



Taking Back on Track forward

Response to consultation and next steps

October 2008

Foreword

In May, I published “Back on Track”, a White Paper designed to improve outcomes for some of our most vulnerable young people. Central to its approach were the two themes of identifying problems early on, and improving the quality of the alternative educational provision that young people receive outside mainstream schools.

Alternative provision has for too long operated on the edge of the schools system, not getting enough attention as a service, and only getting involved after a child has already been excluded. Yet in the lead up to exclusion there are often opportunities to turn things around before it's too late.

We have toughened the powers for head teachers to enforce discipline in their schools and to exclude young people where there is no other option. But at the same time we are clear about the need to intervene earlier, and to ensure that young people are motivated and supported to improve their behaviour. This is why our White Paper proposed that a wider range of alternative education providers should step in earlier; so they can use their expertise to support mainstream schools more effectively.

Our pilot programme will now invest up to £26.5 million over three years in twelve pilots. These pilots will test innovative ways of delivering alternative provision, building on the expertise of key partners such as Rathbone, Barnardo's, the Prince's Trust, and Kids' Company. I have been really impressed at the scope and range of ambition represented in these pilots. They have released a surge of energy and helped third sector, private sector, and statutory agencies talk to each other and work together, sometimes for the first time. But we must match the innovation of these pilots with the toughness of our accountability framework for alternative provision.

We have consulted widely on the proposals in the White Paper, and will now take the next steps to transform the quality of alternative provision. We will hold local authorities and providers to account for the achievements of young people in alternative provision, and will publish performance data for young people in Pupil Referral Units and other alternative provision from January 2009. We are also issuing guidance on commissioning alternative provision, and launching a database of providers.

We will ensure that weaknesses in Pupil Referral Units are addressed swiftly by taking powers in the next session Bill to enable us to challenge Pupil Referral Units that are underperforming and to require local authorities to hold a competition to replace them where necessary. We will also take powers in the next session Bill to bring all schools into behaviour partnerships, and to change the statutory name, “Pupil Referral Units”, into something that better signifies the nature of this provision.

We will always be tough on bad behaviour, we will step in early to address the

causes of bad behaviour, we will improve the quality of alternative provision, and we will raise expectations of what the young people who rely on it can achieve. If we do all this, then together we really can help more young people get successfully back on track.

Ed Balls

Secretary of State for Children, Schools and Families

Overview

We want to transform alternative provision to support early intervention and prevention, improve quality and strengthen accountability. This sector provides education for around 135,000 pupils a year who need to spend time outside mainstream settings, many of whom are vulnerable. Only limited performance data is available for these pupils, both at national and local level, and what there is indicates often very poor outcomes, which in turn makes them less likely to achieve in later life. This cannot be acceptable. We need alternative provision to focus on getting young people successfully “back on track”. Our vision is for high quality provision that better meets the range of pupils’ needs, is more responsive and leads to better outcomes for young people. Closer partnership working is needed between alternative provision and schools as well as with other service providers to facilitate early intervention and provide young people with more integrated support. Our transformation requires better professional support for those working in this sector and better accommodation. We are also committed to supporting innovation and learning from what works.

In the forthcoming legislative programme, we will bring forward three specific pieces of legislation to underpin the delivery of the White Paper:

- firstly, we will take the power to require the replacement of underperforming PRUs with specified alternatives and, where necessary, to require local authorities to hold a competition to replace them;
- secondly, we will take powers to change the statutory name “Pupil Referral Units” into something that better describes the provision; and
- thirdly, we will make school behaviour partnerships mandatory, so partnership working can underpin improvement.

We will hold local authorities and providers to account for the achievements of young people in alternative provision. We will publish performance data for young people in Pupil Referral Units and other alternative provision from January 2009.

The White Paper “Back on Track” consulted on:

- a new name for Pupil Referral Units;
- the case for developing a standardised information passport;
- ensuring that personalised education plans become standard practice;
- whether there should be a prescribed minimum core curriculum entitlement;
- what minimum number of hours of education and training should be available to pupils in alternative provision; and
- how quickly a pupil should be placed in alternative provision and how long it should take for the engagement of support services.

Responses to the consultation show widespread support for the Government's plans to modernise alternative provision for young people. This confirms the direction of our strategy and shapes it for the future.

We now intend to develop the transformation of this sector further by:

- introducing a standardised information passport for pupils moving between schools and alternative provision, that gives the next provider basic information about their current attainment, behaviour and attendance;
- introducing personal learning plans and making them standard practice; and
- setting out a minimum core entitlement for all pupils in alternative provision.

Timetable for delivery

Alongside this document we are also bringing forward four key elements of our strategy to deliver the vision in Back on Track:

- publishing guidance for local authorities and schools to support them in commissioning alternative provision;
- launching a database of alternative providers to improve the market and bring together commissioners and providers;
- announcing the locations of twelve alternative provision pilots across the country, some of which will start by the end of this year (see paragraph 4.11); and
- the DCSF will write to local authorities about a named officer being responsible for ensuring that planning and monitoring for individual young people in alternative provision works effectively.

Later this year we are planning to publish a suite of guidance covering information passports, personal learning plans and the curriculum for pupils in alternative provision. We will start collecting attendance data for pupils in Pupil Referral Units from the beginning of next year covering the school year 2007/08 and plan to publish this in May 2009. In January 2009 we plan to publish pilot performance data for Year 11 pupils in alternative provision. All alternative provision pilots will be up and running by April 2009. In September 2009 legislation should come into force which creates a power to direct local authorities to replace failing Pupil Referral Units with a specified alternative, makes school partnerships mandatory and introduces a new name for Pupil Referral Units. A more detailed timetable can be found at paragraph 4.13.

1. Vision for the next steps

1.1. **“Back on Track”, our White Paper published in May 2008, set out an ambitious programme to reform alternative provision. We are committed to driving forward the transformation of what has been a relatively neglected sector.** We believe that we owe this to the 135,000 pupils a year who spend some time in alternative provision and to their families; to the many dedicated professionals who work in alternative provision; and to our wider community and society, who can suffer the consequences if problems are not addressed early on.

1.2. We believe that alternative provision should support more effective early intervention and prevention work with young people to tackle problems before they lead to the need for permanent exclusion, and offer high quality support for those young people who are permanently excluded or who are otherwise without a school place. “Back on Track” builds upon the proposals in the Children’s Plan. It sets out our plans to:

- **bring about a step change improvement in the quality of Pupil Referral Units and other alternative provision;**
- **ensure that young people’s needs are met**, providing a personalised education plan and ensuring that there is a clear responsibility for the education and well-being of young people in alternative provision;
- **improve the planning and commissioning of alternative provision;**
- **improve accountability**, by collecting and publishing data annually on attendance at Pupil Referral Units, piloting the collection and publication at local authority level of educational outcomes data for pupils at the end of Key Stage 4 in alternative provision, and legislating to replace failing Pupil Referral Units;
- **develop the capacity of alternative provision**, supporting continuing professional development for staff working in Pupil Referral Units and alternative provision, and promoting the National Programme for Specialist Leaders of Behaviour and Attendance (NSPL-BA); and
- **ensure that alternative provision is managed as part of our overarching strategy to improve behaviour in schools**, working closely with mainstream and special schools, including those working in behaviour partnerships, and with wider local services to provide support for challenging pupils.

1.3. We are driving forward the transformation of alternative provision by:

- **publishing performance data from January 2009** which will improve accountability at local authority and provider level and bring a sharper focus on outcomes for all young people in alternative provision;

- **taking powers to intervene further when Pupil Referral Units fail.** When necessary we will require a local authority to replace an underperforming Pupil Referral Unit with a specified alternative and ask them to hold a competition to find the best provider;
- **strengthening the role of school behaviour partnerships** in drawing together support and provision for challenging young people by making partnerships mandatory; and
- **investing £26.5 million over three years in twelve pilots** to test innovative ways of delivering alternative provision that better meet the needs of young people and enable the spread of best practice.

1.4. We believe that this ambitious programme will help to drive up standards in alternative provision.

1.5. Back on Track sought views on a number of key elements of our proposals. We consulted on:

- **a new name for Pupil Referral Units**, to respond to feedback from Sir Alan Steer and other secondary heads that this is an outdated and unhelpful label and to signal the transformation of the sector;
- **the case for developing a standardised information passport** for young people who move between school and alternative provision, and in particular the information that it should contain and what time limits should be set for information transfer;
- **ensuring that personalised education plans become standard practice**, including what a personalised education plan should contain, who should be involved in drawing it up and how often it should be reviewed;
- **whether there should be a prescribed minimum core curriculum entitlement** for young people in Pupil Referral Units and other alternative provision;
- **what minimum number of hours of education and training** should be available to pupils in alternative provision; and
- **how quickly a pupil should be placed in alternative provision** and how long it should take for the engagement of support services.

2. Accountability framework

- 2.1 The White Paper set in place a new accountability framework to raise standards, create transparency and drive forward the transformation of alternative provision.

Performance data

- 2.2 We will ensure that the accountability of local authorities for the outcomes of children outside mainstream schools really bites. We plan to publish **performance data** from January 2009 which will improve accountability at local authority and provider level and bring a sharper focus on outcomes for all young people in alternative provision. We plan to start collecting Pupil Referral Unit **attendance data** covering the school year 2007/08 in January 2009 and publish it in May 2009. We plan to pilot the collection and publication of performance data for Year 11 pupils in Pupil Referral Units and other alternative provision at local authority level in January 2009.
- 2.3 For the first time this will provide benchmarking performance data for these pupils and give much needed data to those who manage and inspect provision including Ofsted. Availability of this data will also assist those responsible for alternative provision to focus on improving the outcomes and progress of young people.

Intervention in failing PRUs.

- 2.4 We are committed to ensuring that pupils in Pupil Referral Units receive a high standard of education. We will therefore not hesitate to close Pupil Referral Units that are providing an inadequate standard of teaching and learning and are unlikely to improve swiftly. We will be **taking powers in the next session Bill to intervene further when Pupil Referral Units fail**. When a failing Pupil Referral Unit is required to close, we will consider on a case by case basis whether the local authority should be directed to replace it with a specified alternative. In some cases we expect also to require the local authority to invite providers of alternative provision operating in the private and voluntary sector to bid to run the replacement provision.
- 2.5 We have also asked Ofsted to take account of the number of failing Pupil Referral Units in a local authority in its Comprehensive Performance Assessment to help with assessing the overall effectiveness of alternative provision for young people.

Behaviour partnerships

- 2.6 **We will strengthen the role of school behaviour partnerships** in drawing together suitable support and provision for challenging young people by making partnerships mandatory for secondary schools,

academies and Pupil Referral Units. These partnerships are responsible for tackling poor behaviour through sharing facilities and expertise. They are designed to convey a sense of shared ownership of pupils in member schools and to work together to have better access to support and services that are needed by some pupils. They are also able to commission alternative provision more effectively and efficiently for pupils attending schools in the partnership and drive up the quality of provision and responsiveness of providers.

3. Consultation feedback

3.1. Responses from local authorities, social partners, other organisations and practitioners show widespread support for the Government's plans to modernise alternative provision for young people and to put them at the centre of our approach. We are grateful for the time that so many people have taken to read Back on Track and to tell us their views on improving provision. A list of respondents is attached to this paper at annex 1. A number of the replies reflected the views of professionals working in Pupil Referral Units, parents and pupils, and we have taken careful note of these. Their feedback confirms the direction of our strategy and shapes it for the future.

Consultation on "Back on Track"

In June the **National Union of Teachers (NUT)** held a consultative conference for members in Pupil Referral Units, attended by 80 delegates and aimed at generating discussion and ideas around the proposals in the White Paper. A snapshot survey was completed by 50 members and the results were fed back to DCSF.

The **PRU National Conference** on 3-5 July provided a further timely opportunity to canvass practitioners.

As part of putting together their response, the **Children's Rights Alliance for England** consulted with children and young people on a number of the key questions in "Back on Track". Although they received limited responses, those they did receive were interesting. Of alternative provision in general, they commented:

"Hopefully it will help pupils get the specialist help they need and it will also help pupils in mainstream schooling whose learning might be disturbed by pupils with challenging behaviour. I think it would be better if it never had to get to this stage."

"...if a student has been expelled or is long-term excluded then they still have the right to education."

3.2. There was broad support for the core principles that we set out to underpin our strategy:

- that we should start from what will work best for each young person taking account of his or her different needs and in consultation with parents and carers;
- that we should secure a core educational entitlement for all young people in alternative provision;
- that there should be better planning and commissioning of alternative provision both at an area level and for the individual;

- that local authorities should be held to account for outcomes from the alternative provision they deliver or commission;
- that there should be better professional support for those working in the sector and better accommodation and facilities;
- that there should be better partnership working between alternative provision, other parts of the education sector and other agencies and services working with young people to facilitate early intervention and ensure an integrated approach to meeting the young person's needs; and
- that we must learn from the best and support innovation.

3.3. We now intend to develop the transformation of this sector further by:

- introducing a new name for Pupil Referral Units;
- introducing a standardised information passport;
- introducing personal learning plans (referred to in "Back on Track" as "personalised education plans" and making them standard practice; and
- providing clearer direction to those responsible for alternative provision on the minimum core entitlement for pupils.

New name for Pupil Referral Units

3.4. We intend to replace the use of the term Pupil Referral Units in legislation, reflecting the advice that we have received from Sir Alan Steer and other secondary heads that this title has become outdated. There are also perceptions that the name is associated with poor quality, although most Pupil Referral Units are judged good or better by Ofsted. We want the new name to signal our commitment to transforming the sector.

3.5. We received well over a hundred suggestions for a new name. Many people asked us to avoid terms such as "unit" and "alternative" which can be seen to stigmatise pupils who attend them. There was a strong preference for us to use the simple word "school" to describe Pupil Referral Units in future but we cannot use just this single name. Because of their particular purpose and distinct governance arrangements, they need to be distinguished from mainstream or special schools.

New name for Pupil Referral Units

Association of Teachers and Lecturers (ATL) members are clear that a new nomenclature for PRUs needs to state their educational purpose and place an emphasis on learning. This could be done by including the word 'learning' in any new nomenclature or calling them 'schools' to emphasise their educational role. In a number of areas, PRUs are called Short Stay Schools, their titles reflecting their roles as schools, thus moving away from the 'sin bin'

image and removing the related stigma.

Gateshead consider there is a need to move away from anything named 'alternative', 'unit' or 'centre'. School should be in the title to denote status alongside mainstream and special schools. Some authorities use 'short stay' school and there are a number of pilots using the term 'studio' school. The majority view is to use this opportunity to re-brand by moving away from the term Centre and calling PRUs – schools. They have major concerns over the use of the word 'alternative' which differentiates it too much from mainstream education provision instead of emphasising that it is an integrated accountable resource that supports young people experiencing difficulties in a large school environment. They think there is an image problem with the terms alternative or centre which suggest a lower standard than mainstream. There needs to be a re-focus where professionals see this type of provision as different and specialised but equipped to deal with vulnerable young people. For the same reasons they suggest the term unit has negative connotations associated with poor performance.

A **Nottinghamshire teacher** suggested that the new name should include "education" or "school" to clarify the main purpose: "The name should reflect the idea of a system of education flowing alongside the mainstream schools and working towards feeding back into mainstream".

3.6. We intend to use the opportunity of the forthcoming legislation to find a new name for Pupil Referral Units. Our current intention is to rename Pupil Referral Units "Prospect Schools", although we also considered all the suggestions made to us, including Intensive Support Schools and Back on Track Schools. We will make the final decision about the name to use when the legislation is introduced.

3.7. However, we do not intend to require all institutions to use this name – they should use whatever name fits their circumstances. Some people suggested that we should ask young people for their views and we are pleased that a number of consultation responses reflected the views of young people. It is important that young people feel that they belong wherever they are educated and we very much support the idea of them being involved in coming up with a name for their local setting.

3.8. We now intend to legislate at an early opportunity to bring about this change of name.

Information passports

3.9. In "Back on Track", we reflected that a number of local authorities have agreed protocols for information sharing when pupils move from mainstream schools into Pupil Referral Units or alternative provision and when they move on to school, college or other provision.

3.10. This was broadly welcomed although many respondents asked us to ensure that information is not duplicated and to minimise burdens on school staff. We have reflected this at paragraph 3.12 below. There is widespread recognition of the difficulties that face staff in Pupil Referral Units when pupils arrive with little background information. We need schools to understand more fully the part they play in supporting the work of Pupil Referral Units and other providers of alternative provision. Whenever pupils are referred elsewhere for their continuing education schools have a responsibility to pass

on relevant information quickly, most of which should be readily available, to ensure that appropriate provision can be planned in advance. Nearly all secondary schools are now working in partnerships to improve behaviour and tackle persistent absence. As part of the National Strategies' continuing support for partnerships they are encouraging partnerships to work closely with Pupil Referral Units and other providers of alternative provision.

3.11. Pupil Referral Units and alternative providers need this information as soon as possible. Permanently excluded pupils need to be provided with suitable full-time education by the sixth day following exclusion from school so their education provider needs information in advance. Where pupils are being referred in other circumstances we believe that they should be able to access provision within two weeks and again the provider needs information in advance of their starting.

3.12. We intend to go further than simply expecting those who refer pupils to alternative provision to complete basic documentation. We will encourage schools and providers to agree local access protocols which would set out expectations around access and information so that all parties are clear about their responsibilities and expectations. We will also encourage school partnerships to set up local pupil placement panels where they do not exist already, to manage referrals to alternative provision in cases other than exclusion. There need to be clear admission criteria to ensure that pupils can access the most appropriate provision quickly and the whole process needs to be managed effectively.

3.13. Staff working in Pupil Referral Units also told us that whilst they need basic information about their incoming pupils, they will continue to undertake more detailed initial assessments so that they can tailor provision according to pupils' needs.

Information sharing

Some areas such as **Kirklees, North Lincolnshire** and **Sheffield** have already agreed local protocols within school behaviour partnerships for moving pupils between schools and Pupil Referral Units or other alternative provision, often involving referral to a placement panel, and with access to funding. Standard information is provided to the panel and this way of placing pupils has become an integral part of the admission process.

In some areas, such as **Hammersmith and Fulham**, a school representative is invited to an initial case conference which is used to fill in any data gaps, highlight any risk assessments and consider the success or failure of previous interventions.

In **Barking and Dagenham** referrals to alternative provision are made on a case by case basis via different specialist panels which meet fortnightly. All young learners referred from mainstream must have documentation completed either by way of the Common Assessment Framework (CAF) or a customised document.

3.14. In the light of the broad support for information passports, we will publish guidance on information passports by the end of the year which will reflect comments made in response to our consultation.

3.15. We received many detailed examples of locally used information passports which we will draw together in guidance. We intend to provide a basic common framework which can be used to transfer information electronically where local IT infrastructure supports this, including across local authority boundaries. Information to be included in the passport should include:

- basic personal details;
- reason for referral;
- academic attainment;
- behaviour and attendance information;
- SEN and medical information;
- previous interventions;
- preferred learning styles;
- barriers to learning including poor communications skills;
- involvement of other agencies;
- pupil's aspirations and interests;
- information about relationships and self-confidence;
- alert for possible health and safety risk assessment; and
- links to any other relevant plans.

We will provide guidance on addressing issues around data sharing. We will make clear our expectation that whoever refers a pupil is responsible for completing the information passport, usually the school in the first instance. The aim of the information passport will be to provide as much basic information as possible, all of which should be readily available, to minimise any additional work. Our intention is that most of the information should be exported from the school's Management Information System, with a free text comment box for qualitative information.

3.16. We will explain how an information passport links with the Common Assessment Framework (CAF), Common Transfer Form and Contact Point to avoid duplication, and how it is a building block for each pupil's learning plan. The latest exclusions guidance, published in September, sets out our expectation that a permanent exclusion should trigger completion of a CAF, where one has not already been completed, but it is for local agreement to decide other triggers.

3.17. We will keep under review the possibility of legislating to make the use of information passports mandatory.

Personal learning plans

3.18. In Back on Track we set out the case for all young people in alternative provision to have "personalised education plans" which would be built from existing school records including information on attainment, attendance, behaviour, any Special Educational Needs and the Pastoral Support Plan if one is in place. Effective planning is a precondition of meeting young people's diverse needs. We also proposed that the scale and scope of individual plans needs to be proportionate to the circumstances, in particular to the length of time a young person is to spend in the particular provision.

3.19. Consultation showed that there is broad support for the idea of personalised education plans for young people in Pupil Referral Units or other alternative provision. Indeed many Pupil Referral Units have already drawn up such plans for young people and we intend to draw on these. However, concerns were raised by **ASCL** and others about the possibility of increased bureaucracy, and about the potential for duplication with other plans and we intend to address this in guidance (see paragraph 3.20)

Personal learning plans

The **New Leaf Centre, Walsall** has adopted an individual learning plan which sets targets across all areas of the curriculum, as well as issues such as attendance, behaviour, work related learning, personal goals and future aspirations. The plan sets out to agree steps to achievement, identify others who can help, define what success might look like, particular strategies and target dates. All plans are agreed with the young person, parents, centre tutor and any other involved professional. Plans and performance against them are reviewed on a termly basis.

Fenland Junction PRU, Cambridgeshire, insist on face-to-face meetings with parents at school before a referral as this eases transition. They also undertake home visits prior to pupils starting and they run an induction programme.

Havering are proposing to audit the use of pupil plans through inclusion panel processes that are already in place.

3.20. A number of people told us that we needed to find another name to describe these plans to avoid confusion with other pupil plans. We also need to avoid duplication and intend to make it clear in guidance how these plans will fit with existing plans. Many pupils in Pupil Referral Units or other alternative provision will already have comprehensive plans drawn up for them, for example those with statements of special educational needs or those that are looked after. Their education plans may of course need to be updated to reflect their move. We propose therefore that plans for pupils in Pupil Referral Units or other alternative provision should be referred to as **Personal Learning Plans (PLP)**.

3.21. In the light of the broad support for personal learning plans, **we will publish guidance on Personal Learning Plans by the end of the year** which will reflect comments made in response to our consultation.

3.22. Where a CAF has been completed for a young person, this should be reflected so that the Personal Learning Plan is part of a coherent multi-agency approach to seek positive outcomes for the young person. This would prevent the Personal Learning Plan for a young person being drawn up in isolation from the other issues and solutions which have been identified by other agencies working with the child and family, and to identify any other interventions that could be made to enhance the chances of education success.

3.23. Personal Learning Plans will build on basic information provided in the pupil's information passport that will have come from their school and this may

be supplemented by various assessments. Plans should focus on outcomes and progression for young people, whether this is to school, college or employment; and set out the steps to achieve this end. This focus should help to keep them brief so that they are of genuine use to the young person and their family and avoid unnecessary burdens on staff. The young person needs to be at the centre of the plan. They certainly need to be proportionate to the circumstances in which they are produced. It would not be sensible for the same level of planning to be required for a pupil in receipt of alternative provision on a part time basis for a few weeks as for a pupil receiving such provision on a full time basis over a period of one year or more. We will explain our expectations around the level of detail in our guidance.

3.24. Our view is that plans need to be written in pupil-friendly language and include:

- a named officer;
- exit strategy;
- the proposed course of study and number of hours, based on assessment;
- clear goals with SMART targets that should reflect what the pupil wants to achieve;
- opportunity for the young person to express their aspirations;
- any other support (SEN, other agencies, etc);
- review dates; and
- post-placement review.

We do not expect that any young person should be left indefinitely in part-time provision without a regular review.

3.25. Reflecting a range of views on timing, our view is that personal learning plans should normally be drawn up within ten working days of the pupil starting. It is therefore vital that the information passport is received by the provider before the pupil starts. The plan needs monitoring and should be reviewed regularly with the pupil and with their parent(s) / carer at least termly.

3.26. We will keep under review the possibility of legislating to make the use of Personal Learning Plans mandatory.

3.27. The White Paper proposed that a named officer in each local authority should be responsible for ensuring that planning and monitoring for individual young people in alternative provision works effectively. **Officials are planning to write to local authorities about this role and our expectations**, alongside this document.

Core entitlement

3.28. In Back on Track we reflected that Pupil Referral Units are currently required by law to offer a “broad and balanced curriculum”, but what this means in practice is not specified in legislation and nor are Pupil Referral

Units required to offer full-time provision to pupils, other than those that are permanently excluded. We are aware of instances where pupils receive much less than full-time education simply because of limited funding or capacity. This is not acceptable. We said that we would consider developing a national minimum standard of provision for alternative provision that would cover:

- A minimum curriculum entitlement;
- The number of hours of education and training that should be available to the young person; and
- Minimum standards regarding the length of time that a child should wait before being appropriately placed and the length of time for the engagement of support services such as child and adolescent mental health services (CAMHS).

3.29. Consultation responses showed a wide range of views on what the curriculum should cover for pupils in alternative provision, ranging from a statutory full-time national curriculum for all pupils regardless of their circumstances to an entirely needs-based curriculum and number of hours with no minimum expectations. We have looked hard at the case for legislating at this stage to introduce a core curriculum entitlement. Given the range and complexity of pupil needs, we recognise that a curriculum framework would need to provide the necessary flexibility to tailor provision. We think that the right first step is to set out clear expectations in guidance about the need to provide a robust curriculum framework to raise expectations for all pupils in alternative provision.

Curriculum entitlement

Bath & North East Somerset do not think the full national curriculum should be made mandatory for alternative provision. “It will be difficult to prescribe a core minimum requirement as there is such a range of individual need using alternative provisions. We believe the focus should be on prescribing outputs rather than input. These outputs should relate to the achievement of functional skills, wider key skills and learning and school survival skills. Curriculum provision should focus on leading the child back to the National curriculum and so alternative provisions should relate their curriculum to the mainstream curriculum and should be able to identify how they are going to progress the learner towards mainstream provision”.

Birmingham suggested that the emphasis for all pupils should be on skill development. “For younger pupils where the expectation is a return to school, a thematic approach with a focus on key skills linked to the National Curriculum is needed to ensure youngsters are not disadvantaged on return. The basic core entitlement for all should be literacy, numeracy, ICT and PSHE. The latter may need clarification to ensure life skills, economic well being and so on are encompassed. Flexibility and relevance to the individual are key. Over prescription is not helpful”.

3.30. We need to consult further on detail but **we are planning to publish guidance on the curriculum and number of hours of education and training for young people in alternative provision by the end of the year.**

3.31. We believe that setting out our expectations in guidance, together with the tougher accountability framework, is the right first step to take, **but we will**

keep under review the possibility of legislating for a curriculum entitlement at a later date.

3.32. We propose that guidance should set ambitious and unequivocal expectations that the vast majority of pupils in alternative provision should receive a full-time education that includes at least functional English, maths, ICT and personal, social and health education (PSHE). Some pupils, such as those that have been out of education for some time, will benefit from an incremental approach and steps and review dates should be documented in their personal learning plan.

3.33. The precise curriculum for each pupil should be determined by the Personal Learning Plan, which in turn is informed by the information passport together with any local assessments. We plan to work with curriculum experts and colleagues in local authorities and elsewhere to develop proposals to cover the range of different circumstances in which young people enter alternative provision. This would guide those responsible for selecting the most appropriate curriculum for the pupil, taking account of factors such as their key stage; expected length of stay in the provision; whether part-time or full-time provision for pupils on a mainstream school roll; special educational needs or medical circumstances; aspirations and progression. For most pupils this would steer providers to full-time education covering at least a core curriculum. We would expect plans to incorporate stretching aspirations for individual young people and lead to progression to the next stage. The plan, and the resulting curriculum, should focus on accreditation and access to end of key stage tests.

3.34. Remaining time could be used for additional academic subjects or a range of vocational courses or work-based learning, depending on the pupil, totalling up to full-time education. Such a non-statutory framework would be sufficiently flexible to cover the small number of pupils for whom full-time education is not appropriate, for a temporary period and with review dates. **We do not expect that many pupils will remain in part-time education for long.**

3.35. The pupil's **Personal Learning Plan** will be key to explaining why a particular programme of study is being followed and the hours it covers. **This would be a key source of information for Ofsted during future inspections of Pupil Referral Units.**

3.36. Quite a number of respondents thought that any pupil should be able to access alternative provision within six days and some local protocols specify this, as in **Bath & North East Somerset**. However, the majority of people thought that two weeks was more feasible although in some areas the current expectation is that access should be within three weeks. **Our view is that we should set an expectation that other than those that are excluded from schools (and must be placed within six days) pupils should be placed in alternative provision within two weeks of that need being recognised.** They should stay in school until that place becomes available. Any areas may of course commit to do this earlier. We will therefore encourage local protocols to set out expectations around information transfers and access to

provision, involving the local authority, children's trust, providers and schools. Whatever expectation is set locally will depend very much on the Pupil Referral Unit's or other alternative provision's capacity and yet many units have little control over their admissions, which places them in a difficult position. The **NUT** helpfully recommended that the Department should provide Pupil Referral Units, local authorities and schools with guidance on admission arrangements for pupils who are not excluded from school, enabling them to access provision, and involve management committees.

3.37. We intend to provide guidance to Pupil Referral Units, local authorities and schools on admission arrangements to alternative provision by the end of the year, within the suite of guidance on information passports, personal learning plans and the curriculum, to help them manage the flow of pupils between mainstream schools and alternative provision in both directions, for those pupils that are not excluded.

3.38. We know from consultation responses that it is more difficult for staff in schools, pupil referral units and alternative provision to set arbitrary minimum expectations for the time needed to access very specialist services, such as Child and Adolescent Mental Health (CAMHS), Education Psychology, children's social services, etc. Pupils' needs may be complex and funding packages may need to be agreed between a number of services which could take some time. In their response **CfBT** suggested that we should set a minimum standard of six weeks and **we would like service providers to aim to meet these needs within six weeks**, and less if possible.

3.39. We intend to set out our expectations alongside alternative provision admissions guidance, by the end of the year.

4. Delivery

4.1. In Back on Track we set out our ambitious programme for a transformation in the quality of alternative provision and detailed our main drivers for change. Over the last few months we have taken forward work across the full range of measures and key delivery commitments are outlined at paragraph 4.13 below.

4.2. We are announcing the names of local authorities / schools which were successful in bidding to run **pilots to explore a range of innovative ways of arranging and delivering alternative provision**, supported by £26.5 million funding. We received over 120 initial expressions of interest and were impressed at the number and range of bids but had to restrict ourselves to just twelve to avoid spreading resources too thinly. Successful pilots are in:

- Coventry
- Darlington
- Haringey
- Herefordshire
- Knowsley
- Liverpool
- pan-London
- Nottingham
- Oxfordshire
- Rotherham
- Wakefield
- Westminster

More detailed information about these pilots can be found at annex 2.

Studio Schools

4.3. In the Children's Plan we set out our intention to pilot studio schools. Through offering an innovative, enterprise-based curriculum, and working with major employers, these schools will provide enhanced employability and enterprise skills for young people whose needs can best be met in this way. They are aimed at young people for whom a vocational learning environment is more attractive, but they may also be appropriate to motivate some young people who might otherwise become switched off in schools and risk getting excluded.

4.4. A number of studio school field trials are already underway. In Luton, Barnfield College and the Young Foundation have been working in partnership with the Barnfield West Academy in a field trial which the local authority is looking to integrate into its borough-wide 14-19 strategy. In Kirklees, a local partnership has been undertaking a limited field trial on a model for a creative and media focussed studio school. A field trial has also already been established in Blackpool, providing a business-based alternative

pathway for a number of young people within the 14-19 offer.

4.5. Alongside these three authorities, a number of others are currently developing detailed studio school proposals, working in partnership with the Young Foundation and a range of local and national businesses. We expect Studio Schools will become an established part of the educational landscape in England.

Other measures

4.6. In October, alongside this document, we are launching a new **alternative provision database** to provide local authorities, schools and other commissioners with more information about local and potential providers. Information on the database about providers includes the type(s) of needs they seek to address, and the duration and cost of the provision.

4.7. We are publishing **guidance on commissioning alternative provision** to help commissioners access high quality provision that represents value for money and meet the needs of young people effectively. Together with the database this should help to improve the quality and availability of contracted provision.

4.8. We have also asked the National Strategies to improve **support for the alternative provision workforce**, by promoting the National Programme for Specialist Leaders of Behaviour and Attendance (NPSLBA), encouraging more continuing professional development and networking to share effective practice.

4.9. We are also **exploring ways to ensure that staff in Pupil Referral Units have the right pay and conditions**. The School Teachers' Review Body are considering a proposal to revise the criteria that apply to staff in Pupil Referral Units as well as other school settings for award of allowances to staff teaching pupils with special educational needs. We expect them to report back on this proposal in January 2009. A new negotiating body to determine pay and conditions of school support staff is being set up by legislation and will start work in September 2009, with a remit that includes making sure that staff in Pupil Referral Units are appropriately rewarded for the work that they do.

4.10. The Building Schools for the Future programme continues to include **rebuilding or refurbishing Pupil Referral Units**, to the same timescale as secondary schools. Together with guidance on accommodation "Learning Environments for Pupil Referral Units", published last year, we expect pupils to be taught in a more suitable environment and have easier access to relevant curriculum.

4.11. We are also promoting **closer partnerships between alternative provision, mainstream and special schools, and local authority support services** in a number of ways. For example, we are continuing to promote the close involvement of Pupil Referral Units in school behaviour partnerships and their role within Children's Trusts.

4.12. We will continue to work with key partners in local government and the voluntary and private sectors to deliver this ambitious strategy, and are very pleased that there is so much shared enthusiasm for this agenda.

4.13. Our detailed plan is as follows:

2008

- October** Taking Back on Track forward: Next steps and response to consultation published
- National database of alternative provision providers launched
- Guidance on commissioning alternative provision published
- Announcement about selection of alternative provision pilots
- Guidance to local authorities about named officer responsible for ensuring that planning and monitoring for individual young people in alternative provision works effectively
- December** Guidance on information passports published
- Guidance on personal learning plans published
- Guidance on curriculum for pupils in alternative provision published
- First alternative provision pilots start

2009

- January** PRU attendance data collection starts, covering the school year 2007/08
- Pilot publishing performance data published for pupils in PRUs and other alternative provision
- May** Publish PRU attendance data
- September** All alternative provision pilots operational
- Legislation comes into force:
- power to direct local authorities to replace failing PRUs
 - school behaviour partnerships become mandatory
 - change of name for PRUs
 - new negotiating body to determine pay and conditions of school staff established

Respondents to White Paper “Back on Track”

ASCL
ATL
Barking & Dagenham
Barnardo's
Bath & North East Somerset
Birmingham
Bolton
Catholic Education Service
CBI
CfBT
Cheshire
Children's Rights Alliance for England
Citizenship Foundation
Cool Services UK
Cornwall
Darlington Home & Hospital Teaching Service
Devon
Doncaster
Ealing
Family Planning Association
Fenland Junction PRU, Cambridgeshire
Gateshead
General Teaching Council (GTC)
Hackney Learning Trust
Halton
Hampshire
Hartlepool Secondary Behaviour & Attendance Partnership (including
Hartlepool PRU)
Havering
I CAN
Inclusion Trust
IPSEA
Kent
Kirklees
Lancashire
Leeds
Leicestershire
Lewisham
London Councils, London Youth Crime Prevention Board (LYCPB),
Association of London Directors of Children's Services (ALDCS) and
Mayor of London response
Middlesbrough
National Children's Bureau (NCB)
NAHT
NAS

NASUWT
NCH
Norfolk Southern Area PRU
North Lincolnshire
Nottingham
Nottinghamshire
Nurture Group Network
NUT
Ofsted
Oxfordshire
Peterborough
Poole
Princes Trust
Rathbone
Redcar & Cleveland
Runnymede Trust
Sandwell
Schoolhouse Education
SEBDA
Serco
Sheffield
Somerset
Southwark Inclusive Learning Service
St Helens
Stockport
Stockport (Pendlebury PRU)
Stockton-on-Tees
Sutton
TreeHouse
UK Youth / 7KS (combined response)
VT Education and Skills
Wandsworth
Warrington
West Midlands Regional PRU Group
Wolverhampton
Wolverhampton 14-19 Development Team
York
Youth Justice Board

and many individual responses

Pilots to explore a range of innovative ways of making alternative provision

Coventry (West Midlands) - Developing enterprise-focused extended learning centres with partners from the private/voluntary sectors

This pilot features an external provider of alternative provision running Pupil Referral Units jointly with Coventry City Council. Intended partners already involved with Coventry are Rathbone, Arthur Rank Training and Progressive Educational Tools. They plan to commission three extended learning centres. They will work with the most disaffected and disengaged young people likely to have a number of risk factors, aiming at higher levels of engagement and improved outcomes. They plan to target 30 year 11 pupils.

Darlington (North East) - Back on Track Clervaux College

An external provider (Ruskin Mill Educational Trust) will work in collaboration with Darlington Borough Council, mainstream schools and a special school. The project will provide complementary provision for up to 100 young people aged 14-16 who are at risk of not being in employment, education or training (NEET) post 16, including disabled and looked after young people, young carers and young offenders. They aim to increase attendance, reduce the need for exclusions, reduce offending, increase the number in work experience/training, increase the number of pupils achieving qualifications and the number of qualifications they achieve, and increase successful transition to post-16 provision. Darlington has a Pupil Referral Unit in special measures. They plan to target up to 30 young people initially and up to 100 by the end of year 3.

Haringey (London) - Haringey Keys to Wellbeing

The Haringey Keys to Wellbeing pilot involves Haringey Council and schools working with the Primary Care Trust, Child and Adolescent Mental Health Services, Youth Offending Service and police in driving early intervention for young people with Behavioural, Emotional and Social Difficulty. It aims to reduce fixed period and permanent exclusions by half by 2011 and to zero by 2013.

Herefordshire (West Midlands) - Herefordshire Continuum of Provision

Herefordshire County Council will work in partnership with The Hereford Academy, with three partnerships each including a Pupil Referral Unit. They will provide placements for year 9 to 11 pupils and there will be a short term intervention centre in each partnership, located at a school for years 7 to 10. Intervention centres will also provide outreach support. The target group are

those who will benefit from intervention, reducing fixed period exclusions. There will be a focus on literacy and numeracy. They aim to reduce persistent absence and exclusions, improve staying on rates, reduce NEETs and improve KS3/4 results.

Knowsley (North West) - Knowsley Skills Academy

This is a work based learning programme for vulnerable young people, established through a partnership with Knowsley Council. The council will contract with school governing bodies to make statutory provision (by reason of illness, exclusion from school or otherwise) for local children and young people. It is aimed at young people involved in youth crime and anti-social behaviour, with poor educational outcomes and a high proportion NEET. The programme is to follow the Army Cadet Force syllabus formulated to fit BTec. It aims to make provision for 60 14-16 year olds and 60 16-19 year olds.

Liverpool (North West) - North Liverpool Secondary Alternative Education and Extended Engagement Project

Liverpool City Council will work with Nacro and Positive Futures in the Anfield area to provide Pupil Referral Unit facilities and extended after-school, weekend and holiday youth engagement activities. They will offer early intervention, day 6 provision, intensive weekly support and education provision targeted at secondary age pupils. The project aims to increase attainment including at GCSE, sports coaching certificates, Duke of Edinburgh awards, and reduced offending, better family relationships, communication skills. They plan to target 40 pupils at KS3 and 4 but will cater for 400 plus through the extended youth activities.

London Youth Crime Prevention Board - "Pan-London"

This pilot draws together many agencies in London, led by the Royal Borough of Kensington and Chelsea and London Councils, working with all London local authorities, with the Government Office for London, and with the London Youth Crime Prevention Board to deliver pan-London improvements. The main focus is on increasing life chances of excluded young people, particularly diverting them from youth offending, and improving outcomes for those in Pupil Referral Units. It will cover the entire London Pupil Referral Unit pupil population (3,520) increasing reintegration of pupils before KS4 and increasing the number of qualifications gained at the end of KS4.

Nottingham (East Midlands) - Unity Learning Centre

Unity Learning Centre, in partnership with range of external providers and schools will provide integrated learning for 14-16 year olds. The new provision will be based in fit for purpose accommodation acting as a hub, with the majority of pupils placed with external providers including a city farm

centre and Football in the Community. The centre will make provision for permanently excluded pupils, those without a school place and those at risk of exclusion.

Oxfordshire (South East) - On Course

A peripatetic Pupil Referral Unit will make use of youth, private and voluntary sector sites. The project is resourced by a partnership of schools, Oxfordshire County Council and private and voluntary providers including a theatre trust and an arts centre. It is targeted at KS3 pupils aged 11-14, those requiring supported transition from KS2-3, those at risk of exclusion, persistent absentees and young offenders. It aims to reduce fixed period and permanent exclusions, offending, persistent absence, and lead to more engagement in further education and employment. They will target 84 pupils in year 1, 168 pupils in year 1 and more than 250 pupils in the final year.

Rotherham (Yorkshire and The Humber) - Positive Progression through Partnership

School partnerships will run three learning centres. These are targeted at the most vulnerable KS3/4 pupils including school refusers, persistent absentees, those at risk of exclusion, young offenders, NEET and potential NEET, and also for low achievers and young carers. They will work in partnership with Barnardo's. They plan to concentrate on early intervention and specific support. All pupils are expected to achieve at least 1 GCSE and a national qualification in English and maths. The partnership plans to include inclusion targets. They will target 75 pupils across three partnerships.

Wakefield (York and Humberside) - The Wakefield District Community School Enable Project

Wakefield District Community School, a special (ESBD) school, plans to run two Pupil Referral Units and all other ESBD provision for secondary pupils in Wakefield, in partnership with the local authority and working with The Able Partnership. They plan to establish a range of high quality alternative provision. They will cater for up to 20 ESBD pupils a week (not all stated) in years 9-11. They are expected to achieve qualifications in land-based and environment related subjects, develop core skills as well as problem solving and working with others, and clear post-16 progression.

Westminster City Council, the Kids Company, The Prince's Trust : Therapeutic Education Project

Westminster City Council will work in partnership with the Kids Company and The Prince's Trust to run a Therapeutic Education Project. It is aimed at raising aspirations and achievement through a vocational centre of excellence catering for 50 14-19 year olds, offering alternative provision to pupils at risk of exclusion and some that have been excluded and are currently at the Pupil Referral Unit.