



MANCHESTER  
CITY COUNCIL

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# MIAPS Guidance for schools: Commissioning Alternative Provision

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*JULY 1, 2024*

*MANCHESTER INCLUSIVE ALTERNATIVE PROVISION STRATEGY*

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## 1. Aims:

**Manchester has a commitment to ensuring that all children in all settings receive a high-quality education, can access appropriate curriculum and services for personal development and well-being, and are safe and secure.**

The SEND and AP Improvement Plan 2023<sup>1</sup>, highlights the important role of AP in the SEND system and the proposed three-tier model has been adopted and developed by Manchester. This approach highlights a **graduated response to need**, with **Tier 1** focused on **mainstream inclusion** and **outreach support**, **Tier 2** using **AP as an intervention** through time-limited placements in AP, and **Tier 3**, a **focus on transitional placements to post-16 destinations or specialist settings**.

This guidance aims to support schools in their decision-making when commissioning *any* placements in *any* alternative provision settings, for *all* Manchester children. **Any AP commissioning decision should be child-centred** with appropriate settings reflecting 'right support, right place, right time'<sup>2</sup>. Full-time places in registered AP should be in the later stages of a graduated approach to supporting the needs of children. Early intervention strategies including school inclusion approaches, outreach, and time-limited AP placements should be fully utilised.

**SEND assessment, including that of SEMH 'Assess, Plan, Do, Review' processes, should continue** alongside any commissioning of places in AP and inform any placement review or evaluation, ensuring all aspects of the child's provision are appropriate.

### **Case Study A- Tier One: Effective use of outreach to support mainstream provision.**

*B is a Year 2 female child new to the country. B's physical behaviour towards both peers and staff has escalated and she often bites and throws equipment. School leaders are concerned about the wellbeing of B, her peers, and staff, and have received complaints from parents of children in the class. School leaders, school SENCO, B's class teacher and the class teaching assistant have agreed that B is struggling to communicate and is defaulting to physical behaviour to express her feelings. The team devise an action plan that includes both in-house assessments and a referral to an outreach service for specialised support in their provision planning. An initial two-week intensive observation period allows the team to reflect on patterns of behaviour, triggers and consider strategic plans. An outreach consultation supports this planning and further informs provision planning. The Outreach professional provides insight into nuanced behaviours, environmental triggers, and ways to engage the family who are reluctant to acknowledge SEND as a factor. Leaders request specific advice around de-escalation techniques and managing the physical behaviours in moments of crisis. They aim to disseminate key information to all staff to ensure school-wide understanding of B's needs and presenting behaviours. Further, enhanced outreach support is suggested by the outreach team who provide in-reach support to the school. Outreach oversees the implementation of strategies in the mainstream settings and models de-escalation approaches to inform staff development training.*

<sup>1</sup> <https://www.gov.uk/government/publications/send-and-alternative-provision-improvement-plan>

<sup>2</sup> <https://www.gov.uk/government/publications/send-and-alternative-provision-improvement-plan>

## 2. What is Alternative Provision?

Alternative Provision (AP) is defined by the government as: 'education arranged by local authorities 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 period exclusion; and pupils being directed by schools to off-site provision to improve their behaviour'.<sup>3</sup>

Schools directly commissioning alternative provision are advised to use the *MIAPS Directory of Alternative Providers* as per the *Manchester City Council Provider framework*. These organisations have been subject to an initial tender and evaluation process, are subject to Manchester City Council's Alternative Provision Quality-Assurance Framework protocol and have committed to working collaboratively with the local authority and schools, alike.

Providers on the framework consist of DfE registered independent schools, unregistered providers, online providers and mentoring and tutoring services, all of which fit into the tiered model of graduated support.

## 3. Definition of 'full-time'

Within statutory guidance, there is no legal definition of full-time hours, but a setting that provides "all, or substantially all, of a child's education."<sup>4</sup> is considered as a full-time delivery of education. Providing education for **more than 18 hours per week** during the working day is considered as full-time.

'Pupils in alternative provision should receive the same amount of education as they would receive in a maintained school. Full-time can be made up of two or more part-time provisions.'

Relevant factors in determining whether education is full-time include:

- the number of hours per week that is provided - including breaks and independent study time.
- the number of weeks in the academic term/year the education is provided.
- the time of day it is provided.
- whether the education provision in practice precludes the possibility that full-time education could be provided elsewhere.<sup>5</sup>

<sup>3</sup> <https://www.gov.uk/government/publications/alternative-provision>

<sup>4</sup> <https://www.gov.uk/government/publications/alternative-provision>

<sup>5</sup> [https://assets.publishing.service.gov.uk/media/5e42b74ce5274a1e707c43ac/BRANDED\\_independent\\_school\\_registration\\_guidance\\_21\\_August\\_2019Ms.pdf](https://assets.publishing.service.gov.uk/media/5e42b74ce5274a1e707c43ac/BRANDED_independent_school_registration_guidance_21_August_2019Ms.pdf)

#### 4. Time-limited placements in Unregistered AP:

- Although there isn't a specific definition of what constitutes a time-limited placement, we may consider this to be **a maximum of one academic term** in one setting and this would not be considered a 'full-time educational offer'. If a child attends one setting for **more than one academic term**, this may be considered as a significant 'number of weeks in the academic year' and may relate to a full-time offer of education.
- Where arrangements in alternative provision are provided for specific times of the day (for example, a child attends an AP Monday to Thursday, 10am until 2pm) but does not have another offer of education, nor attends another educational setting for the remaining hours, the AP is providing all the education. We recommend that placements in unregistered provision, for longer than an academic term, should be **a maximum of three days per week, or a full-time offer is made up of two settings**. Schools should consider how to ensure a full complement of education around any hours in AP, which is their responsibility as the commissioner, (e.g., morning sessions with key worker, additional afternoon tuition sessions). This also maintains the child's sense of belonging to their mainstream school and aids reintegration processes.

#### Case Study B- Tier 2: Hybrid model of provision using time-limited, part-time AP as an intervention.

*A is a Year 7 male child who transitioned to secondary on the SEND register for Cognition and Learning as a primary need. The primary school outlined no concerns with behaviour but flagged that A did sometimes struggle with social interactions and was particularly attached to one peer. In the Autumn term at secondary, A had some negative behaviour logs for lates to school and missing homework but no significant issues. Following the Christmas break, A's behaviour deteriorated rapidly, predominantly taking the form of school-refusal and persistent truancy, which then escalated to verbal abuse when challenged and has since led to repeated suspensions. School have initiated additional SEMH assessment as per their internal graduated response to SEMH which has included targeted interventions, dissemination of additional strategies to subject teachers and a bespoke reward system to engage both A and his family in positive reinforcement and recognition. School have made an additional referral to outreach to access mentoring support for A as well as additional consultancy in the form of an observation and a strategy report to share with teaching staff. The school's internal AP setting is under-development and a new cohort, including A, will complete a 12-week programme to support reengagement with school. In the meantime, school have commissioned a hospitality offer (A is interested in cooking and Food Technology) for two afternoons per week at an unregistered provision, found in the LA AP directory as the setting offers a 'Taster' Key Stage 3 qualification that provides industry experience. The AP also provides targeted sessions related to emotional regulation, led by qualified, therapeutic staff. School may further blend this offer, alongside the use of their internal AP, and look to use the placement as a springboard for full reintegration.*

### **Case Study C- Tier 2: Hybrid model of provision using time-limited, part-time AP as an intervention.**

*S is a Year 8 female young person who has recently received four separate suspensions for defiance in quick succession, after a series of low-level behaviours in Year 7. School have reflected on the internal strategies used across the first two terms of Year 8 and believe a part-time, bespoke AP intervention would support S to re-engage in the summer term. An unregistered provider on the LA framework has a two-day sports-focused offer and school have consulted with both S and Mum about the intention of the placement. S has a real passion for sports and has a strong relationship with her boxing coach outside of school; all parties believe that a strength-based intervention will support S's self-esteem. School have held an initial meeting with the provider and outlined agreed objectives, review arrangements, and curriculum continuity. The AP is flexible and have agreed to focus on the transferable skills needed to manage pressure in sport and how this is applied in the school environment and have been provided with the English and Maths Schemes of Learning to deliver as part of their morning sessions and ensure curriculum continuity. A school key person and communication agreements is agreed, and the school complete their due diligence as the commissioner. School reflects on the arrangements for the three days in school and consider any necessary adjustments to S's educational offer. The key worker visits S in the AP and this supports the connectivity to school. Some of S's behaviour is indicative of ASD and the school continue to assess with support from key worker and staff at the AP placement.*

### **Case Study D- Tier 2: Hybrid model of provision using time-limited, part-time AP as an intervention.**

*G is a Year 10 male young person on the SEND register for SEMH. G has experienced significant trauma and was recently involved in criminality in the community. G has a Child Protection Plan and professionals from complex safeguarding are involved, completing additional preventative work alongside youth justice services. In school, G is displaying increasingly risk-taking behaviours and is disengaged from learning, believing he does not need an education to earn money. Following internal intervention pathways, external 1:1 mentoring has been sourced by school and CSC and G is engaging in the sessions sporadically. This intervention has not impacted on his behaviour and engagement in school and G persistently truants and has verbal altercations with staff. The work with the mentor has identified that G has a passion for Music although he did not opt for this as a GCSE subject; an unregistered AP with a music focus is sourced for 2 days following discussions with G, family, and social worker. As an interim measure, to build some positive momentum in school, G is placed on reduced hours at school for the three days (temporarily removing access to unstructured social times where behaviour escalated). G's mentor completes targeted work around aspirations and peer influence in school and he has access to small group tutoring as part of a tailored timetable to support his learning. The tutor has identified that G is struggling to access some of the texts which has prompted school to explore SEND through further assessment. The bespoke arrangement for G will be reviewed every 6 weeks with a focus on increasing time in lessons as part of a reintegration plan. School aim to look specifically at unstructured social times to address trigger points for G and have shared with duty staff the challenges of social situations for those children with SEMH needs and how best to support, respond and de-escalate.*

## 5. Unregistered Alternative Providers

The 'Strengthening Protections in Unregistered Alternative Provision' government consultation document<sup>6</sup> refers to unregistered settings as 'a fluid, diverse sector' that 'provides a range of flexible and bespoke education'. **When used effectively in local areas**, 'unregistered alternative provision is an important intervention to supplement in-school education for those who need it most, offering a wide range of specialised education and support.' **The proposals in the DfE consultation align with the strategic direction of MIAPS.** Specific areas of focus such as quality assurance process and local authority oversight systems have been informed and implemented by Manchester, as the lead authority in the North-West Change Programme Partnership.<sup>7</sup>

The DfE SEND and Alternative Provision Improvement Plan 2023 refers to consultation feedback that 'recognised the vital role that alternative provision can play in supporting children and young people to remain in mainstream education' and **this includes the nuanced services, skill sets and experience of unregistered providers on our framework.** In Manchester, we support the use of unregistered providers, if compliant and:

- Unregistered Providers do not contravene Section 96 of the 1996 Education Act and 'conduct an independent educational institution'.

To clarify:

- An Independent school 'is defined as a school that is not maintained by a local authority, is not a non-maintained special school, and at which full-time education is provided for either:
  - *5 or more pupils of compulsory school age, or at least 1 pupil:*
    - *for whom an education health care plan is maintained*
    - *for whom a statement of special educational needs is maintained*
    - *who is looked after by a local authority*

We also support if:

- Providers are part of the **MCC MIAPS framework** and **Approved Directory List**.
- The commissioning decision to place in an unregistered setting is **child-centred, a clear rationale alongside desired outcomes and targets are agreed at the outset of the placement, reviews are frequent** and a **plan for transition or reintegration** is the focus of the placement (see role of the commissioning school section).
- Schools apply their own, **regular compliance and quality assurance checks** for the duration of any placement **as per the statutory role of a responsible commissioner.**

<sup>6</sup> <https://www.gov.uk/government/consultations/strengthening-protections-in-unregistered-alternative-provision>

<sup>7</sup> <https://hsm.manchester.gov.uk/kb5/manchester/directory/advice.page?id=FKV2r2C8xPk#:~:text=The%20Change%20Programme%20Partnership%20is,they%20live%20in%20the%20country.>

## 6. Placements in Registered AP

- A registered provision placement may be used as a full-time, short-term intervention or a full-time transitional placement (for example, a child may transfer to a specialist setting or onto post-16 destinations). There is not a specific time-limit on placements, but the commissioning decision and subsequent oversight of placement are crucial (see role of the commissioner).

### Case Study E: Tier 3 Transitional placements in AP.

*H is a Year 11 female young person placed in a full-time, registered alternative provision at the end of year 10. Prior to the placement, H was severely absent and displayed significant SEMH behaviours due to previous trauma. H has received significant input from in-school interventions, including placement in the internal AP, but after a period of success, H began to self-sabotage and behaviours became increasingly risky.*

*Review of the full-time AP placement has demonstrated the impact of the placement. H can access a full complement of qualifications as well as life skills enrichment, as part of their enhanced personal development offer. H is thriving in the small, nurturing setting and targeted work focused on peer conflict has proven effective. H's attendance has improved by 50% and feedback from both H and family is wholly positive and supportive of the place. School decided that the most appropriate, child-centred decision is to commission the place for the duration of H's Year 11 whilst continuing to review and quality-assure the provision. School and the AP will collaborate to ensure H is supported to plan and prepare for post-16 destinations and transition.*

## 7. The Role of the Commissioning School:

In Manchester, we aim to support the continuous development of the AP landscape, and this is steered through MIAPS (see next section), statutory guidance states, however, that 'Responsibility for the alternative provision used, rests with the commissioner'.<sup>8</sup>

Commissioning schools in Manchester are advised to:

- Comply with all requirements as per **Alternative Provision Statutory Guidance**.
- Commission providers from the **MIAPS Directory of Approved providers**.
- Make **commissioning decisions** based on the **needs of individual children** (right support, right place, right time<sup>9</sup>)
- **Involve children and families** in commissioning decisions.
- **Ensure initial due diligence is completed**.
- Create a **personalised plan, co-produced between school and AP**, for all children. This should outline **clear placement objectives, timeframes, agreed assessment and progress indicators** and a **baseline overview to support outcome measures**.

<sup>8</sup> <https://www.gov.uk/government/publications/alternative-provision>

<sup>9</sup> <https://www.gov.uk/government/publications/send-and-alternative-provision-improvement-plan>



- Ensure **transparency** in sharing of all **safeguarding information** and ensure that arrangements for reporting are clear as per KCSIE.<sup>10</sup>
- Ensure **curriculum continuity**, ensure a continued offer of an ambitious, broad, and balanced curriculum (unless this is being provided as a hybrid package of provision using school resource) and focus objectives on educational and personal achievements.
- Ensure **review of placements are frequent and evaluative**; key contact and communication arrangements should be agreed at onset and maintained.
- **Actively look for opportunities to maintain connectivity** between the child and their 'home' school.
- Ensure **AP placements are logged, attendance recording procedures** agreed and implemented. We advise both schools and MIAPS AP to use the IRIS ADAPT system.
- **Individual placement reviews are regular and recorded**. We advise both schools and MIAPS AP to use the IRIS ADAPT system.
- **QA processes are regular and recorded**. We advise both schools and MIAPS AP to use the IRIS ADAPT system.
- **Quality assurance is in line with the MIAPS Quality Assurance Framework**
- **Ensure SEND assessment is ongoing**, needs are shared and met by the AP and further assessment informs future provision planning.
- Ensure the **AP has effective arrangements for working with other services/agencies** and relevant safeguarding information is shared.
- Ensure **reintegration plans are outlined at onset of placement**.
- **Schools should have a clear rationale outlining the decision behind every commissioned place in AP. Schools may, for example, use template attached to provide oversight of this rationale.**

## 8. MIAPS and the role of the Local Authority:

**The Local Authority has a statutory responsibility to identify children missing education or not 'receiving suitable education'<sup>11</sup> including children who are attending an alternative provision or are not attending their school provision full-time.**

The Manchester Inclusive Alternative Provision Strategy aims to support commissioning schools and develop both the quality and sufficiency of AP available to Manchester children. MIAPS priorities include:

- Ensuring all settings are **compliant with all relevant legislation and statutory standards**.
- Ensuring that **all young people** in all settings are **safe and visible**.
- Ensuring that **all young people** have **access to high-quality provision and education**.
- Enabling **AP settings to sit as a community asset** to support **collaborative, continuous improvement**.

<sup>10</sup> <https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>

<sup>11</sup> [https://assets.publishing.service.gov.uk/media/5a7f5e4a40f0b6230268f135/Children\\_Missing\\_Education\\_-\\_statutory\\_guidance.pdf](https://assets.publishing.service.gov.uk/media/5a7f5e4a40f0b6230268f135/Children_Missing_Education_-_statutory_guidance.pdf)

**-Secure lasting relationships with all stakeholders** and support self-improvement through **robust QA processes**.

**To achieve this, the Local Authority role includes:**

- A **designated Alternative Provision Lead** and **Alternative Provision Officer** to support schools to **identify suitable alternative provision**.
- **Annual Publication** of the **Directory of Approved Alternative Provision Providers**.
- **Ensure appropriate Alternative Providers are invited to tender** for a place on the **AP FPS Framework** and **successful providers are placed on the framework** following a rigorous evaluation, selection, and quality assurance process.
- **Ongoing expansion of the framework** by inviting suitable Alternative Providers to tender and supporting them during the process.
- **Ongoing and responsive quality assurance of all AP** used by Manchester schools in-line with the **MIAPS AP QA Framework**. Supporting providers to understand maintain their compliance in relation to legal requirements, including safeguarding, health, and safety and DfE registration **as per section 96 regulations**.
- **Development of support package for framework APs** including access to training and CPD, city-wide networks, targeted support offer and provision reviewing and action planning.
- **Development of the MIAPS Steering Group and Board** to ensure continuous improvement, promote collaboration between schools and APs and support quality and sufficiency of AP places.
- **Implementation of IRIS Adapt** to support placement referrals, real-time attendance recording and notifications, placement reviews and AP quality assurance, as well as placement oversight of Manchester children.
- **Utilise data to further our understanding of AP use in Manchester** to benchmark practices and outcomes, and subsequently drive improvements.
- **Sharing information** with our schools and neighbouring local authorities, where applicable and appropriate.

## **9. Use of AP by Primary schools:**

Primary schools considering the commission of alternative provision should apply the information in this guidance, but also consider:

- **The graduated approach prior to the use of AP.** How has the school's inclusive culture, approaches and strategies supported need? Is the SEND specialist knowledge from SENCO's and AP Outreach services disseminated to all staff? Do timelines allow for implementation, review, and adjustment of strategies? Is the application of strategies consistent from all staff?

- Understanding that **‘a large majority of primary-age pupils referred to AP had SEMH needs as a primary area of need’**<sup>12</sup> What are any physical behaviours communicating? Has there been identification and robust assessment of underlying need? Is SEMH the primary need?
- **Are proposed providers skilled in relation to managing the complex behaviour of younger children** and providing a stage-appropriate, ambitious, broad, and balanced curriculum? ‘The younger pupils are when they first attend AP, the worse their later attainment’<sup>13</sup>
- **Are parents engaged or consulted?** Have outreach or other agencies supported conversations with parents?
- **The commissioning intent**, review process, assessment, and attendance procedures (see commissioning schools’ section).

#### **Case Study F- Tier 2: Hybrid model of provision utilising appropriate primary-age AP resource.**

*T is a Year 5 male child on the SEND register for cognition and learning needs. T has always been a reluctant learner but there have previously been no significant behaviour issues, and he has generally complied with adult expectations. A recent, drastic escalation of presenting behaviour has coincided with children’s social-care involvement. Leaders have recognised T’s lack of control in his life and the defiant behaviour a means to control; his heightened anxiety around learning has manifested into fear of failure and desire to regain control in different aspects of his life. T’s relationship with his class teacher has broken down after swearing at him whilst emotionally heightened. The school SENCO has decided to review the ‘SEND support’ provision for T’s cognition and learning and assess the SEMH aspects of T’s behaviour as emerging needs. T is especially anxious during transitions to and from school and during unstructured social times, which is also where wider issues with the class cohort often occur. Following a restorative conversation with the class teacher, T is given a responsibility at the beginning and end of the school day which is linked to positive reinforcement, acknowledged by both the class teacher and home. A review of social times by leaders informs operational changes to add structure, additional training of lunch-time supervisors and a regulation activity is introduced for the whole class following the afternoon break. School will continue to evaluate T’s provision and may commission two afternoons per week in a local forest school to enhance provision for a small group of children and are in consultation with the LA to plan for this approach. The school trust has acknowledged a rise in SEMH behaviours and have invested in a mentoring programme to target KS2 children across their four primaries as well as focusing CPD on classroom adaptations for SEMH.*

**If you are a primary school and are considering commissioning AP, we advise that you contact the MIAPS team to discuss.**

<sup>12</sup> <https://www.gov.uk/government/publications/alternative-provision-for-primary-age-pupils-in-england-a-long-term-destination-or-a-temporary-solution>

<sup>13</sup> <https://www.gov.uk/government/publications/alternative-provision-for-primary-age-pupils-in-england-a-long-term-destination-or-a-temporary-solution>

10. Commissioning Decision Template Example
What are the needs of the child?
How have the child and family been consulted in the placement decision? How is communication with home maintained?
What provision does the AP offer that is different to the offer in school?
How is the commissioning decision strengths-based?
How was the AP identified/sourced?
Why is the provision in this AP suitable for and in the best interests in the child?
What targeted work is needed to support the child?
How does the provision support reengagement in learning as well as part of their holistic offer?
How is the commissioning school's due diligence completed? Where is this recorded?
What are arrangements for safeguarding and attendance procedures? How are concerns raised?
What are the agreed outcomes of the placement?
What do entry arrangements look like?
How is the placement reviewed? How frequent does this take place? What is the format? How is this recorded?
Who has responsibility for the day-to-day oversight of the placement?

How is curriculum continuity assured?
Is SEND assessment ongoing? How?
Is there ongoing access to multi-agency support?
How are outcomes measured?
What is the reintegration or post-16 plans? What does the mainstream connectivity look like?