on a regular basis without appropriate reason (the Education Welfare Service may be involved to offer support.)
- Medical (or other) advice identifies that the child is medically (or for other reasons) unable to access any education and to do so would not be in the child's best interest.
- Up-to-date medical (or other professional) advice is not provided for the half termly review.
- The home tuition agreement is not adhered to.
- There are any other circumstances that mean that the tuition venue does not meet the minimum health and safety standards for the tutor to work in.

### **Privacy notice**

For information on why we collect data and how we use it please see our privacy notice: [https://www.achievingforchildren.org.uk/privacy-notice-pupil\\_support\\_service](https://www.achievingforchildren.org.uk/privacy-notice-pupil_support_service)

## Further information

Should you wish to find out more information about the Education Inclusion Support Service or Malden Oaks, please visit the following websites:

<https://kr.afcinfo.org.uk/pages/local-offer/information-and-advice/education/education-services/education-inclusion-support-service-eiss>

<https://www.maldenoaks.org/>

## Timeline of alternative provision process

