



Department  
for Education

# **Understanding the use of unregistered alternative provision**

**Analysis report of the call for evidence  
conducted by York Consulting LLP.**

**9 May 2024**

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## Introduction

Most alternative provision<sup>1</sup> is delivered through Pupil Referral Units (usually referred to as PRUs), alternative provision academies, registered independent schools and general hospital schools, all of which are regulated as schools. Alongside this, many schools and local authorities commission education and support from providers which are not formally registered schools or colleges. These non-school based settings, which can also sometimes be used by parents to supplement their children's elective home education, are often collectively known as unregistered alternative provision. They provide a wide range of education and support, including tutoring or mentoring or more vocational and practical experiences - for example in motor-vehicle maintenance or farming. Placements can be part- or full-time and time-limited or open-ended.

The Government set out its vision for SEND and alternative provision in its 2022 [SEND Green Paper](#). This included commitments to strengthen the protections for, and improve outcomes of, children and young people in unregistered alternative provision, and to a [Call for Evidence](#) to better understand the use of unregistered alternative provision.

The Department for Education's launched a 'Call for Evidence on understanding the use of unregistered alternative provision' on 11 July 2022, which closed on 30 September 2022. The Call for Evidence aimed to gather the views of those who commission or provide unregistered alternative provision, as well as other professional parties who support such commissioning or provision. Views were sought on the use and role of unregistered alternative provision; planning, commissioning and monitoring placements into unregistered alternative provision; and the role of such provision as a supplementary part of education in a school.

This is the final report of the Call for Evidence. The evaluation, undertaken between October 22 and January 2023, was carried out by a team of researchers from York Consulting LLP.

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<sup>1</sup> As outlined in the Department for Education's [statutory guidance on alternative provision](#); alternative provision is 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 suspension; and pupils being directed by schools to off-site provision to improve their behaviour.

## Respondents

The Department for Education received 144 responses in total: Responses to the Call for Evidence were thematically coded using qualitative analysis software, alongside 9 email responses and evidence from the 5 online focus groups.

The breakdown of the 135 respondents (who submitted a response via the online Citizen Space platform and 9 by email. The respondent types of those who responded via Citizen Space were) by type was as follows:

- Unregistered alternative provider representatives (43% or 58).
- Local authority representatives (24% or 32).
- School representatives (16% or 22).
- Other representatives (17% or 23).

Participation in the Call for Evidence was on a self-selecting basis, meaning that those responding may not be representative of the whole population of potential respondents.

## Focus Groups

The Department for Education also conducted 5 online focus groups with 20 individual participants who responded to the Call for Evidence and gave consent to be contacted about providing additional feedback. The focus groups took place during November 2022. Feedback from the focus groups was collected through a standardised document using a similar structure to the online Call for Evidence questionnaire. Summaries of each focus group discussion shared with York Consulting. Analysis of the focus group summaries are included in this report.

## **Call for evidence – Key findings**

### **The use and role of unregistered alternative provision within the SEND and alternative provision system**

#### **Unregistered alternative provision is used to address needs not met in school**

The most common reason unregistered alternative provision is used is because it addresses the needs of young people in ways which cannot be met in school. Respondents highlighted its use in cases where a young person, often those with Special Educational Needs and Disabilities (SEND) (particularly those with Social, Emotional and Mental Health (SEMH) needs) and/or an Education Health and Care EHCP (EHCP), requires a flexible, personalised and bespoke approach to learning that it was felt could not be provided by schools. There was a view that unregistered alternative provision “filled a gap” for young people whose needs cannot be met in mainstream schools but where special or alternative provision school was also deemed unsuitable. However, it is worth noting that half of respondents also reported that unregistered alternative provision is used due to a lack of alternative provision and special school places.

#### **Unregistered alternative provision offers bespoke support that meets the needs of young people with SEND, particularly SEMH needs**

Related to the above reasons for using unregistered alternative provision, a large majority of respondents highlighted that such provision meets young people’s wellbeing, mental health and behaviour support needs which cannot be met through existing local school provisions. Young people with SEND, particularly those with SEMH needs, were highlighted, with the primary placement types most commonly mentioned being provision for a special educational need, provision for permanently excluded and/or suspended pupils and provision for mental health needs. A common view was that unregistered alternative provision offers a personalised and nurturing learning environment for these young people that meets their needs holistically.

#### **Unregistered alternative provision is viewed as generally meeting young people’s needs**

Overall, respondents were positive about the effectiveness of provision in meeting young people’s needs. Most respondents, particularly providers, felt that unregistered alternative provision meets young people’s needs related to SEND, mental health and vocational learning moderately or very well. Smaller proportions, although still a majority, felt young people’s academic needs and the needs of those with physical illness were generally met by unregistered alternative provision. Academic learning was the area in which the largest proportion of respondents felt

that unregistered alternative provision did not meet the needs of young people, with local authority (LA) and school respondents most likely to express this view.

## **Planning, commissioning, and monitoring placements into unregistered alternative provision**

### **Lack of understanding around the use of joint strategic planning for unregistered alternative provision**

Understanding of joint strategic planning by many respondents was low or absent. Over two-thirds of respondents reported that joint strategic planning does not take place in their area, or they are unaware of whether strategic planning takes place. For just under one-third, who reported that joint strategic planning does take place, local authorities were reported as being most likely to take part in the strategic planning and commissioning process, followed in descending order by mainstream schools, unregistered providers, alternative provision schools and special schools. A majority of respondents reporting that joint strategic planning took place felt that these processes were moderately or very effective in meeting local needs that cannot be met in a school.

### **Oversight of decision making for unregistered alternative provision placements were either absent or varied**

The majority of respondents either do not have or are not aware of locally organised oversight of decision making regarding individual placements into and out of unregistered alternative provision settings. For those where forms of locally organised oversight exist (just under half), a range of varied scrutiny processes were described, including multi-agency panels, local authority approval processes and local authority quality assurance measures. Views were mixed on which organisation or body is best placed to oversee decisions about individual placements into and out of unregistered alternative provision, with just over a quarter (the largest proportion) opting for 'the commissioner'. Almost half of respondents felt that some placements should be decided by a multi-agency panel, including those for young people with SEND, with an EHCP, and complex cases.

### **Quality assurance frameworks are widely used to monitor the quality of unregistered alternative provision**

Generally, respondents were aware of quality assurance frameworks operating in their local areas to monitor placements into unregistered alternative provision. Three-fifths of respondents stated that 'yes', their local area uses a quality assurance framework, whilst a third were unsure on this issue. Those who were unsure and the small number who said 'no' described instead school and local authority measures

for monitoring the quality of provision they commission. These measures tended to focus on compliance and safety, including checking safeguarding practices and policies, public liability insurance and staff DBS status and qualifications, although visits to placements to check on young people and speak to staff were also mentioned.

On whether standards or metrics were used to assess whether provision met young people's needs, just over a half either answered 'no' or were unsure. Of the two-fifths who answered 'yes', respondents described regular reports and review processes assessing metrics such as attendance, attainment and emotional wellbeing.

### **Most view quality assurance processes as at least somewhat effective**

Quality assurance processes were viewed as at least somewhat effective by a majority of respondents, including those who viewed processes as somewhat, moderately or very effective. Just under a third were unsure and a very small minority viewed arrangements as not effective at all. Almost all local authority representatives viewed quality assurance processes as at least somewhat effective, with the other representative groups more likely than LAs to be unsure on this issue. Respondents described what they viewed as effective quality assurance processes, including quality assurance frameworks and visits to unregistered alternative provision.

Concerns about quality assurance processes were also raised, for example, variations in quality standards across local authorities or possible duplication of quality assurance processes for providers. While only two-fifths of respondents described currently using standards or metrics, nearly three-quarters of respondents gave examples that they considered to be the most helpful when thinking about the quality of the offer provided by an unregistered alternative provider. These examples focused on young people's attainment and progression, social development and wellbeing, and attendance and engagement.

### **Majority support for the use of approved provider lists**

A majority of respondents agreed that unregistered alternative provision should only be commissioned from a list of locally approved providers. Over two-thirds of respondents agreed or strongly agreed, with just under a fifth disagreeing or strongly disagreeing. Those who agreed thought that an approved provider list would enable better oversight and quality assurance of unregistered alternative provision. Just under half of respondents felt that the local authority is the organisation best placed to set the standards for an approved provider list, commonly reasoning that they have the necessary local insight. Just under a third felt that central government is best placed for this role, with these respondents typically referencing the need for consistency across local authorities. Some also suggested that local input would be

required when developing any national standards, a view that was echoed by focus group participants.

Focus group participants also felt there was a need for standardisation and quality assurance, particularly regarding safeguarding, and expressed a desire for a kite mark or nationally recognised standards to “weed out” poorer provision. However, there were concerns about a registration process based on existing standards for schools, suggesting that a bespoke registration framework would be required.

## **The role of unregistered alternative provision to complement education in a school**

### **Mixed views on young people attending unregistered alternative provision on a full-time and/or long-term basis**

Just under half of respondents disagreed or strongly disagreed that unregistered alternative provision should only be used on a part-time or time-limited basis. A similar but slightly smaller proportion agreed with such restrictions, however, in a later question over four-fifths of all respondents agreed that there were some children and young people with specific needs who would benefit from attending unregistered alternative provision on a full-time and/or long-term basis. These included children and young people with SEND, particularly SEMH needs, school refusers, looked after children and those with behavioural issues.

Qualitative comments on this issue tended to focus on the suggested restrictions on time-limited, rather than part-time, placements. Those who disagreed with time-limited placements suggested that some young people are not able to re-integrate into mainstream school and therefore require longer term placements. There was also a view that decisions on placement length should be based on individual need rather than what the respondents viewed as an arbitrary time-limit. Of the small number who offered further comment on their agreement with restricting the use of time-limited placements, it was generally felt that the aim for any alternative provision should be to re-integrate young people back into education rather than viewing such provision as a destination in itself. In terms of the impact of such restrictions on commissioning practices, responses commonly centred around concerns that this could risk reducing the choice of placements available to commissioners and thus limit young people’s access to appropriate provision.

Suggested arrangements for oversight of full-time and/or long-term placements included monitoring of both the providers and young people to assess the quality of provision and young people’s progression. Other recommendations included monitoring visits to quality assure education and safeguarding and the development of a framework for unregistered providers to work towards and be assessed against.



## **Mixed views on the use of multiple part-time placements to create a full-time offer**

Respondents were split on whether using a combination of multiple part-time placements creates a risk that children and young people do not receive a full and balanced curriculum, and that oversight of their educational and welfare needs is lost. When asked who was best placed to oversee multiple part-time settings functioning together as a full-time placement, the largest proportion (just over two-fifths) opted for 'the commissioner (in this case the local authority)'. Respondents highlighted the importance of strong communication between stakeholders in these instances. Respondents suggested a "joined-up" approach to ensure the sharing of progress, successes, and concerns between all relevant parties including the unregistered alternative provider, local authority and school.

## Next steps

The Call for Evidence received a wide range of responses from individuals and organisations, including local authorities, school leaders and a range of unregistered providers. The responses highlighted some great work that is already underway, as well as areas that can be built upon. There are well-established delivery models with local frameworks offering a broad range of quality-assured providers, backed up by strong attendance management systems and safeguarding controls. In the best local authorities, placements in unregistered settings are used as an intervention not a destination, to supplement the education being received in school.

When used well, unregistered alternative providers address individual needs, supporting often very vulnerable children and young people to engage with education. However, in many areas there is insufficient oversight and transparency around the local management of placements in unregistered settings. In some cases, this has led to children and young people becoming less visible across the system, putting their safety and the quality of their education at risk.

The Government wants to build upon the Call for Evidence findings to deliver a balanced and proportionate approach to ensuring the wellbeing and educational outcomes of all children in unregistered alternative provision. To achieve this the Government has launched a [consultation](#) on a series of proposals.

## The use and role of unregistered alternative provision within the SEND and alternative provision systems

Questions 1 – 6 of the Call for Evidence asked for information about the respondent. Substantive questions about unregistered alternative provision began at number 7.

### Q7. Why is unregistered alternative provision used in your local area?

Respondents could select multiple options when answering this question. The most common reason selected by respondents as to why unregistered alternative provision was used in their local area was that 'the setting addresses the needs of the young people in ways which cannot be met in a school' (85% or 114). The two next most common reasons selected were that there were 'not enough alternative provision school places' (52% or 70) and that there were 'not enough special school places' (51% or 69).

Providers were more likely to indicate that 'the setting addresses the needs of the young people in ways which cannot be met in a school' than other respondents. Other respondents and schools were more likely to select 'not enough alternative provision school places' and other respondents and local authorities were more likely to select that there were 'not enough special school places'. Those that responded 'other' commented that unregistered alternative provision is used for those with medical or complex behaviour needs and those with an EHCP, due to a lack of SEND provision in other settings, to offer vocational/therapeutic learning, for those awaiting legal proceedings or who require one-to-one support.

Reasons	Local authority	Other	Provider	School	Total
Total number of responders by group	32	23	58	22	135
The setting addresses the needs of the young people in ways which cannot be met in a school	27 (84%)	17 (74%)	53 (91%)	17 (77%)	114 (84%)
Not enough alternative provision school places	15 (47%)	15 (65%)	27 (47%)	13 (59%)	70 (52%)
Not enough special school places	19 (59%)	16 (70%)	23 (40%)	11 (50%)	69 (51%)
Other	8 (25%)	2 (9%)	11 (19%)	2 (9%)	23 (17%)
Don't Know / Not Sure	0 (0%)	1 (4%)	1 (2%)	1 (5%)	3 (2%)

**Table 1: Quantitative analysis of question 7 - reasons for using unregistered alternative provision**

Source: DfE Call for Evidence responses November 2022. Base: 135 respondents. Note 1: Percentages are of all respondents of each organisation type. Note 2: multi-response question.

A total of 62 respondents provided optional text answers to the closed question on why unregistered alternative provision is used. Respondents largely spoke about its use in the context of young people with additional needs who require bespoke and flexible learning opportunities. Some respondents suggested that unregistered alternative provision was used due to a lack of specialist placements in the area, whilst others commented on its use to broaden a school's curriculum offer or to support excluded pupils or those at risk of permanent exclusion.

**Need for flexible, bespoke provision (35)<sup>2</sup>**

Many respondents spoke about the use of unregistered alternative provision in cases where a young person requires a flexible, personalised, and bespoke approach to learning, often alongside comments about young people with additional needs (see next section). It was felt by some respondents that mainstream school was not suitable for all young people and that unregistered alternative provision was therefore necessary to meet the needs of those not able to access what respondents viewed as a 'one-size-fits-all' approach to learning.

Respondents felt that unregistered alternative provision offered a personalised and nurturing learning environment that met young people's needs holistically. They cited therapeutic, one-to-one and/or small group approaches to learning offered at unregistered alternative providers, suggesting that this enabled the required focus on the young person's interests and needs to successfully re-engage them with learning. A few also suggested that these approaches can be particularly beneficial for those who have had Adverse Childhood Experiences (ACE) or have experienced trauma, providing them with a safe space to manage emotional dysregulation.

There was also mention of such provision offering a flexible approach that "meets young people where they're at", allowing them to go at their own pace with learning. Respondents highlighted that such provision can be critical to ensuring young people continue to receive an education and gain qualifications when school provision is unable to meet their needs, for example, by offering bespoke vocational pathways or offering services in the home.

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<sup>2</sup> The figure in brackets (here and in subsequent questions) denotes that 35 out of the 135 on-line respondents directly referenced a need for flexible bespoke provision.

Alongside comments about the need for flexible and bespoke unregistered alternative provision, some respondents also highlighted intended or actual outcomes from such provision. These included:

- Supporting young people to build confidence and gain life skills.
- Young people gaining qualifications.
- The personalised, nurturing approach helped to address the reasons why a young person struggles in school.
- Helping young people, particularly those with anxiety, to re-engage with education at a mainstream school or alternative provision school.

### **Young people with additional needs (26)**

Respondents referred to unregistered alternative provision meeting the needs of young people that could not otherwise be met in school, including for young people with SEND, SEMH needs and those with EHCPs. Some respondents listed these groups of young people without offering further detail. Others elaborated further, including comments suggesting that unregistered alternative provision was used:

- Where a young person with SEND is unable to access mainstream school but is too high functioning for the available specialist provision, for example, some young people with Autism Spectrum Disorder (ASD).
- For young people with complex SEMH needs that require a careful and personalised approach to learning. For example, those with anxiety or who are a risk to themselves or others.
- Where a young person is awaiting an EHCP or where their EHCP has identified a need for specialist provision. A few respondents highlighted delays in young people receiving an EHCP, suggesting that unregistered alternative provision can be vital to meeting the needs of some young people during this time, particularly those identified as 'school refusers'.
- Where it was felt that a young person with SEND, particularly those with SEMH needs, would benefit from online learning at home, as an initial step towards re-engagement with education in a physical setting.
- Where a young person is too ill to attend school or are unable to attend school for other reasons, such as school age parents.

A common theme amongst these responses was that unregistered alternative provision 'filled a gap' in cases where respondents felt accessing mainstream school, alternative provision school or specialist provision would not be suitable for a young person.

“Our unregistered alternative provision is meeting the needs of a number of children who struggle to attend mainstream and specialist schools owing to SEN [Special Educational Needs] issues such as autism, anxiety and other SEMH issues that aren't being met by either mainstream or specialist provision.”  
**(Provider representative)**

Some respondents also suggested that mainstream school and the mainstream curriculum was not inclusive of many young people with SEND, particularly those with SEMH needs, and that unregistered alternative provision often provides the one-to-one or small group approach that these young people require. A few respondents also described increasing numbers of young people with identified SEND, particularly SEMH needs, alongside an increasing complexity of need.

Representatives participating in focus groups echoed the comments above, whilst also commonly expressing the view that in recent years, unregistered alternative provision has increasingly been used to meet the needs of SEND young people and those with SEMH needs. Focus group participants reported that, prior to this increase, unregistered alternative provision was primarily used for excluded pupils and young people with challenging behaviour.

#### **Broadens and complements curriculum offer (14)**

Some respondents stated that unregistered alternative provision was used to broaden or complement a school's curriculum offer, whether from a mainstream school or alternative provision school. Examples given included using unregistered alternative provision to complement the timetable of a mainstream secondary school pupil who struggles to cope with a full timetable, or to provide pupils with additional curriculum opportunities such as outdoor learning, life skills development or vocational education.

#### **Lack of suitable specialist provision (12)**

A lack of suitable specialist provision was also cited as a reason for the use of unregistered alternative provision. Where respondents specified the type of provision that was lacking, this included SEN school places, provision for young people with complex SEND and/or SEMH needs and short-term placements. According to a few respondents this issue had been exacerbated by increased demand for specialist provision due to increasing numbers of young people with SEND, particularly SEMH needs. Others cited a lack of strategic planning and funding for specialist and alternative provision schools and a lack of qualified SEN staff as contributing factors.

A few respondents highlighted that unregistered alternative provision can often be used whilst options for alternative provision schools are explored.

One response submitted via email described how young people with SEND can sometimes be placed in unregistered alternative provision when a specialist school would better meet their needs. Another email respondent echoed this, stressing the need to build capacity in the SEND system to reduce the use of unregistered alternative provision for those who would be better placed in specialist schools.

### **Excluded pupils (10)**

A few respondents commented that unregistered alternative provision is used for young people who have been permanently excluded, including to support transition to a new school, or as a preventative measure for those at risk of permanent exclusion. Focus group participants also highlighted the use of unregistered alternative provision for 6th day provision following an exclusion<sup>3</sup>.

Respondents expressed concerns about high rates of permanent exclusion from mainstream schools leading to demand for both registered and unregistered alternative provision outstripping current supply.

### **Other comments (12)**

A small number of respondents highlighted that unregistered alternative provision was sometimes commissioned by virtual schools in cases where looked after young people refuse to attend school or as an interim measure between registered placement changes.

Other respondents commented that they felt the term 'unregistered' was stigmatising, implying that the service provided was lesser quality. There were also comments made emphasising the positive outcomes that can result from young people accessing unregistered alternative provision.

## **Q8. What are the primary placement types that you arrange or deliver within an unregistered alternative provision setting?**

The most common primary placement types arranged or delivered in unregistered alternative provision settings reported by respondents were 'provision for a special educational need' (66% or 89), 'provision for permanently excluded and/or suspended pupils' (62% or 84) and 'provision for medical conditions (mental health need)' (61% or 82). Around half of respondents (50% or 68) selected 'early, preventative support for behavioural needs' and just over a quarter selected

'provision for medical conditions (physical health need)' (35 or 26%). The balance of responses was broadly consistent across the respondent groups.

Those that responded 'other' commented they arranged or delivered provision for school refusers, home-schooled individuals, or for those that cannot find a suitable placement elsewhere. One respondent highlighted unregistered alternative provision being a steppingstone for those who have been disengaged in education for a significant period of time or as an intervention, to aid a transition or to offer temporary support.

Reasons	Local authority (32)	Other (23)	Provider (58)	School (22)	Total (135)
Provision for a special educational need	21 (66%)	10 (43%)	45 (78%)	13 (59%)	89 (66%)
Provision for permanently excluded and/or suspended pupils	18 (56%)	8 (35%)	47 (81%)	11 (50%)	84 (62%)
Provision for medical conditions (mental health need)	18 (56%)	9 (39%)	46 (79%)	9 (41%)	82 (61%)
Early, preventative support for behavioural needs	18 (56%)	5 (22%)	35 (60%)	10 (45%)	68 (50%)
Provision for medical conditions (physical health need)	7 (22%)	5 (22%)	23 (40%)	0 (0%)	35 (26%)
Provision for new arrivals to the local authority	9 (28%)	0 (0%)	12 (21%)	1 (5%)	22 (16%)
I don't currently, or have never, commissioned or provided unregistered alternative provision	0 (0%)	8 (35%)	1 (2%)	2 (9%)	11 (8%)
Other	4 (13%)	2 (9%)	7 (12%)	1 (5%)	14 (10%)

**Table 2: Quantitative analysis of question 8 - primary placement types arranged or delivered**

Source: DfE Call for Evidence responses November 2022. Base: 135 respondents. Note 1: Percentages are of all respondents of each organisation type. Note 2: multi-response question.

Text answers to this question were provided by 44 respondents. In providing further detail on their response to the closed question on placement types, respondents largely cited reasons why a young person may access unregistered alternative provision and/or described the characteristics of the young people accessing such provision in their area.

### Reasons for using unregistered alternative provision (25)

In their text responses to this question, respondents detailed reasons why unregistered alternative provision was used in their area. These included:



- To re-engage young people with education, either re-engaging them with the process of learning generally or with the specific aim of reintegration back into mainstream provision.
- In cases where mainstream school has not been able to meet the young person's needs, it is felt that this is often because the school is unable to provide the individualised, bespoke approach to learning that the young person requires (in many cases a young person with SEND, particularly SEMH needs).
- Short-term provision used for young people awaiting a placement at a specialist school, for new arrivals awaiting a mainstream school place, or an interim placement for an excluded pupil transitioning to a new school.
- As a short-term intervention for those at risk of permanent exclusion.
- To address underlying mental and emotional health needs of young people displaying challenging behaviour.
- Where a young person requires a therapeutic intervention.
- To provide vocational learning opportunities for young people attending a school.
- Where a school wishes to deliver courses or activities that they are unable to deliver themselves.
- Placements used where a state funded AP school is deemed unsuitable due to a young person's SEND, including SEMH needs, or because the local state funded AP school is at capacity.

“Schools use us as an intervention tool that will mean that children can still receive their education in a setting that is not connected to school or their staff. This "blank slate" allows us to build trust in education again and we work with the school towards reintegration.” (*Provider representative*)

### Young person characteristics (26)

Respondents described the characteristics of young people who access unregistered alternative provision in their area, sometimes alongside the comments detailed in the previous section relating to reasons for accessing the provision. The comments here often echoed those made in response to the previous question.

Some respondents spoke in general terms about some students with SEND, particularly SEMH needs, requiring placements in unregistered alternative provision. Others gave more detail, often repeating comments made in answer to question 7a. This included comments stating that unregistered alternative provision was used:

- Where a young person with SEND and/or SEMH needs displays behaviour that cannot be managed in specialist provision.
- For permanently excluded young people.
- For young people with SEMH needs for whom full-time mainstream or specialist education is not accessible or does not facilitate positive outcomes, such as ‘school refusers’.
- Where a young person is Educated Other Than At School (EOTAS).
- Where a young person has an EHCP.
- For young people with medical needs, either mental or physical, which mean they are unable to attend school.

Other respondents made comments about different groups of young people and their ability to access different types of provision, including suggestions that:

- Some specialist provision can be inaccessible to school refusers or those with school avoidance issues.
- It is common for young people accessing unregistered provision to be looked after children, including those awaiting a mainstream school place following a foster or residential placement move.
- Young people with an EHCP who are excluded are often difficult to place in alternative provision schools.

A few respondents also stated that some or all of the young people accessing unregistered alternative provision in their area have an EHCP, including those where an alternative provision school had not yet been identified or where there are insufficient alternative provision school placements available locally.

“Access to specialist registered provision is sometimes difficult for some CYP to access due to emotional based school avoidance or other Social, Emotional and Mental Health (SEMH) needs that have increased alongside their primary need, and that placements within unregistered alternative provision settings might be better suited to addressing these.” (**Local authority representative**)

### Other comments (20)

Most responses not aligning with the above themes stressed the importance of unregistered alternative provision in meeting the needs of young people for which other options have proved inappropriate or inaccessible. Some respondents

expressed concern about potential changes resulting from this Call for Evidence exercise which may restrict the supply or use of such provision.

Other responses included:

- Comments describing quality assurance processes, including monitoring visits, progress updates, and approved provider lists.
- Concerns about a lack of specialist provision for those with SEND and/or SEMH needs and calls for greater investment in this area.
- Comments describing local authority funding arrangements for schools to commission alternative provision placements for on rolled students.
- Suggestions that local authority representatives may be unaware of some placements commissioned directly by schools.

**Q9a. Thinking about the local area you work in, which children and young people’s needs do unregistered alternative provision settings support which cannot be met through existing local school provisions? (Please consider mainstream, special and alternative provision or other independent schools)**

The most common option selected by respondents when answering this question was ‘wellbeing and mental health needs’ (84% or 113), followed by ‘behavioural support (75% or 101). Roughly two-thirds of respondents selected ‘special educational needs and disabilities’ (65% or 88) and ‘vocational and/or practical learning in a work-based environment’ (62% or 84). Around half of respondents (53% or 71) selected ‘academic provision’ and just under a quarter selected ‘prolonged physical illness’ (24% or 33). The balance of responses was broadly similar across all respondent groups, except for schools’ response to ‘special educational needs and disabilities’, with only 23% of school representatives (5) selecting this option compared to around three-quarters of respondents from other representative groups.

Those that responded ‘other’ commented unregistered alternative provision has been able to support those involved in the youth criminal justice system and enables therapeutic learning, core vocational programmes and outdoor learning which are adaptable to meet a learner’s individual needs. Respondents commented that unregistered alternative provision settings are able to provide specialist knowledge for those with additional needs and school refusers, the full spectrum of additional needs and lessons for home schooled individuals are not typically met within mainstream provision.

Which needs are met	Local authority (32)	Other (23)	Provider (58)	School (22)	Total (135)
Wellbeing and mental health needs	27 (84%)	18 (78%)	53 (91%)	15 (68%)	113 (84%)
Behavioural support	23 (72%)	17 (74%)	47 (81%)	14 (64%)	101 (75%)
Special educational needs and disabilities	24 (75%)	17 (74%)	42 (72%)	5 (23%)	88 (65%)
Vocational and/or practical learning in a work-based environment	24 (75%)	14 (61%)	33 (57%)	13 (59%)	84 (62%)
Academic provision	15 (47%)	9 (39%)	40 (69%)	7 (32%)	71 (53%)
Prolonged physical illness	7 (22%)	4 (17%)	20 (34%)	2 (9%)	33 (24%)
Other	1 (3%)	2 (9%)	9 (16%)	2 (9%)	14 (10%)
Don't Know / Not Sure	2 (6%)	2 (9%)	1 (2%)	1 (5%)	6 (4%)

**Table 3: Quantitative analysis of question 9 - needs supported by unregistered alternative provision**

Source: DfE Call for Evidence responses November 2022. Base: 135 respondents. Note 1: Percentages are of all respondents of each organisation type. Note 2: multi-response question.

Text answers to this question were provided by 41 respondents. In providing further detail on why children's and young people's needs cannot be met through existing provisions, respondents suggested that unregistered alternative provision was inclusive and able to provide flexible, bespoke education for those with additional SEND, particularly SEMH needs. The themes identified throughout responses to this question echo those detailed in question 7.

### Support for SEMH or SEND (16)

Respondents felt that unregistered alternative provision was able to meet the complex needs of those with SEND, SEMH needs and those with EHCPs. Some respondents elaborated further, including comments suggesting that unregistered alternative provision was able to:

- Accommodate mental and physical health requirements to ensure young people had access to education.
- Support those with Autism Spectrum Disorder (ASD), Attention Deficit Hyperactivity Disorder (ADHD) or significant sensory needs, through adapting delivery to support specific requirements.
- Offer flexible, short- or long-term support to promote reengagement in education and prevent exclusion.

## Bespoke or specialised provision (13)

Many respondents spoke about the use of unregistered alternative provision in cases where a young person requires a flexible and bespoke approach to learning, often making these comments alongside those detailed above regarding support for young people with SEMH needs and SEND. Some respondents suggested that mainstream school is not always suitable for all young people and that unregistered alternative provision was able to provide a nurturing environment with more specialist staff. Particularly for young people with SEMH needs and SEND, it was felt that the individualised learning and specialised support that they require is often not provided within mainstream schools.

Respondents felt that unregistered alternative provision offered a more holistic approach, able to support personal development opportunities and maintain engagement with education. They cited bespoke curriculums, a personalised approach and the ability to build strong relationships as contributing factors towards developing young people's engagement and promoting regular attendance. A small number of respondents suggested that these approaches can be particularly beneficial for those who have had ACE, experienced trauma or face emotional based school avoidance issues.

“They have the capacity to focus upon the very individual needs of each young person, building relationships, developing engagement, promoting regular attendance and helping the young people to self-regulate where necessary. Many of these young people have experienced trauma and rejection in their lives and need support to move forward.” (***Provider response***)

One email respondent summarised feedback they had gathered from 95 young people accessing registered and unregistered alternative provision. It was reported that the young people valued the small group sizes, greater flexibility and more personalised approach offered at alternative provision compared to mainstream school. However, it was noted that some young people accessing alternative provision due to school exclusion or risk of exclusion felt 'stuck' and wished to return to mainstream school.

### **Case study – bespoke provision**

This unregistered alternative provision offers a range of activities aimed at engaging young people who have been excluded from mainstream school. The provision employs many non-teachers, such as youth workers and vocational specialists, who bring a set of skills and ways of working that are tailored to engaging with excluded young people.

“Being outside the school system and environment we provide a genuine 'fresh start' for young people who have consciously disengaged from the school environment.” (**Provider representative**)

### **Vocational learning (10)**

Some respondents highlighted the use of unregistered alternative provision to offer vocational, practical learning experiences in work-based environments. Examples cited included therapeutic work and work-based courses which support skills development. Respondents suggested that unregistered alternative provision can support young people with additional needs to access vocational pathways. It was felt that such opportunities can be limited in schools, and that unregistered alternative provision can therefore help to meet young people’s needs more holistically.

“As a local area we believe that schools do have the ability to deliver support in all areas except for vocational / work-based learning.” (**Provider representative**)

### **One-to-one/smaller groups (8)**

Some respondents commented on the ability of unregistered alternative provision to offer one-to-one support, which it was felt facilitates a more personalised and nurturing environment through which young people can be supported to positively engage in education. Respondents also highlighted that unregistered alternative provision typically has a higher staff to young person ratio than mainstream schools, which it was felt better supported positive group work and the personal growth of some young people.

“It is not that schools cannot meet the needs of these learners, success in alternative provision is often related to the smaller, bespoke environment with more specialist staff.” (**Local authority representative**)

### **Academic learning (7)**

A few respondents stated that unregistered alternative provision is used in their area to offer academic provision for those with complex needs which cannot be met by other providers. It was felt that this offered an environment for young people to continue to access core subjects outside of mainstream school.

“Academic provision is clearly met in mainstream schools but not for all pupils. Where they are unable to access mainstream school, they need alternative provisions that will still provide education that is underpinned by high aspirations.” (**Provider representative**)

## Reintegration & re-engagement (6)

A small number of respondents commented that unregistered alternative provision is able to offer young people the time and skills required to re-engage with learning. Some respondents viewed unregistered alternative provision as a tool to support reintegration into a mainstream setting in the near future.

## Other comments (15)

A few respondents suggested that online teaching delivered by unregistered alternative providers enables young people to access learning across the country and offers flexibility for those undergoing medical treatment.

Most other responses not aligning with the other specified themes highlighted that unregistered alternative provision is often used when there is no additional support available or as a last resort for young people at risk of exclusion.

Other comments included suggestions that unregistered alternative provision can:

- Offer an independent support network that differs from alternative provision schools.
- Meet the needs of young people involved in criminal activity and anti-social behaviours.

## Q10a. In your experience, how well do you feel unregistered provision meets the needs of children and young people in the following areas: academic

Two-fifths (40% or 54) of respondents selected 'moderately well' when answering this question, with a similar proportion (37% or 50) selecting 'very well'. Just under one-fifth (18% or 24) of respondents selected 'not well', with 4% (6) selecting 'not well at all'. Providers were most likely to answer that unregistered alternative provision meets the needs of young people 'very well' (59% or 34). Local authority representatives were least likely to select 'very well' (9% or 3), however, it is worth noting that 56% of (18) local authority representatives selected 'moderately well'. Local authority representatives and school representatives were slightly more likely to state that unregistered alternative provision met the needs of young people 'not well' or 'not well at all', with 34% (11) of authority representatives and 41% (9) of school representatives selecting one of these options. One respondent did not provide an answer to this question.



How well do they meet needs (academic)	Local authority (32)	Other (23)	Provider (58)	School (22)	Total (135)
Very Well	3 (9%)	9 (39%)	34 (59%)	4 (18%)	50 (37%)
Moderately Well	18 (56%)	10 (43%)	17 (29%)	9 (41%)	54 (40%)
Not Well	10 (31%)	3 (13%)	6 (10%)	5 (23%)	24 (18%)
Not Well At All	1 (3%)	0 (0%)	1 (2%)	4 (18%)	6 (4%)
Not Answered	0 (0%)	1 (4%)	0 (0%)	0 (0%)	1 (1%)
Total	32 (100%)	23 (100%)	58 (100%)	22 (100%)	135 (100%)

**Table 4: Quantitative analysis of question 10a - unregistered alternative provision meets academic needs of children and young people**

Source: DfE Call for Evidence responses November 2022. Base: 135 respondents. Note 1: Percentages are of all respondents of each organisation type. Note 2: percentages may not sum to 100 due to rounding.

### **Q10b. In your experience, how well do you feel unregistered provision meets the needs of children and young people in the following areas: vocational**

Just over half of respondents (51% or 69) or answered that unregistered alternative provision meets vocational needs 'very well', with two-fifths (40% or 54) selecting 'moderately well'. Fewer respondents selected 'not well' (7% or 10) and 'not well at all' (1% or 1). The balance of responses was broadly similar across the representative groups, with most respondents in each group either selecting 'very well' or 'moderately well'. One respondent did not answer.

How well do they meet needs (vocational)	Local authority (32)	Other (23)	Provider (58)	School (22)	Total (135)
Very Well	10 (31%)	14 (61%)	35 (60%)	10 (45%)	69 (51%)
Moderately Well	17 (53%)	5 (22%)	20 (34%)	12 (55%)	54 (40%)
Not Well	5 (16%)	3 (13%)	2 (3%)	0 (0%)	10 (7%)
Not Well At All	0 (0%)	0 (0%)	1 (2%)	0 (0%)	1 (1%)
Not Answered	0 (0%)	1 (4%)	0 (0%)	0 (0%)	1 (1%)



Total	32 (100%)	23 (100%)	58 (100%)	22 (100%)	135 (100%)
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**Table 5: Quantitative analysis of question 10b - unregistered alternative provision meets vocational needs of children and young people**

Source: DfE Call for Evidence responses November 2022. Base: 135 respondents. Note 1: Percentages are of all respondents of each organisation type. Note 2: percentages may not sum to 100 due to rounding.

### Q10c. In your experience, how well do you feel unregistered provision meets the needs of children and young people in the following areas: mental health

Around two-thirds (62% or 84) of respondents answered that unregistered alternative provision meets young people’s mental health needs ‘very well’, with just under one-third (30% or 41) answering ‘moderately well’. Fewer respondents selected ‘not well’ (4% or 6) or ‘not well at all’ (2% or 3). The balance of responses was broadly similar across the different representative groups, although provider representatives were more likely than others to select ‘very well’ (76% or 44). One respondent did not answer.

How well do they meet needs (mental health)	Local authority (32)	Other (23)	Provider (58)	School (22)	Total (135)
Very Well	14 (44%)	14 (61%)	44 (76%)	12 (55%)	84 (62%)
Moderately Well	16 (50%)	6 (26%)	12 (21%)	7 (32%)	41 (30%)
Not Well	2 (6%)	2 (9%)	1 (2%)	1 (5%)	6 (4%)
Not Well At All	0 (0%)	0 (0%)	1 (2%)	2 (9%)	3 (2%)
Not Answered	0 (0%)	1 (4%)	0 (0%)	0 (0%)	1 (1%)
Total	32 (100%)	23 (100%)	58 (100%)	22 (100%)	135 (100%)

**Table 6: Quantitative analysis of question 10c - unregistered alternative provision meets mental health needs of children and young people**

Source: DfE Call for Evidence responses November 2022. Base: 135 respondents. Note 1: Percentages are of all respondents of each organisation type. Note 2: percentages may not sum to 100 due to rounding.

### Q10d. In your experience, how well do you feel unregistered provision meets the needs of children and young people in the following areas: SEND

Just under half of respondents (49% or 66) answered that unregistered alternative provision meets the needs of young people with SEND ‘very well’, with almost two-fifths (39% or 52) selecting ‘moderately well’. Fewer respondents selected ‘not well’

(8% or 11) or 'not well at all' (4% or 5). Provider representatives were most likely to select 'very well' (71% or 41). Local authority representatives were least likely to select this option (19% or 6), however, a majority nonetheless selected 'moderately well' (63% or 23). One respondent did not answer.

How well do they meet needs (SEND)	Local authority (32)	Other (23)	Provider (58)	School (22)	Total (135)
Very Well	6 (19%)	12 (52%)	41 (71%)	7 (32%)	66 (49%)
Moderately Well	20 (63%)	8 (35%)	15 (26%)	9 (41%)	52 (39%)
Not Well	4 (13%)	2 (9%)	1 (2%)	4 (18%)	11 (8%)
Not Well At All	2 (6%)	0 (0%)	1 (2%)	2 (9%)	5 (4%)
Not Answered	0 (0%)	1 (4%)	0 (0%)	0 (0%)	1 (1%)
Total	32 (100%)	23 (100%)	58 (100%)	22 (100%)	135 (100%)

**Table 7: Quantitative analysis of question 10d - unregistered alternative provision meets needs of children and young people with SEND**

Source: DfE Call for Evidence responses November 2022. Base: 135 respondents. Note 1: Percentages are of all respondents of each organisation type. Note 2: percentages may not sum to 100 due to rounding.

### **Q10e. In your experience, how well do you feel unregistered provision meets the needs of children and young people in the following areas: physical illness**

Just over one-third (36% or 48) of respondents answered that unregistered alternative provision meets the physical needs of children and young people 'very well', with 41% (56) selecting 'moderately well'. Fewer respondents selected 'not well' (16% or 21) or 'not well at all' (7% or 9). Provider representatives were most likely to select 'very well' (53% or 31), with local authority representatives least likely to select this option (13% or 4). The balance of responses across representative groups for those selecting 'moderately well' was broadly similar, whilst local authority representatives were more likely than others to select 'not well' (28%). One respondent did not answer.

How well do they meet needs (physical illness)	Local authority (32)	Other (23)	Provider (58)	School (22)	Total (135)
Very Well	4 (13%)	9 (39%)	31 (53%)	4 (18%)	48 (36%)
Moderately Well	15 (47%)	10 (43%)	20 (34%)	11 (50%)	56 (41%)
Not Well	9 (28%)	3 (13%)	5 (9%)	4 (18%)	21 (16%)
Not Well At All	4 (13%)	0 (0%)	2 (3%)	3 (14%)	9 (7%)

Not Answered	0 (0%)	1 (4%)	0 (0%)	0 (0%)	1 (1%)
Total	32 (100%)	23 (100%)	58 (100%)	22 (100%)	135 (100%)

**Table 8: Quantitative analysis of question 10e - unregistered alternative provision meets children and young people needs related to physical illness**

Source: DfE Call for Evidence responses November 2022. Base: 135 respondents. Note 1: Percentages are of all respondents of each organisation type. Note 2: percentages may not sum to 100 due to rounding.

### Q11a. Do you think that the system in use for commissioning and operating unregistered alternative provision advantages or disadvantages children or young people with any protected characteristic/s?

Almost half of respondents answered that unregistered alternative provision 'advantages those with any protected characteristic/s' (49% or 66), whilst 10% (14) stated that it 'disadvantages those with any protected characteristic/s' and two-fifths answered 'don't know / not sure' (40% or 54). This balance of responses was broadly mirrored across local authority, provider and other representatives. The school respondent group differed from this trend, with 59% (13) answering 'don't know / not sure' and 18% (4) answering 'yes it advantages those with any protected characteristic/s'.

Does it advantage protected characteristics	Local authority (32)	Other (23)	Provider (58)	School (22)	Total (135)
Yes it advantages those with any protected characteristic/s	17 (53%)	12 (52%)	33 (57%)	4 (18%)	66 (49%)
No it disadvantages those with any protected characteristic/s	2 (6%)	0 (0%)	7 (12%)	5 (23%)	14 (10%)
Don't Know / Not Sure	13 (41%)	10 (43%)	18 (31%)	13 (59%)	54 (40%)
Not Answered	0 (0%)	1 (4%)	0 (0%)	0 (0%)	1 (1%)
Total	32 (100%)	23 (100%)	58 (100%)	22 (100%)	135 (100%)

**Table 9: Quantitative analysis of question 11 - advantages, disadvantages those children and young people with protected characteristics.**

Source: DfE Call for Evidence responses November 2022. Base: 135 respondents. Note 1: Percentages are of all respondents of each organisation type. Note 2: percentages may not sum to 100 due to rounding.

Text responses to this question were provided by 71 respondents. Respondents mostly offered further detail on why they felt that those with protected characteristics

are advantaged when accessing unregistered alternative provision. Some respondents suggested further measures and policies to help ensure all young people's needs are met, including additional regulation. Others felt that because placements are reviewed based on individual need rather than with regard to protected characteristics, these young people are neither advantaged nor disadvantaged. A few respondents detailed why they felt that those with protected characteristics are disadvantaged by unregistered alternative provision.

### **Individuals with protected characteristics advantaged (30)**

Many respondents described the advantages of unregistered alternative provision for those with protected characteristics, mainly suggesting that the bespoke, flexible and specialist support on offer enables young people with diverse needs to continue to engage in education.

“Unregistered alternative provision settings develop bespoke education packages for individual pupils. The understanding and respect for any young persons protected characteristics including disability, race, gender and sexual orientation is typically higher and more consistent than in a mainstream setting where there are multiple adults and young people within the environment and consequently the awareness of each individual's personal situation is lower.” (***Local authority representative***)

Some respondents highlighted the positive impact of unregistered alternative provision for young people who typically experience varying types of bullying in mainstream settings. Respondents described young people experiencing bullying typically excelling within unregistered alternative provision environments, which can holistically support their needs and learning.

A small number of respondents specifically referenced those with SEND, particularly SEMH needs, being advantaged by unregistered alternative provision, highlighting their ability to access tailored support.

Other comments included suggestions that:

- Those with protected characteristics may benefit from access to more funding.
- Unregistered alternative provision can positively advantage those being supported by youth justice services.
- Unregistered alternative provision facilitates advocacy to ensure the young people's needs are met.

## Concerns about the current system (23)

Many respondents commented on the lack of regulation, monitoring and quality assurance taking place within unregistered alternative provision, with some suggesting that further regulation was required in these areas. Other respondents expressed the need for further regulation in specific areas such as recruitment, staff, General Data Protection Regulations (GDPR), safeguarding policies and Disclosure and Barring Service (DBS) checks. Some respondents also called for further support and guidance to help unregistered alternative providers fulfil their obligations under the Public Sector Equality Duty.

Other respondents made comments about unregistered alternative provision, without explicitly referencing young people with protected characteristics. These included:

- Suggestions that collaboration between schools and unregistered alternative providers, including joint working and regular reviews, would support positive progress towards young people's targets.
- Concerns about inconsistencies in the funding, availability, and standards of commissioned unregistered alternative provision. Respondents highlighted the disparities in provision across local authorities, suggesting that unregistered alternative provision could often be a "postcode lottery".
- Concerns about the complexity of some commissioning processes and the limited availability of placements in some areas. One respondent suggested that the time taken to secure a placement often exacerbates issues the young person is facing and can leave them without sufficient support or access to education.

## Unaffected – young people placed on need basis (9)

Some respondents suggested that, because unregistered alternative provision is allocated on the basis of individuals' needs and the requirements of the young person, all protected characteristics are therefore accounted for.

"Based on the fact that alternative providers are more likely to consider the whole child's needs and offer the flexibility to create tailored provisions, they are less likely to discriminate based on a protective characteristic." (*Other representative*)

## Individuals with protected characteristics disadvantaged (7)

Some respondents highlighted challenges in accessing funding for unregistered alternative provision for those with a protected characteristic but without an EHCP, for example, a pregnant teenager. However, other respondents highlighted the challenges in accessing unregistered alternative provision for those with an EHCP, including young people with SEND or who are looked after children, commenting that

current provision does not meet the needs of young people in terms of placement length.

One respondent submitting an emailed response commented that those with EHCPs are overrepresented in unregistered alternative provision, which the respondent believed are often poor quality and therefore disadvantaged those with protected characteristics.

### **Other comments (10)**

A few respondents felt they did not have sufficient knowledge or experience to answer this question. Other respondents commented that:

- It is not clear if unregistered alternative provision advantages or disadvantages those with protected characteristics.
- If those with protected characteristics require a different type of education provision, this should always be delivered through alternative provision schools.
- Children from ethnic minority groups are disproportionately more likely to be placed in unregistered alternative provision.
- Not all unregistered alternative provision is effective for young people.

### **Emailed responses**

Comments made in emailed responses regarding the use and role of unregistered alternative provision within the SEND and alternative provision system, are largely captured in the themes identified under each question in this section. Email respondents generally commented that unregistered alternative provision is used for young people requiring a bespoke, flexible, and specialised approach to learning. However, a few respondents did express concern about poor quality unregistered alternative provision.

### **Focus groups**

Comments made in focus groups echoed those made by respondents to the online questionnaire about unregistered alternative provision filling a gap for young people whose needs cannot be met in mainstream provision but where specialist or alternative provision school would be unsuitable. For example, high functioning young people with SEND who do not exhibit challenging behaviour.

These were accompanied by comments, again echoing those in previous sections, about a perceived 'one-size-fits-all' approach within mainstream education not meeting the needs of many young people.

Focus group participants suggested that use of unregistered alternative provision is also driven by a lack of special school places and increasing demand from parents of children with EHCPs. It was noted that the past few years had seen a shift in the types of young people accessing unregistered alternative provision, from predominantly those who have been excluded from school to an increase in young people with SEND, particularly those with SEMH needs such as anxiety and school refusers. It was felt this trend had been exacerbated by the COVID-19 pandemic.

Focus group participants also expressed the following views not already captured in the previous sections:

- Suggestion that schools “pick and choose” which young people they feel they can meet the needs of and which they cannot, with no existing incentive for schools to be inclusive, particularly within the Ofsted (Office for Standards in Education, Children's Services and Skills) framework. Whilst specialist schools were identified as being very inclusive, respondents highlighted that they often lacked capacity in the face of increasing demand.
- Comment that unregistered alternative provision tends to be used when all other options have been exhausted.
- Concern that some unregistered alternative providers can appear reluctant to reintegrate young people back into school, possibly due to a fear of losing revenue.
- Frustration about term ‘unregistered’, which respondents felt carried implications of poor-quality provision and was therefore views as derogatory.

## Planning, commissioning, and monitoring placements into unregistered alternative provision

### Q12a. Is there joint strategic planning of how unregistered alternative provision is commissioned in your local area, for example between local schools and the local authority?

Respondents were split almost equally with 31% (42) answering 'yes' and 30% (40) answering 'no'. Nearly two-fifths (39% or 52) answered that they were unsure or did not know. Providers were more likely to answer 'yes' (33% or 19) than 'no' (19% or 11) and schools were more likely to answer 'no' (50% or 11) than 'yes' (23% or 5).

Is there joint strategic planning	Local authority (32)	Other (23)	Provider (58)	School (22)	Total (135)
Yes	14 (44%)	4 (17%)	19 (33%)	5 (23%)	42 (31%)
No	15 (47%)	3 (13%)	11 (19%)	11 (50%)	40 (30%)
Don't Know / Not Sure	3 (9%)	15 (65%)	28 (48%)	6 (27%)	52 (39%)
Not Answered	0 (0%)	1 (4%)	0 (0%)	0 (0%)	1 (1%)
Total	32 (100%)	23 (100%)	58 (100%)	22 (100%)	135 (100%)

**Table 10: Quantitative analysis of question 12a - joint strategic planning in local area**

Source: DfE Call for Evidence responses November 2022. Base: 135 respondents. Note 1: Percentages are of all respondents of each organisation type. Note 2: percentages may not sum to 100 due to rounding.

Text answers to this question were provided by 59 respondents. In providing further detail regarding joint strategic planning in the commissioning of unregistered alternative provision is commissioned, respondents mainly mentioned partnership working between local authorities and schools and quality assurance frameworks.

#### Partnership working (17)

Some respondents described the joint commissioning arrangements that were taking place in their area. In particular, a few referenced the specific arrangements involving partnerships of schools and the local authority in their area. One local authority respondent described how secondary schools in their area had funding through a service level agreement to commission alternative provision. In this area the local authority undertakes quality assurance in terms of safeguarding, health and safety and teaching and learning of providers listed in a directory of approved providers.



Other respondents said that there was some improvement in partnership working but pointed to limitations on collaboration, such as the quality of local authority guidance offered.

“The guidance is thorough although clumsy to administer by those who are not well versed.” (**Provider representative**)

A few respondents said that in their area local schools collaborated with the local authority on quality assurance and safeguarding checks but that there was no overall commissioning agreement or formal joint strategic planning. Another said similarly, that arrangements were “ad hoc” in their area. One provider respondent explained that there was a degree of cooperation but not strategic planning in their area.

### Quality assurance and commissioning (15)

Respondents referenced the quality assurance frameworks operating in their area, in some cases describing the training and support provided by their local authority.

“The local authority carries out quality assurance reviews ... [the LA] has provided a core list of templates and checklists for schools to use when commissioning alternative provision and is in the process of developing a pilot review of how schools commission alternative provision.” (**Local authority representative**)

In a few cases, local authorities explained that they shared a quality assurance framework with neighbouring boroughs.

Diverse commissioning approaches were described by respondents, such as Dynamic Purchasing Systems (DPS), frameworks, approved provider lists and direct awards.

### No strategic planning (11)

A few respondents said there was a lack of strategic planning in their area or that if it did exist then it was not widely known. Others said it would be helpful if it did exist in their area or highlighted the lack of strategic planning by stating that unregistered alternative provision is only ever considered as a last resort.

“Our unregistered alternative provision is always the very last resort and that appears to be the strategic plan!” (**Provider representative**)

“There is a degree of cooperation but not strategic planning from what we have seen. If so, we aren’t involved in it.” (**Provider representative**)

One emailed response echoed this sentiment, commenting that strategic planning does not appear to be common and that unregistered alternative provision seems to be used as “overspill” where other provision is unavailable rather than being used strategically. This respondent also suggested that joint working between schools and local authorities can be ineffective because it is not statutory.

A few respondents said that strategic planning arrangements were in development. A provider respondent said their local authority had recently changed its policy, in response to the SEND and alternative provision green paper, to one where every child is expected to be in a school or an alternative provision school, thus excluding unregistered alternative provision.

One local authority respondent explained that local schools worked independently of the local authority when they commission alternative provision, thus limiting strategic planning. Schools were described as often working within their own Trust and favouring specific provision that they continue to commission due to positive working relationships.

### Other comments (16)

A few respondents said they did not know if strategic planning took place in their area. Respondents who had involvement with multiple local authorities said that it was variable across the councils that they dealt with. In particular, this was described as causing difficulties when families move between local authorities.

## Q12b. If yes, which of the following organisations participate in the strategic planning and commissioning process?

Respondents, who could select multiple organisations, were most likely to answer that local authorities (30% or 40) participate in the strategic planning and commissioning process. This was followed by mainstream schools (24% or 33), unregistered providers (23% or 31), alternative provision schools (21% or 29), and special schools (19% or 25).

Organisations	Local authority (14)	Other (4)	Provider (19)	School (5)	Total (42)
Local Authorities	14 (100%)	4 (100%)	18 (95%)	3 (60%)	40 (95%)
Mainstream schools	11 (79%)	3 (75%)	16 (84%)	3 (60%)	33 (79%)
Alternative provision schools	9 (64%)	2 (50%)	16 (84%)	2 (40%)	29 (69%)
Special schools	6 (43%)	3 (75%)	16 (84%)	0 (0%)	25 (60%)
Unregistered providers	12 (86%)	4 (100%)	14 (74%)	1 (20%)	31 (74%)
Other	2 (14%)	0 (0%)	0 (0%)	0 (0%)	2 (5%)

Don't Know / Not Sure	0 (0%)	0 (0%)	0 (0%)	1 (20%)	1 (2%)
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**Table 11: Quantitative analysis of question 12b - organisations participating in the planning and commissioning process**

Source: DfE Call for Evidence responses November 2022. Base: 42 respondents (those answering 'yes' to Q12a). Note 1: Multi-response question. Note 2: Percentages are of all respondents of each organisation type.

Text answers to this question were provided by 12 respondents. Comments mainly related to the role of local authorities and schools in strategic planning and commissioning processes.

### Local authorities and schools (7)

Some local authority and provider representatives described how joint planning works or said that it was in its infancy. One local authority respondent stated that referrals are completed jointly with schools, followed by weekly and termly reports shared with both organisations, covering agreed outcomes and evidence of progress against those outcomes.

A few school and provider representatives described having operational involvement in commissioning but not being aware of strategic planning with the local authority.

“Schools have an over reliance on the local authority stepping in and solving PEX [permanent exclusion].” (*Other representative*)

### Q12c. How effective, if at all, do you think this joint strategic planning and commissioning process is in meeting local needs that cannot be met in a school?

Over two-thirds of respondents (68% or 92) did not answer this question. A breakdown of responses by respondent type is therefore not provided for this question. Instead, [Table 12](#) shows a breakdown of responses by the percentage of all respondents and the percentage of only those who provided an answer to the question. Those answering the question indicated some degree of effectiveness in the joint strategic planning and commissioning process meeting local needs that cannot be met in a school. The largest group (16) selected 'very effective', 10 selected 'moderately effective' and or 11 selected 'somewhat effective'. A small group (5) selected 'a little bit effective' or 'not effective at all'.

Effectiveness	Number	Percentage of all respondents (135)	Percentage of respondents answering (43)
Very effective	16	12%	37%

Moderately effective	10	7%	23%
Somewhat effective	11	8%	26%
A little bit effective	4	3%	9%
Not effective at all	1	1%	3%
Not Answered	92	68%	Removed
Don't Know / Not Sure	1	1%	3%
Total	135	100%	100%

**Table 12: Quantitative analysis of question 12c - perceived effectiveness of joint strategic planning and commissioning**

Source: DfE Call for Evidence responses November 2022. Bases in (). Note 1: percentages may not sum to 100 due to rounding.

Text answers to this question were provided by 18 respondents. These mainly related to concerns about joint strategic planning and commissioning processes, as well as highlighting areas of good practice.

### Concerns (7)

A few respondents said that the process was generally not working in their area. Other respondents expressed concerns about:

- Limited places available in unregistered alternative provision.
- Local authority pricing set too low for effective provision.
- Local authority staff under “under immense pressure due to workloads”.
- Perceived inflexibility of schools, with suggestion that young people often make more progress with unregistered alternative providers.
- Difficulties in communication between the local authority, school and social services, potentially exacerbated by a lack of in-person meetings during the pandemic, leading to some confusion despite what was viewed as an effective joint commissioning process.

### Good practice (5)

Three unregistered providers, two from the same local authority, said their local authorities commissioning arrangements worked and were well utilised. One said that other local authorities do not use the process effectively and that many local authority staff are unaware that they even have a DPS for unregistered alternative provision.

One local authority respondent also indicated that the process was working in their area.

“Feedback from schools as part of the partnership is positive with regard to the strength of the commissioning arrangements and placement decisions that are made regarding individual [pupils]. As a result, there is also evidence to suggest that this is having a positive impact on outcomes for students, reducing the risk of exclusion and supporting better identification of SEND.” (***Local authority representative***)

A few local authority respondents said that unregistered providers were now more accountable because of a more effective commissioning process.

One local authority respondent described the arrangements that had been put into place in their area. This involved a primary head teacher inclusion group and secondary head teacher governance group working with the local authority to identify alternative provision (including unregistered provision) to inform work with providers to build their business to meet identified needs. In addition, all schools were asked to submit regular data to the local authority about their use of alternative provision.

### **Other comments (7)**

Other responses mainly related to suggestions for improvement.

One local authority respondent said that joining up social care and education commissioning with a more strategic approach, as well as a more clearly defined statutory duty for local authorities, would be more effective than current arrangements.

Another local authority respondent said that schools should directly work with unregistered providers to build relationships and keep the focus on the pupils they place. They emphasised that the local authority’s role should be on quality assurance so schools know the provider is safe and of a high quality.

One provider respondent said that continuous quality assurance from commissioning schools varies beyond initial due diligence, therefore, they felt that this process could be more formalised or standardised. They suggested that their local authority could insist that all unregistered providers are quality checked and audited on an annual or three-year basis, because at present this is a voluntary process where unregistered providers have to put themselves forward to be quality checked.

## Q12d. Do any other institutions or organisations (including schools) commission unregistered alternative provision outside of these joint planning commissioning arrangements?

Over two-thirds (68% or 92) of respondents did not answer this question. A breakdown of responses by respondent type is therefore not provided for this question. Instead, [Table 13](#) shows a breakdown of responses by the percentage of all respondents and the percentage of only those who provided an answer to the question. A total of 33 respondents answered 'yes', with 3 answering 'no' and 7 answering that they did not know or were not sure.

Do institutions commission outside of joint strategic planning	Number	Percentage of all respondents (135)	Percentage of those answering (43)
Yes	33	24%	77%
No	3	2%	7%
Don't Know / Not Sure	7	5%	16%
Not Answered	92	68%	Removed
Total	135	100%	100%

**Table 13: Quantitative analysis of question 12d - commissioning outside of joint planning arrangements**

Source: DfE Call for Evidence responses November 2022. Base in (). Note 2: percentages may not sum to 100 due to rounding.

Text answers to this question were provided by 17 respondents. Comments mainly related to school commissioning of unregistered alternative provision.

### School commissioning (10)

Most respondents commented that schools or academies directly commission unregistered alternative provision, whilst one local authority respondent stated that the virtual school commissions placements. One respondent highlighted that whilst their local authority has an unregistered alternative provision framework, schools often commission providers that are not on the framework. Another respondent described how schools may use EHCP budgets to directly commission unregistered alternative provision, however, this was felt to be challenging as the funding can run out prior to the young person being ready to transition back to mainstream provision.

## Other comments (7)

Other commissioners referenced by respondents include social care services commissioning provision for short periods, for example, through the adoption support fund or parents of home education children commissioning short-term provision to enable their children to access group sessions.

One provider respondent described collaboration between the school, the local authority and the provider to ensure strategic planning. Another highlighted collaboration between social services, youth offending teams and local youth trusts through multi-agency meetings covering unregistered alternative provision placements.

Other comments included references to quality assurance arrangements, including advice and guidance provided to schools by local authorities on quality assurance prior to commissioning, and use of an approved directory of providers, with associated guidance to schools around their quality assurance responsibilities.

### Q13a. Thinking about your local area, is there any form of locally organised process which has oversight of and/or scrutiny of decisions about individual placements into and out of unregistered alternative provision settings?

Almost half (48% or 65) of respondents answered 'yes', identifying there is a locally organised process. A smaller proportion (22% or 30) answered 'no', there is no local process, with 30% (40) answering that they are unsure as to whether this process occurs.

Is there any form of locally organised oversight	Local authority (32)	Other (23)	Provider (58)	School (22)	Total (135)
Yes	21 (66%)	6 (26%)	29 (50%)	9 (41%)	65 (48%)
No	8 (25%)	6 (26%)	8 (14%)	8 (36%)	30 (22%)
Don't Know / Not Sure	3 (9%)	11 (48%)	21 (36%)	5 (23%)	40 (30%)
Total	32 (100%)	23 (100%)	58 (100%)	22 (100%)	135 (100%)

**Table 14: Quantitative analysis of question 13a - locally organised process for oversight or scrutiny**

Source: DfE Call for Evidence responses November 2022. Base: 135 respondents.

Note 1: Percentages are of all respondents of each organisation type. Note 2: percentages may not sum to 100 due to rounding.

**Q13b. If yes, please describe this process and who maintains it. Otherwise, please outline any personal priorities you consider important for overseeing placements into and out of unregistered alternative provision settings?**

Text answers to this question were provided by 88 respondents. Most commonly, respondents identified the use of multi-agency panels in decision making, whilst others highlighted other local authority approval processes. Some respondents also described local authority quality assurance processes for the use unregistered alternative provision.

**Panels (22)**

Several respondents made comments relating to the use of panels for decisions to be made. Most commonly, these panels were identified as Fair Access Panels. Other panels mentioned related to specific needs of young people such as SEND panels and complex needs and care panels.

However, it must be noted that some of the references to Fair Access Panels related to individuals being placed in alternative provision schools. These respondents made further comments that these panels are not used for unregistered alternative provision as this is most often commissioned by schools.

Individuals named who are included in the panels are:

- Local authority representatives.
- Social workers.
- School Special Educational Needs Coordinators (SENCo).
- Parents/carers.
- Specialist advisors.
- Therapists and/or medical personnel.



### **Case study – Fair Access Panel**

Where a young person comes through the Fair Access Panel and unregistered alternative provision is deemed appropriate, the child will still be placed on a school roll (either mainstream school or pupil referral unit). Additional funding required for the placement can be reclaimed through the Fair Access Panel, however, the school or pupil referral unit is responsible for deciding on the appropriate provision for the young person.

For pupils with EHCPs the local authority replicates the statutory process of placing pupils in schools when placing in unregistered alternative provision. The local authority has oversight and will make the decision about placing the pupil into any unregistered alternative provision whether the pupil is on roll at a school or not. Those with EHCPs will have placements arranged through formal annual review processes. Parents and pupils are given rights of appeal to any decision to place a pupil into an unregistered provision.

The Virtual School monitor and report on outcomes for all children in care attending alternative provision. The Virtual School have a team of Education Support Officers, who have responsibility for monitoring individual children's educational outcomes. Schools are required to report to the Virtual School any child in care for whom they are seeking alternative provision. Schools are required to consult and liaise with the Virtual School when exploring alternative provision.

The Virtual School commission a company to collect attendance and educational outcomes data for all children in care. The data and intelligence is subsequently analysed by the Education Support Officers to ensure children are receiving quality provision.

### **Local authority approval processes (16)**

A small number of respondents mentioned that local authorities lead and maintain any processes where young people are placed into alternative provision. Some comments only identified the local authorities as leads, whereas others provided more detail. Examples included:

- Individual alternative education plans created by the school which are submitted for review by the local authority.
- Quality assurance visits take place and monthly updates on young people are provided to the local authority.
- Unregistered alternative provision submits a proposal of how they will meet the young person's needs, as identified on their EHCP. This is requested by a SEND caseworker and signed off by the Head of the SEND service and Head of Education.

## Quality assurance process (14)

Some respondents identified a quality assurance process is taking place. Those suggesting such practice is already in place, commonly naming local authority representatives as those who quality assure, with some direct reference made to SEND and SEMH teams. A few representatives from schools, academies or virtual schools highlighted that they complete quality assurance when a young person is placed into unregistered alternative provision. A few unregistered alternative providers also mentioned being voluntarily Ofsted registered (as childcare providers) or held to these standards by their local authority.

A few local authority respondents who submitted emailed responses described the use of quality assurance templates, with one highlighting that this was developed using DfE guidance and Ofsted frameworks and was focused on young people's progress. Another local authority email respondent mentioned that, as part of their quality assurance processes, the local authority regularly reminds schools of their statutory responsibilities regarding compliance and safeguarding.

### Case study – local authority quality assurance

The local authority education directorate has a designated quality assurance role. This role focusses on the monitoring of local authority commissioned placements into unregistered alternative education settings. This includes young people on a school roll and those who do not have school roll status. The local authority does not oversee school or agency commissioned placements into unregistered alternative education.

## Don't know detail (11)

A small number of respondents commented that although they know there is some form of process, they are not aware of the details.

## Prioritise young person's needs (9)

A small number of respondents identified the needs of the young person moving into provision as an important factor. All these comments related to suggestions, rather than known practices in place already.

These respondents recommended that young people's views and needs should be considered when selecting a provider outside of school-based provision. A couple of these respondents discussed that it could help with buy-in from the young person.

A few of these respondents also discussed that the focus should lie on meeting the needs of the young person at the most appropriate provision, rather than focussing on the cost of each placement. Some also discussed that the decision should lie with the individuals who know the young person the best, such as current and past teachers, parents and any other professionals regularly engaged with the young person.

### **Regional variation (6)**

A few unregistered alternative providers commented that there is variation in how decisions are made across local authorities and areas they work with so felt they could not comment on a consistent process.

### **Other comments (10)**

Other comments made by respondents were:

- Calls for an improvement in the commissioning process to include quality assurance where there it is not already in place for unregistered alternative provision.
- Suggestions for local authorities to have approved lists of providers.
- Setting policies or procedures for schools to follow when commissioning unregistered provision for young people.

### **Q13c. Based on your experience, which organisation or body do you think is best placed to oversee individual placement decisions into and out of unregistered alternative provision settings?**

Just over one-quarter of respondents (27% or 36) answered that 'the commissioner' is best placed to oversee placement decisions, with just over one-fifth (21% or 29) answering 'local placement panel'. One-in-ten respondents answered a 'fair access panel' (10% or 13) and 7% (9) answered a 'local specialist school'. One-fifth (20% or 27) responded 'don't know / not sure'. This balance of responses was broadly reflected across respondent groups.

<b>Bodies best placed to oversee placement decisions</b>	<b>Local authority (32)</b>	<b>Other (23)</b>	<b>Provider (58)</b>	<b>School (22)</b>	<b>Total (135)</b>
The commissioner	10 (31%)	5 (22%)	14 (24%)	7 (32%)	36 (27%)
Local placement panel	12 (38%)	1 (4%)	11 (19%)	5 (23%)	29 (21%)
Fair access panel	1 (3%)	5 (22%)	6 (10%)	1 (5%)	13 (10%)
Local specialist school	0 (0%)	2 (9%)	4 (7%)	3 (14%)	9 (7%)
Other	4 (13%)	3 (13%)	10 (17%)	4 (18%)	21 (16%)
Don't Know / Not Sure	5 (16%)	7 (30%)	13 (22%)	2 (9%)	27 (20%)
<b>Total</b>	<b>32 (100%)</b>	<b>23 (100%)</b>	<b>58 (100%)</b>	<b>22 (100%)</b>	<b>135 (100%)</b>

**Table 15: Quantitative analysis of question 13c - organisations or bodies best placed to oversee placement decisions.**

Source: DfE Call for Evidence responses November 2022. Base: 135 respondents. Note 1: Percentages are of all respondents of each organisation type. Note 2: percentages may not sum to 100 due to rounding.

Text answers to this question were provided by 50 respondents. Most commonly, respondents discussed the characteristics of an effective commissioner and overseeing body, which included the local authority, a local placement panel and schools. Respondents highlighted the need for a multi-agency approach which encourages positive placement and some also suggested that parents should have more of a role in placing and overseeing unregistered alternative provision placements.

### **Commissioner (16)**

Many respondents discussed commissioners' roles and responsibilities in ensuring young people are best placed in unregistered alternative provision.

Several commented that overall responsibility and oversight should lie with the commissioner, suggesting that this enables effective joint working between providers and commissioners. A few respondents highlighted that parents should also be included in the placement process to advocate for the needs of the young person. One provider respondent felt that placement decisions should solely lie with the commissioner to avoid unnecessary bureaucracy and prevent delays in a process they feel is already too long.

Respondents commented that commissioners must be able to oversee key reporting and review processes in addition to being aware of the needs and aspirations of the

young people accessing placements. One respondent also commented that the commissioner needs to be suitably trained in the policies and procedures associated with unregistered alternative provision to ensure all relevant standards are met.

One respondent felt that commissioners should be responsible for placement decisions apart from decisions regarding those with an EHCP. It was felt these decisions should remain with the integrated SEND service through a local placement panel and tracked via the commissioning body with close links to the relevant organisations.

### **Panels (11)**

Several respondents felt that a local placement panel would be best placed to oversee the placement process, with many not offering further reasoning for this view. One respondent felt this would enable learners' needs to be better targeted due to increased data sharing and impartiality. The respondent felt a panel process would increase the chances of correct placements first time, reducing the challenges associated with re-placement. However, it was felt this process would need to be regularly reviewed to ensure unregistered alternative provision placements are still meeting the needs of the young person.

“Local Placement Panels should be multidisciplinary. The panel should encourage and actively facilitate input from all agencies working with a young person and/or highlight agencies that may need to become involved to ensure needs are met. The Local Placement Panel should also consider parent/carers views and the voice of the child. Placement panels would also be a protective factor for those young people who are currently not on roll to a school/setting as the forum to ensure professional accountability.” (***Local authority response***)

A few respondents questioned the subjectivity of a commissioner, suggesting a panel would be better suited to ensure the most appropriate provision is commissioned based on the young people's needs as opposed to the commissioners' own requirements, budget, and policies. However, they suggested this should be dependent on the placement length to avoid excessive workload for short placements. Similarly, one local authority respondent expressed the view that whilst the commissioner should be responsible for the QA process, placement decisions should be conducted by a local placement panel that are able to understand the young person's needs.

A few respondents also highlighted the need for collaboration, including between schools, PRUs, parents/carers and other local organisations and agencies.

Others felt that Fair Access Panels would be best placed to oversee placement decisions, with a few respondents suggesting that such panels would require an overarching understanding of local unregistered alternative providers and that representation of key stakeholders on the panel, such as school leaders, would increase their effectiveness.

One respondent providing feedback via email felt that it could be difficult for an organisation to scrutinise placement decisions without a registration and inspection system.

“We believe it will be difficult for any organisation or body in an oversight role to meaningfully scrutinise individual placement decisions without a system of registration and independent inspection. The existence of independent information on the quality of education and safeguarding practice will be particularly important if the oversight body has a decision-making role, rather than a purely advisory one (i.e. the oversight body is able to approve or reject potential placements and an appeals process exists for parents or commissioners who disagree with the decision).” (***Email respondent***)

### **Local Authority (7)**

A few respondents commented the local authority would be best placed to oversee unregistered alternative provision, highlighting they have a holistic view of young people’s needs and have an existing SEND team. One respondent highlighted that local authorities are able to be held accountable and can undergo independent reviews to ensure successful monitoring and reviews are taking place.

### **Parents (7)**

Several respondents expressed the need for parents and carers to be involved in overseeing unregistered alternative provision. Respondents suggested that parents have the best understanding of their child’s individual needs and requirements and can provide reflective feedback throughout the placement process.

“Parents should be heard as they know which providers can offer suitable provision for their child’s individual needs which are often complex and bespoke.” (***Other representative***)

### **Schools (6)**

A small number of respondents highlighted that schools are often best placed to understand the needs of a young person requiring unregistered alternative provision. An alternative provider respondent expressed she felt SENCOs were more appropriately situated to make placement decisions in comparison to local authority officers.

Two respondents felt local specialist schools were best placed, highlighting specialist schools are knowledgeable of a learner’s needs and the provision which could best support them. An unregistered alternative provider felt themselves, as a provider, would be best placed to oversee young people in collaboration with the virtual school and mainstream schools.

### Other comments (6)

A few respondents discussed the need for a multi-agency approach, suggesting that this would help ensure provision is in line with young people’s needs and their best interests. It was also felt that this would enable shared ownership of outcomes.

Other comments not aligning with the other specified themes included:

- Suggestion that the role of the local authority education advisor could include overseeing unregistered alternative provision.
- Suggestion that the body overseeing unregistered alternative provision needs to be consistent and to ensure support is accessed in a timely manner, as well as being well informed about the young person being placed and the available unregistered alternative provision in the local area.
- Suggestion that those at the highest level should oversee provision, using a ‘what works’ approach to ensure positive outcomes. It was felt there needs to be clearer guidance and regulation to ensure children and young people are being best placed, as wrong placement decisions can have a negative impact on young people.

### Q13d. Should some or all placements into unregistered alternative provision settings be decided by a multi-agency panel. Do you feel this is only necessary for certain types of placements?

Just over one-quarter (27% or 36) of respondents answered that ‘all’ placements should be decided by a multi-agency panel, with just under half (46% or 62) answering that ‘some’ placements should be decided by a multi-agency panel. Smaller proportions selected ‘none’ (12% or 16) or ‘don’t know / not sure’ (16% or 21). This balance of responses was broadly mirrored across respondent groups.

Should placements be overseen by panels	Local authority (32)	Other (23)	Provider (58)	School (22)	Total (135)
All	10 (31%)	3 (13%)	18 (31%)	5 (23%)	36 (27%)
Some	17 (53%)	12 (52%)	23 (40%)	10 (45%)	62 (46%)
None	2 (6%)	2 (9%)	7 (12%)	5 (23%)	16 (12%)



Don't Know / Not Sure	3 (9%)	6 (26%)	10 (17%)	2 (9%)	21 (16%)
Total	32 (100%)	23 (100%)	58 (100%)	22 (100%)	135 (100%)

**Table 16: Quantitative analysis of question 13d - whether placements should be decided by a multi-agency panel**

Source: DfE Call for Evidence responses November 2022. Base: 135 respondents. Note 1: Percentages are of all respondents of each organisation type. Note 2: percentages may not sum to 100 due to rounding.

Text answers to this question were provided by 30 respondents. Reasons why respondents felt that only some placements should be decided by a multi-agency panel included suggestion that schools are often best suited to make placement decisions, especially for time-limited placements. Those that felt all placements should be decided by a multi-agency panel mostly felt this would enable a more holistic assessment of need. Various other responses touched on points already covered in previous questions.

### **Reasons why some placements should be decided by multi-agency panel (7)**

Respondents discussed the benefits of schools maintaining some autonomy over unregistered alternative provision placing, as respondents felt schools are effective in recognising challenging behaviour, implementing interventions and are more suited to effectively introducing time limited placements. It was highlighted that schools use unregistered alternative provision as an additional resource to support mainstream learning, so removing the ability for schools to make decisions would impact the collaborative relationship between schools and unregistered alternative providers.

A few respondents felt use of a multi-agency panel should be dependent on the nature of the young person.

### **Reasons why all placements should be decided by multi-agency panel (6)**

A small number of respondents felt that a multi-agency approach enables young people to have their situation considered and reflected on, enabling them to receive wrap-around support their education. Respondents suggested that this approach would ensure equality and accountability, as well as providing the best opportunity for a young person's needs to be met. A few respondents also felt that this approach would give professionals an opportunity to discuss appropriate assessments relating to undiagnosed SEMH or SEND which would enable further support. In addition, one respondent commented that multi-agency panel would have more depth of understanding and could ensure that only high-quality safe placements are used, placing only in settings which would address identified needs.



## Other comments (17)

Other responses included the following themes:

- No placements should be decided by a multi-agency panel as the organisation funding the placement should be able to determine the best fit.
- A multi-agency panel would delay placement, especially for those still accessing school. Plus, some respondents felt it would add cost and reduce effectiveness.
- Those currently involved with the child (for example parents, the local authority and SEND case workers) would have a better understanding of the young person's needs and would place in the best interest of the child as opposed to efficiently using resources.
- The commissioner must have in-depth knowledge of the unregistered alternative provision settings.
- Concerns in the length of time unregistered alternative provision are commissioned for per week e.g., only three days per week, this can preclude them a full-time education elsewhere.
- Further guidance needed when unregistered alternative provision is determined by a tribunal or court order.
- Use EOTAS leads to oversee placements, monitoring and reporting.
- Unregistered alternative providers are insufficiently knowledgeable or experienced to meet EHCP outcomes.
- To date, there is insufficient guidance and regulation in place, this needs to be addressed prior to introducing a multi-agency panel. One respondent suggested using the same framework used for alternative provision schools.
- Provision should be registered or affiliated to a local alternative provider trust to ensure safer recruitment, safeguarding and plan needs are met.

An email respondent felt it was unclear whether the multi-agency panel proposal was additional or part of a proposal for a statutory framework around pupil movements. They felt that all unregistered alternative provision should be decided by multi-agency panel, to ensure oversight in the absence of a registration process.

### **Q13e. If you answered 'some', what type of placements should be decided by panel?**

A total of 30 respondents provided detail on the types of placements they thought should be decided by a panel. These comments, which mainly centred around young

people with SEND, those with an EHCP, and complex cases, are summarised in [Table 17](#).

Placement type	Detail provided
Those with SEND (19)	<p>Many respondents highlighted that individuals with SEND should be supported by a multi-agency panel to ensure support for those with additional needs, vulnerabilities and challenges. A wider group of professionals can ensure improved decision making and offer additional support to create a successful child-centred placement.</p>
Those with an EHCP (11)	<p>Several respondents felt a multi-agency approach would benefit those with an EHCP. A local authority representative felt this would work effectively as the local authority is currently responsible for overseeing provision for those on an EHCP.</p> <p>An unregistered alternative provider commented that a multi-agency approach is only necessary when education provision is specified within an EHCP. A local authority representative suggested the multi-agency panel members would need to have sufficient training in order to carry out the EHCP statutory process.</p>
Complex cases (11)	<p>Several respondents referenced that highly complex cases would benefit from a multi-agency panel, including those with SEND, looked after children, excluded pupils, and vulnerable young people. It was felt that a panel approach would ensure that provision is matched appropriately to specific needs and that a team around the child is formed for the purposes of monitoring and reviewing the provision and its suitability. One respondent providing feedback via email commented that, whilst complex cases should be decided by a multi-agency panel, if this approach was used for all cases, it would cause unnecessary delays.</p>
Social care child protection plan related (7)	<p>Respondents felt that a multi-agency panel would be required for those on child protection plans, looked after children, and those involved in social care. It was suggested that this approach provides significant oversight and incorporates a wide range of professionals.</p>
Vulnerable cases with protected characteristics (4)	<p>Respondents suggested a panel for supporting vulnerable individuals, e.g., young people who are NEET or those with protected characteristics would be benefited by this approach.</p>
Those with SEMH challenges (4)	<p>Individuals with SEMH needs have been identified as benefiting from a multiagency approach. An unregistered alternative provider describes the successes of commissioned multi-agency panel placements, these have included local</p>

	authorities, schools, hospitals and outreach services, virtual schools and SEMH provisions.
Health-medical needs (4)	One respondent felt a multi-agency panel is only necessary when there are significant health needs and specialist support is required, other respondents felt those who have health needs identified on an EHCP should also be supported by a multi-agency panel, as this can ensure that all services supporting a child are involved in decision making, and as a result the quality of decision making is improved.
Other placement types (14)	<p>Other young people suggested by respondents included those excluded from school, those with limited parent/carer support, those who are not on a school roll, and young people who are struggling at school or who require early identification of learning needs. In addition, instances where there is limited specialist placement provision or for placements with lone working or minimal supervision, as well as placements involving high risk activities, were also cited as situations where a multi-agency panel would be required.</p> <p>A few respondents felt the length of placement determines the need for a multi-agency approach, suggesting that short- or one-day placements do not require panel input. However, one respondent felt that those requiring an EOTAS package would be suitable for a multi-agency panel approach.</p> <p>Additional responses suggested that, for those with undiagnosed conditions and for individuals where existing special or independent school provision is insufficient, a multi-agency approach may help establish how needs can be met.</p>

**Table 17: Placement types that should be decided by panel**

Source: DfE Call for Evidence responses November 2022.

“For more complex cases where they have reached the threshold for local authority support e.g. An EHCP has been put in place, a multi-agency panel is the most appropriate body to determine the range of services required to meet the broader needs of the young person concerned. In these instances, whether registered or unregistered, the provider should be expected to report regularly to all representatives on the panel and support regular reviews of the services being provided to ensure they continue to support the objectives set for each young person concerned.” (***Provider representative***)

### Concerns about multi-agency panels (7)

A small number of respondents expressed concerns about the use of multi-agency panels, commenting that they can be time consuming and not focused on the needs of the young person. A few described how the panel can be impersonal and decisions are often made by those who have not met the young person or who have

limited understanding of the young person’s needs. An individual with experience in the use of unregistered alternative provision commented that a successful panel should include parents who are able to articulate the child or young person’s need. A local authority respondent suggested that decisions made through a panel could exacerbate inequality for young people placed in unregistered alternative provision.

### Q14a. Does your local area use a quality assurance framework?

Across all respondents, 60% (81) answered ‘yes’, their local area uses a quality assurance framework, whilst 7% (10) answered ‘no’ and 33% answered ‘don’t know / not sure’. Local authority representatives were most likely to answer ‘yes’ (78% or 25), although it is worth noting that 16% (5) of local authority representatives stated that they do not use a quality assurance framework. Other representatives were most likely to answer ‘don’t know/not sure’, with over two-thirds (70% or 16) selecting this option. Provider and school representative responses to this question were broadly similar, with 64% (37) and 59% (13) respectively answering ‘yes’ and 33% (19) and 32% (7) respectively answering ‘no’.

Does the local area use a QA framework	Local authority (32)	Other (23)	Provider (58)	School (22)	Total (135)
Yes	25 (78%)	6 (26%)	37 (64%)	13 (59%)	81 (60%)
No	5 (16%)	1 (4%)	2 (3%)	2 (9%)	10 (7%)
Don't Know / Not Sure	2 (6%)	16 (70%)	19 (33%)	7 (32%)	44 (33%)
Total	32 (100%)	23 (100%)	58 (100%)	22 (100%)	135 (100%)

**Table 18: Quantitative analysis of question 14 - the local area uses a quality assurance framework**

Source: DfE Call for Evidence responses November 2022. Base: 135 respondents. Note 1: Percentages are of all respondents of each organisation type. Note 2: percentages may not sum to 100 due to rounding.

### Q14b. If you select ‘no’ or ‘don’t know / not sure’, please include what other measures, if any, that you know of that are being used to monitor the quality of unregistered alternative provision?

Text responses to this question were provided by 48 respondents. Most described school and local authority measures for monitoring the quality of provision they commission, including checking safeguarding practices and policies, staff qualifications and experience, and public liability insurance, along with visiting placements to check on young people and speak to staff.

## **School measures (16)**

Some respondents stated that schools were responsible for monitoring the unregistered alternative provision they commission. School monitoring measures were described, including checking:

- Policies such as safeguarding and health and safety.
- Public liability insurance.
- That staff are appropriately trained, including first aid training, and hold enhanced DBS checks.

Respondents also described school staff visiting placements to monitor safeguarding practices and check on young people's wellbeing. One respondent described these checks being completed but highlighted that quality assurance of curriculum delivery was not typically carried out. Another described the local authority conducting monitoring visits, with schools responsible for quality assuring curriculum delivery using a benchmarking tool.

A few respondents described schools working with the unregistered alternative provision they commission to develop plans for quality assurance and monitoring young people's progress, or schools developing strong links with provision they have experienced as good quality.

## **Local authority measures (12)**

Descriptions of local authority monitoring measures included:

- Requesting provider information such as staff qualifications, experience and DBS status, company privacy and safeguarding policies, insurance details, along with a statement outlining why the provision will meet the needs of the young person.
- Reviewing attendance records and young people's progress reports.
- Day to day monitoring by local authority key workers. However, there was concern expressed about high caseloads impacting these practitioners' ability to effectively monitor and support young people's progress and wellbeing.
- Using a DPS framework and bid process to score providers against quality and safeguarding criteria before approving them for use by schools.

A few provider respondents working across multiple local authorities described significant variation in monitoring measures, ranging from some of those described above to minimal or no monitoring, such as only requesting information about costs and billing. One highlighted that their local authority developed a quality assurance

framework, but it is not used in practice due to budget constraints and it being a non-statutory function.

### **Other measures (8)**

Other monitoring measures described by respondents included:

- Meetings between provider staff and parents to review the progress of a young person.
- Meetings between provider staff and the EHCP specialist team.
- Providers sharing reports on young people's progress with commissioners.
- Ofsted frameworks, including the new Ofsted framework for accreditation for online education providers.

A few respondents also made general comments that unregistered alternative providers have their own quality assurance measures, without specifying what these were.

### **Don't know or are unsure (10)**

Some respondents commented that they were unaware of whether quality assurance frameworks were used in their area, or that they were aware of the existence of quality assurance frameworks but were unsure whether they are used by commissioning schools or local authorities. A few also expressed doubts about the consistency of placement monitoring by commissioning schools.

### **Other comments (12)**

Suggestions were made that quality assurance should be the responsibility of the commissioning school, however, others expressed concern that this can often be burdensome for schools given existing time pressures, risking errors in quality assurance. A few respondents suggested that placements should only be commissioned from a list of approved providers, informed by minimum standards regarding insurance, staffing and safeguarding. There were also concerns that a shortage of placements can result in local authorities only conducting minimal quality assurance checks.

One respondent suggested schools and parents should be responsible for quality assurance, whilst also expressing concern that parents were not mentioned more within the Call for Evidence, given the legal responsibility they have for their child's education.

A few respondents used the open text box to emphasise that their area had no quality assurance measures in place.

### Q14c. Thinking about your local area, are there any standards or metrics used to measure whether unregistered alternative providers are meeting the needs of the children and young people?

Overall, 44% of respondents (59) answered 'yes', there are standards or metrics used, with 17% (23) answering 'no' and 39% (53) answering 'don't know/not sure'. This means that a combined 56% (76) either do not use standards or metrics to measure whether providers are meeting needs or are unaware of their use. Local authority representatives were most likely to answer 'yes' (75% or 24). Across all representative groups, similar proportions answered 'no' (16% - 18%). Other representatives were most likely to answer 'don't know/not sure' (65% or 15).

Are there any standards or metrics	Local authority (32)	Other (23)	Provider (58)	School (22)	Total (135)
Yes	24 (75%)	4 (17%)	24 (41%)	7 (32%)	59 (44%)
No	5 (16%)	4 (17%)	10 (17%)	4 (18%)	23 (17%)
Don't Know / Not Sure	3 (9%)	15 (65%)	24 (41%)	11 (50%)	53 (39%)
Total	32 (100%)	23 (100%)	58 (100%)	22 (100%)	135 (100%)

**Table 19: Quantitative analysis of question 14c - are standards or metrics used in your local area for measuring whether needs are being met**

Source: DfE Call for Evidence responses November 2022. Base: 135 respondents. Note 1: Percentages are of all respondents of each organisation type. Note 2: percentages may not sum to 100 due to rounding.

Text answers to this question were provided by 67 respondents. Respondents described mechanisms used to measure whether unregistered alternative providers are meeting the needs of young people, typically regular reports and review processes. Respondents also reported key metrics used, including attendance, attainment, and measures of emotional wellbeing, amongst others.

#### Mechanisms (45)

Mechanisms for assessing whether unregistered alternative providers are meeting the needs of young people mentioned by respondents are outlined in the [Table 20](#).



Mechanism	Detail provided
Reports, updates and reviews (23)	<p>Most respondents describing mechanisms for measuring whether unregistered alternative providers are meeting the needs of young people mentioned the use of reports and review processes.</p> <p>Those that provided detail described unregistered alternative providers sharing reports on young people’s progress against agreed outcomes or key performance indicators (KPIs). In terms of the frequency of these reports, a range of time periods were described, from daily or weekly to termly. Annual reports were also mentioned in relation to EHCP annual reviews, where a young person’s progress is reviewed against target outcomes, although these respondents also typically described more frequent reviews against EHCP outcomes.</p> <p>One respondent described the personal education plan process for looked after children as providing a “minimum level of monitoring” for whether provision was meeting a young person’s need. Others described monthly checks by the virtual school and the virtual school coordinating communication between social workers, carers, and the provider. Another respondent stated that in their area, unregistered providers were expected to provide the same data returns to the local authority as alternative provision schools.</p>
Quality assurance processes (14)	<p>Some respondents referenced the use of quality assurance processes, often reiterating comments made in response to previous questions. Service level agreements and regular quality assurance meetings with providers were mentioned, as well as provider registers and the regular monitoring of young people’s progress by virtual schools. One local authority representative reported that Quality Assurance (QA) documentation is typically shared with commissioners to give an overview of provider quality in the area. This respondent cited examples of provision closing due to lack of commissioning after a poor-quality assurance report.</p>
Meetings (8)	<p>Respondents described regular meetings to review outcomes for the young person. Where additional detail was given, respondents comments that these meetings were typically attended by local authority SEND case workers, education officers or other local authority representatives, and parents.</p>
Qualitative feedback (8)	<p>Qualitative feedback on the unregistered alternative provision from commissioning schools, parents and young people was also highlighted as a mechanism for assessing provision. A few respondents also mentioned giving qualitative feedback regarding young people’s progress, particularly in the context of measuring ‘soft outcomes’.</p>

**Table 20: Mechanisms used to assess whether providers meet young people’s needs**



### **Case study – review process**

One local authority has started to use a RAG rating system for all providers, where student pathways are submitted at the start of the year with goals and outcomes linked to the child's EHCP. Progress against these goals is reviewed termly and at the end of the year. The provider is then given an annual RAG rating to determine how effective their service is in meeting the needs of young people.

### **Metrics (28)**

Respondents also described metrics used to measure whether unregistered alternative provision was meeting the needs of young people. These comments, which mostly related to attendance, attainment, and social and emotional wellbeing metrics, are summarised in [Table 21](#).

<b>Metric</b>	<b>Detail provided</b>
Attendance (13)	Respondents did not typically offer further detail on the use of attendance as a measure of whether unregistered alternative provision was meeting the needs of young people, with most simply listing this as a metric used. Those that did elaborate further described providing daily or weekly attendance reports to the local authority. One respondent described analysing attendance data, including the percentage of persistent non-attenders, against national data sets.
Attainment (12)	On attainment, those that offered further detail described measures of attainment such as GCSEs, vocational or functional skills qualifications, and unit awards. Others commented that GCSE passes were not relevant measures of attainment for some young people accessing unregistered alternative provision, with one suggesting that Not in Education, Employment or Training (NEET) status at age 16 was a preferable measure
Social and emotional wellbeing (8)	Regarding social and emotional wellbeing, respondents described measures such as THRIVE assessments, resilience and wellbeing scales, and clinical mental health measures, as well as reports on attitudes to learning, social development, mood, self-esteem, confidence, self-regulation, and life skills.
Other metrics (10)	Other metrics highlighted by respondents included: Ofsted requirements and statutory guidance for schools, such as Keeping Children Safe in Education (KCSIE). Young people's reintegration with school or re-engagement with learning. Exclusions and placement breakdowns. Safeguarding incidents and notifications.

**Table 21: Metrics used to assess whether providers meet young people's needs**

Source: DfE Call for Evidence responses November 2022.

### Other comments (15)

Amongst comments not aligning with the previous two themes were those stating that outcome metrics for young people are not used to monitor unregistered alternative provision or do not form part of existing quality assurance frameworks, as well as those describing variance in quality assurance across local authorities.

Some respondents commented that it was unclear what metrics or frameworks were used by commissioners of unregistered alternative provision or stated that they were in the process of developing an approach to measuring whether unregistered alternative provision is meeting young people's needs. One respondent providing feedback via email commented that it was unclear how provider metrics could be assessed in the absence of registration.

## Q14d. Thinking about your local area, how effective, if at all, are the arrangements for assuring the quality of unregistered alternative provision?

Overall, 45% of respondents (61) stated that arrangements for assuring the quality of unregistered alternative providers were either moderately or very effective, with 25% (34) stating that arrangements were somewhat or a little bit effective. A small minority (6% or 8) stated that arrangements were not effective at all. Provider representatives were the most likely to state that arrangements were moderately or very effective (53% or 31), whilst school representatives were the most likely to state that arrangements were not effective at all (18% or 4). Local authority representatives were more likely than other groups to state that arrangements were

How effective are QA measures	Local authority (32)	Other (23)	Provider (58)	School (22)	Total (135)
Very effective	10 (31%)	1 (4%)	17 (29%)	3 (14%)	31 (23%)
Moderately effective	3 (9%)	5 (22%)	14 (24%)	8 (36%)	30 (22%)
Somewhat effective	16 (50%)	5 (22%)	6 (10%)	1 (5%)	28 (21%)
A little bit effective	1 (3%)	1 (4%)	2 (3%)	2 (9%)	6 (4%)
Not effective at all	1 (3%)	1 (4%)	2 (3%)	4 (18%)	8 (6%)
Don't Know / Not sure	1 (3%)	10 (43%)	17 (29%)	4 (18%)	32 (24%)
Total	32 (100%)	23 (100%)	58 (100%)	22 (100%)	135 (100%)

somewhat effective (50% or 16).

**Table 22: Quantitative analysis of question 14d - how effective are arrangements for assuring quality**

Source: DfE Call for Evidence responses November 2022. Base: 135 respondents. Note 1: Percentages are of all respondents of each organisation type. Note 2: percentages may not sum to 100 due to rounding.

Text responses to this question were provided by 75 respondents. Many respondents provided further detail on what they viewed as effective quality assurance processes, including quality assurance frameworks and visits to unregistered alternative provision. Concerns about quality assurance processes were also raised, for example, variation in quality standards across local authorities or possible duplication of quality assurance processes. Some respondents also suggested that the effectiveness of quality assurance processes depends on certain factors, such as arrangements put in place by commissioners.

## Effective quality assurance processes (37)

Respondents providing further detail after selecting somewhat, moderately, or very effective in response to question 14d typically described quality assurance frameworks and/or visits to unregistered alternative provision.

Some respondents highlighted that quality assurance frameworks were either newly implemented or in development, and therefore not yet fully effective. One local authority representative said that they were waiting on the outcome of the Call for Evidence to fully develop their quality assurance processes. Another mentioned plans to strengthen quality assurance using the integratED toolkit<sup>4</sup>.

“This is an area that is developing now we have a QA framework in place.” (**Local authority representative**)

A few respondents were of the view that quality assurance processes in their area were robust, with a small number offering further detail regarding this view. For example, one local authority representative described plans to RAG rate unregistered alternative provision commissioned by the local authority, with an action plan produced where areas for improvement are identified, alongside due diligence checks such as reviewing DBS checks and insurance policies. Others described quality frameworks where providers are evaluated on agreed standards in areas such as health and safety, governance, safeguarding and attendance, with accepted providers listed on an approved directory. A few respondents highlighted procurement processes where contract managers ensure agreed standards are met, for example, through the inclusion of a code of practice within the Service Level Agreement.

“The quality assurance process for unregistered alternative provision in our local authority is very thorough and robust. We have to meet a huge quality framework and schools will also come out and visit us in addition to the local authority audit to conduct their own.” (**Provider representative**)

### Case study – local authority quality assurance process

Routine monitoring of providers as part of this local authorities quality assurance process includes daily scrutiny of attendance returns and weekly monitoring of attendance, behaviour and progress returns by Monitoring Support Officers (MSOs), alongside weekly Alternative Provision Leaders Network Meetings and

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<sup>4</sup><https://www.integrated.org.uk/wp-content/uploads/2021/05/AP-Quality-Benchmark-Toolkit-Summary.pdf>

half termly visits to provision by MSOs. Unscheduled visits are also completed in response to concerns as and when they arise.

In addition, annual monitoring activities include:

- Analysis of Year 11 accredited outcomes by the Quality Assurance Lead (Partnership Team).
- Formal reporting of analysis to Children Missing Education Board.
- Student Survey & Parent/Carer survey.
- Analysis of Year 11 Outcomes, identifying successes and areas for development against comparative data published in National Data Sets. Providers are informed of the summary data and areas of focus, informing discussions with providers during QA visits.
- Quality Assurance visit to providers by either the Quality Assurance Lead or Commissioning & Contracts Team. A standardised proforma is used to record the observations and recommendations of the QA visits, the structure of which reflects the content of the DfE Alternative Provision Statutory Guidance 2013 (updated 2016). The QA report concludes with strengths and areas for development. Reports are uploaded onto SharePoint facilitating access by all local authority teams.

Ongoing quality assurance once provision is approved by local authorities was identified as lacking by a few respondents, although was also described as taking place in some local authorities. For example, one local authority representative described annual compliance reviews, safeguarding audits and quality assurance visits to approved providers, which can lead to temporary or permanent removal from the approved directory.

Quality assurance of providers' curriculum and teaching was also highlighted by a few respondents as an area in need of improvement.

In addition, some respondents described inspections and regular monitoring visits, both from the local authority (whether the commissioner or not and including visits by local authority virtual school teams) and commissioning schools. It was also highlighted that unregistered alternative providers used by schools were typically visited as part of a commissioning school's Ofsted inspection.

Other processes described by respondents who viewed the quality assurance in their area as somewhat, moderately or very effective included:

- Reports and data sharing, such as termly reports, monitoring forms or weekly reports to local authority case workers.

- Guidance and support offered to unregistered alternative providers to maintain high standards. For example, sharing toolkits and templates and offering in person advice if necessary, or including unregistered alternative providers in training on safeguarding and restorative practice, as well as giving providers access to the local authorities learning portal.
- Monthly or termly monitoring meetings with the local authority.
- Less systematic approaches to quality assurance, such as recommendations on good quality providers shared by local authority teams or schools.

### Concerns about quality assurance (23)

There was some concern about variation in quality assurance processes across different areas. This included suggestions that oversight and contact with providers is insufficient in some areas and reports that some local authorities have more rigorous safeguarding requirements than others, leading to confusion amongst providers working across multiple local authorities.

Other, specific concerns about local authority quality assurance of unregistered alternative provision included:

- The capacity of local authorities to quality assure when schools commission a significant amount of provision, or where local authorities may be unaware of all the unregistered alternative provision that is commissioned by schools in their area.
- The view that high demand for alternative provision means that the capacity, rather than quality, of unregistered alternative provision is the primary consideration for commissioners.
- Local authorities using guidelines and an Ofsted framework designed for alternative provision schools to quality assure unregistered provision, with unregistered providers scoring low when judged against these criteria despite potentially being the best option for a young person at that time.
- Concern about lengthy local authority quality assurance processes when unregistered alternative provision is often required at short notice.

A few respondents also expressed concern about what they viewed as duplicated and overly burdensome quality assurance processes, whereby one provider is quality assured by multiple commissioners, including as part of Ofsted inspections at commissioning schools.

There were also general concerns expressed about low quality unregistered alternative provision, whilst a small number expressed concern about the potential introduction of standardised quality assurance processes into a variable unregistered alternative provision landscape.

## Effectiveness conditional on certain factors (11)

Some respondents suggested that the effectiveness of quality assurance depended on certain factors, including:

- A clear service level agreement put in place and the unregistered alternative provider being under the guidance of an alternative provision school.
- Designing an Ofsted framework for unregistered alternative provision that recognises the different approach taken to that of schools.
- Developing a consistent approach and joint working to improve quality assurance processes, and that quality assurance processes should be streamlined to limit the need for providers to engage with multiple processes across different local authorities.
- Teachers should be appointed to complete quality assurance, particularly regarding the curriculum offer, alongside a practitioner with inclusion experience.

## Other comments

Most comments not aligning with the other specified themes were respondents stating that they were not aware of the quality assurance processes in their area or could not comment on this issue.

Other comments included respondents expressing the view that quality assurance processes they implement or have experienced have been robust, without offering further detail.

## **Q14e. Thinking about your local unregistered alternative provision offer, which standards or metrics are the most helpful to you when thinking about the quality of the offer provided by an unregistered alternative provider?**

Text answers to this question were provided by 103 respondents. Many responses echoed comments made in questions 14c regarding mechanisms and metrics used to measure whether provision is meeting young people's needs. In their responses to this question, most respondents highlighted metrics related to young people's engagement and outcomes as helpful, as well as provider-level metrics such as safeguarding processes, curriculum offer and staff. Some respondents also highlighted mechanisms they viewed as helpful such as regular reports, visits and meetings, again echoing responses to question 14c. The use of existing standards was also highlighted, particularly the Ofsted inspection framework.

## Young person metrics (61)

Most respondents citing young person metrics suggested data on attainment and progression, social development and wellbeing, and attendance and engagement would be most helpful when thinking about the quality of the offered provision by unregistered alternative providers. Some respondents also highlighted transition and reintegration metrics and EHCP outcomes as being helpful. Further detail relating to these metrics was provided and is outlined in [Table 23](#), with numbers in brackets referring to the number of respondents who cited the metric.

“They should be able to show measurements of progress both academically and skills based.” (*Provider representative*)

“...quality of provision isn't all about education, but often about improved mental health, attendance and generally happiness of the young person and an increase in their confidence.”  
(*Provider representative*)

Metric	Detail provided
Attainment and progression (45)	<p>Some specified academic and skills-based attainment such as exam results (including GCSEs) and achieving qualifications such as unit awards.</p> <p>Others spoke generally about metrics related to young people's targets and outcomes achieved, without offering further detail.</p>
Social development and wellbeing (36)	<p>Mostly general comments citing metrics related to social development and wellbeing as helpful, without offering further detail.</p> <p>Where detail was provided, respondents spoke about improvements in young people's attitude to learning, confidence and self-esteem, and capacity to self-regulate as helpful indicators, in addition to a reduction in the frequency of behaviour incidents.</p>



	Specific social development and wellbeing measures cited by respondents included Strengths and Difficulties Questionnaires, THRIVE assessment, the Warwick Edinburgh Mental Wellbeing Scale and the Boxall profile, Leuven Wellbeing Involvement Scale and the ready to learn scale.
Attendance and engagement (31)	Most respondents citing attendance and engagement as helpful metrics did not offer further detail, whilst a few suggested that significant improvements in young people’s attendance can indicate good quality provision.
Transition and reintegration (18)	Respondents cited the extent to which providers successfully reintegrate young people back into school as a helpful indicator of quality, whether reintegration into mainstream, alternative provision or specialist school.  Others commented on transitions, either generally or with reference to post-16 pathways and destinations. A few respondents suggested that NEET status when leaving the provision was an important metric.
EHCP outcomes (7)	Some respondents highlighted EHCP outcomes, and whether these are being met, as helpful.

**Table 23: Suggested young person metrics**

Source: DfE Call for Evidence responses November 2022. Note 1: Numbers in brackets do not sum to 61 as respondents often highlighted several metrics within their response.

### Provision metrics (37)

Most respondents cited safeguarding, with many also citing curriculum offer and staff. Others highlighted monitoring processes, as well as other metrics such as planning, experience of the provision and cost.

“QA framework includes gradings on leadership and management, behaviour and attendance, quality of education, personal development, safeguarding.” (**Local authority representative**)

Metric	Detail provided
Safeguarding (21)	Respondents either listed safeguarding as a helpful metric without offering further detail or cited specific areas, including health and safety policies and practices, risk assessments, staff DBS checks, safeguarding training and safer recruitment practices, as well as providers having a good understanding of roles and responsibilities regarding safeguarding.
Curriculum offer (18)	Metrics related to providers’ curriculum offer cited by respondents included the breadth of curriculum offered (ranging from academic opportunities to therapeutic and vocational courses delivered), accreditation and exam opportunities

	available, the extent to which the curriculum is personalised to young people and clear progression pathways.
Staff (17)	Comments on staff quality metrics included those related to the quality of recruitment, induction and training, relationships between staff and young people, teaching and learning, and leadership and management. Some respondents also highlighted student to staff ratios.
Monitoring processes (7)	Monitoring processes cited by respondents included regularly monitoring and sharing data on attendance, safeguarding, and young people's progress. Regular contact between the commissioner and provider and good communication with relevant stakeholders such as parents/carers and social workers were also highlighted, along with planned reviews of young people's progress, wellbeing and transition and reporting of financial information.
Other metrics (11)	Other metrics cited by respondents included providers having appropriate planning in place to meet need, both for individual young people and the provider, as well as the providers previous experience and track record of service delivery and value for money.

**Table 24: Suggested provider metrics**

Source: DfE Call for Evidence responses November 2022. Note 1: Numbers in brackets do not sum to 37 as respondents often highlighted several metrics within their response.

### **Mechanisms (29)**

Most respondents highlighting mechanisms for assessing provision quality cited gathering feedback from parent and young people, either through surveys or conversations. A few respondents suggested that building collaborative and trusting relationships with parents can help them to share feedback with staff about how they feel about the provision.

Other respondents highlighted frequent reporting on young people's engagement and outcomes, as well as regular visits to providers and meetings and communication between key representatives.

### **Existing standards (14)**

Some respondents described using existing standards as measures of quality, with most citing Ofsted inspection frameworks, either for education or registered childcare. Others cited national policies such as Keeping Children Safe In Education (KCSIE) or statutory guidance for alternative provision, as well as independent schools standards. A few respondents stated that local or provider developed standards were used, without offering further detail.

## Other comments (12)

Other comments not aligning with the previous themes included respondents stating that they were not sure or did not know which metrics were helpful or those suggesting that it is dependent on the providers' setting and context. One respondent also commented that in their experience, anecdotal evidence is often the only quality metric available.

### Q14f. To what extent do you agree or disagree that unregistered alternative provision settings should only be commissioned from a list of locally approved providers agreed at panel by the local authority and other institutions?

A majority of respondents strongly agreed that unregistered alternative provision should only be commissioned from a list of locally approved providers (51% or 69) with 18% (24) selecting 'agree'. This means that over two-thirds of respondents (69% or 93) agreed or strongly agreed with the suggestion. Responses from provider and school representatives broadly mirrored the overall responses. Local authority representatives overwhelmingly agreed, with 84% (27) strongly agreeing and 9% (3) agreeing, with only one local authority respondent (3%) disagreeing. Responses from other representatives were more mixed, with similar proportions strongly agreeing (26% or 6), agreeing (22% or 5) and disagreeing (22% or 5).

Should settings only be commissioned from locally approved lists	Local authority (32)	Other (23)	Provider (58)	School (22)	Total (135)
Strongly Agree	27 (84%)	6 (26%)	25 (43%)	11 (50%)	69 (51%)
Agree	3 (9%)	5 (22%)	10 (17%)	6 (27%)	24 (18%)
Neither Agree nor Disagree	0 (0%)	2 (9%)	12 (21%)	1 (5%)	15 (11%)
Disagree	1 (3%)	5 (22%)	5 (9%)	1 (5%)	12 (9%)
Strongly Disagree	0 (0%)	3 (13%)	4 (7%)	2 (9%)	9 (7%)

Don't Know / Not Sure	1 (3%)	2 (9%)	2 (3%)	1 (5%)	6 (4%)
Total	32 (100%)	23 (100%)	58 (100%)	22 (100%)	135 (100%)

**Table 25: Quantitative analysis of question 14f - unregistered alternative provision should only be commissioned from a list of locally approved providers**

Source: DfE Call for Evidence responses November 2022. Base: 135 respondents. Note 1: Percentages are of all respondents of each organisation type. Note 2: percentages may not sum to 100 due to rounding.

Text answers to this question were provided by 62 respondents. Most responses either provided reasoning for the respondent's agreement with the proposal or offered varying suggestions for how such a process should operate. Those expressing agreement tended to express the view that an approved provider list would enable better oversight and quality assurance of unregistered alternative provision. Various concerns or reasons for disagreement were also expressed by some respondents.

### **Agree – better oversight and quality assurance (26)**

Respondents providing reasoning for their agreement commented that an approved provider list could help to improve consistency of quality across unregistered alternative providers. It was felt this would ensure quality assurance standards were met, including those relating to education, health and safety and safeguarding, as well as demonstrating that providers are meeting the needs of young people. There was also suggestion that an approved provider list would offer reassurance to parents, young people, schools and other stakeholders about the standard of provision available, whilst also giving local authorities better oversight of what provision is being delivered locally. A few respondents commented that greater clarity around unregistered alternative provision landscape in a given area could improve working relationships between local authorities, schools, providers and other representatives.

A few respondents recognised that such a proposal may result in reduced provision, however, they felt this would be OK if it meant the removal of poor provision.

“Quality of alternative provision can be quite variable and in the past, there was some locally of questionable value and quality. Our local process has resulted in less providers locally but quality has improved and there is more consistency across the provisions on offer. We are beginning to see benefits from increased partnership working across locally approved providers rather than seeing each other purely as business rivals which could perhaps be the case in the past.” (**Provider representative**)

### **Suggestions for approval process (24)**

Respondents made suggestions for how an approved provider list may operate. These included suggestions for nationally developed standards, either for provision to be approved nationally or to provide local authorities with clear criteria for

approving provision. It was felt this would ensure consistency in approval processes and benefit providers operating nationally.

“Would possibly be acceptable if the approval mechanisms were based on nationally approved standards rather than a variety of different arrangements across different local authorities.” (***Other representative***)

Some respondents also highlighted the importance of any quality assurance standards encompassing the variety of unregistered alternative provision available, suggesting that a ‘one-size-fits-all’ approach should be avoided, whilst including key responsibilities such as safeguarding. Other respondents suggested that any approval process should:

- Be fair, transparent, and unbiased.
- Be achievable for small organisations.
- Must not dilute the commissioner’s responsibility for monitoring the appropriateness of a placement for the young person.
- Include rigorous quality assurance processes.
- Include ongoing reviews and monitoring of provision.
- Account of providers working across multiple local authorities.
- There was also suggestion that schools and parents should be able to put forward additional providers for approval onto the list.

### Concerns and disagreement (11)

Some respondents, whilst not explicitly disagreeing, expressed concerns about the idea of an approved provider list. This included concerns that the proposal could:

- Reduce the supply and variety of unregistered alternative provision on offer.
- Lead to increased bureaucratic burden for providers, which would negatively impact smaller organisations.
- Risk increasing the administrative burden on local authorities, with one respondent suggesting that local authorities do not currently have the resources to manage such a process.
- Risks less emphasis being placed on the responsibilities of providers, particularly regarding safeguarding.

Other respondents expressed more explicit disagreement with the proposal, reasoning that:

- Schools' commissioning processes are sufficient for ensuring quality standards are met.
- Parents should be trusted to know what provision is best for their child.
- Mandating an approved list could result in delays to new providers becoming operational and able to accept commissioned placements.

### Other comments (8)

Comments not aligning with the previously specified themes included respondents stating that registration should be required for all unregistered alternative provision instead of establishing approved provider lists or respondents stating that such a list already exists in their area.

One provider representative also suggested that the Call for Evidence questions lack consideration for online unregistered alternative providers operating nationally or internationally.

### Q14g. Which organisation or body do you feel would be best placed to set the standards for unregistered alternative provision for inclusion on the lists of locally approved providers?

Just under half (48% or 39) of respondents selected 'local authorities' as the organisation or body best placed to set the standards for unregistered alternative provision for inclusion of the lists of local approved providers, with 29% (39) selecting 'central government' and 11% (15) selecting 'other'. Responses to this question from local authority representatives differed from those of provider and school representatives, with almost two-thirds of local authority representatives (63% or 20) selecting 'central government', whilst 17% (10) and 18% (4) of provider and school representatives respectively selected this option. Similarly, just over one-third of local authority representatives selected 'local authorities', whilst 55% (32) and 59% (13) of provider and school representatives respectively selected this option. Responses from other representatives were more mixed, with a slight preference for local authorities (39% or 9).

Organisation or body best placed to set standards	Local authority (32)	Other (23)	Provider (58)	School (22)	Total (135)
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Central Government	20 (63%)	5 (22%)	10 (17%)	4 (18%)	39 (29%)
Local Authorities	11 (34%)	9 (39%)	32 (55%)	13 (59%)	65 (48%)
Other (please specify)	1 (3%)	5 (22%)	8 (14%)	1 (5%)	15 (11%)
Don't Know / Not Sure	0 (0%)	4 (17%)	8 (14%)	4 (18%)	16 (12%)
Total	32 (100%)	23 (100%)	58 (100%)	22 (100%)	135 (100%)

**Table 26: Quantitative analysis of question 14g - which organisation or body would be best placed to set standards**

Source: DfE Call for Evidence responses November 2022. Base: 135 respondents. Note 1: Percentages are of all respondents of each respondent type. Note 2: percentages may not sum to 100 due to rounding.

## For what reasons do you feel the organisation you selected is best suited to manage a list of locally approved providers?

Text answers to this question were provided by 84 respondents. Respondents who felt that local authorities are best placed to set standards for a list of locally approved suppliers mostly reasoned that local authorities have the necessary local insight for this role. Those who felt central government is best suited to this role referenced the need for consistency across local authorities, whilst some also suggested a need for local input when developing any national standards. Some respondents expressed concerns about the process for developing standards and there were also calls for further Call for Evidence with stakeholders on this issue.

### Local authority (38)

Many of the responses to this question outlined reasons why local authorities would be best suited to set the standards for a locally approved supplier list. Of these, the vast majority of respondents commented that local authorities have the required local insight, including an understanding of the local context, level of need and provider landscape, as well as any challenges and gaps in provision, to set the necessary standards. A few respondents also cited local authorities' existing relationships with schools and unregistered alternative providers as another factor making them well placed for this role.

“I think the local authorities are best placed to know the requirements for their area and therefore should set the standards based on what the need is for that locality. I think Central Gov[ernment] guidance on this would be helpful but if it's created too centrally, then the element of flexibility which help make unregistered APs operate effectively, could be lost.”  
**(Provider representative)**



Some respondents who felt that local authorities would be best placed to set standards suggested that government could set overarching standards or guidance, with local authorities given the flexibility to determine how to implement these locally.

A few respondents also highlighted that many local authorities have existing processes in place, such as framework bid processes, to implement standards for an approved supplier list effectively. However, others expressed concern that expecting all local authorities to manage such a process would require additional resources, including funding.

### **Central government (28)**

Respondents offering further detail on why they felt that central government would be best placed to set standards typically expressed the view that this would help to ensure consistent standards across local authorities. Respondents spoke of existing inconsistencies in standards across local authorities and suggested that national standards set by central government would help to address the current 'postcode lottery' in the quality of unregistered alternative provision.

“Central government should set national standards so that all APs across the county are subjected to the same set of standards, ensuring all young people have access to the same quality of provision. Quality of provision should not be subject to where you live.” (***Provider representative***)

“National parameters set by central government need to be set to ensure that there is a benchmark of expectation and quality. Local government need to be resourced to oversee these and ensure that providers are delivering against expected standards. Local government then needs to be able to end provision if they consistently are unable to meet those standards. National government should be saying what good looks like and what is expected - the challenge will be resourcing this appropriately.

Standards should ensure that education is equitable to the school-based quality of education i.e., teacher led full time education offered to the child that delivers an appropriate curriculum that enables them to make good progress whilst addressing the barriers they have to accessing education.” (***Local authority representative***)

Some respondents suggested that, whilst national standards or a national framework should be developed by central government, local authorities should have a role in determining how these would be implemented locally, including managing the process for approving suppliers.



A few respondents commented that the current system of different local standards can cause challenges for unregistered alternative providers working across different local authorities. It was felt that a system whereby unregistered alternative providers were approved by central government would be simpler and more efficient than the current system.

One respondent providing feedback via email felt that central government was best placed to set standards, but suggested it was unclear how these would be assessed in the absence of registration or independent oversight.

### **Concerns (8)**

Some respondents expressed concern about the potential process behind developing standards for locally approved supplier lists, including concerns that:

- Any standards developed could have too great a focus on academic targets and be too similar to Ofsted requirements for schools.
- The process could negatively impact smaller unregistered alternative providers, which often serve young people with additional needs.
- If managed by central government, decision makers would not be accessible to parents and carers wishing to raise issues about local provision.
- Existing monitoring processes at some local authorities are insufficient.

### **Consult stakeholders (7)**

Respondents suggested that, in developing standards to inform an approval process for unregistered alternative provision, various representatives should be consulted. These included:

- Young people who access unregistered alternative provision and their parents or carers.
- School leaders, particularly those responsible for commissioning unregistered alternative provision.
- Unregistered alternative providers.
- Local authorities.

### **Independent body (6)**

Some respondents suggested that a national, independent body would be best placed to set standards for locally approved supplier lists, with some identifying Ofsted as a potential organisation to carry out this role or citing Ofsted as an example of such an organisation. A few respondents also felt that an independent

body responsible for setting standards should include professionals with specific expertise, such as those from children’s social care, education, mental health provision and relevant charities.

### Other comments (10)

Other responses not aligning with the other specified themes included comments:

- Highlighting the need for standards generally or highlighting how they would be beneficial.
- Stressing the importance of standards being developed by professionals and experts with experience of unregistered alternative provision.
- Suggesting the need for sub-categories of unregistered alternative provision, so that standards can be tailored appropriately for the type of provision.

### Q15. Once a child or young person has been placed in an unregistered alternative provision setting how often are the individual placements reviewed?

The most common review period identified by respondents was ‘more than once a term’ (39% or 52) with just over one-fifth (21% or 29) of respondents answering ‘once a term’. One-in-ten (10% or 14) respondents said placements were reviewed ‘only when necessary, for example when requested by the commissioner or as part of the statutory annual review of an EHCP. Just under a quarter answered ‘other’ (24% or 32). The balance of responses was broadly consistent across the respondent groups.

Those that responded ‘other’ were asked to specify, with these respondents mostly commenting that individual placements are reviewed depending on school procedures or local authority processes and that reviews vary based on a young person’s progress or placement length. Other respondents cited specific timeframes, most commonly termly, annually (including as part of an EHCP review), half termly or every 6 weeks. Some respondents commented some placements are reviewed weekly, particularly when attendance records are being measured. A few respondents highlighted reviews have not taken place.

Reasons	Local authority (32)	Other (23)	Provider (58)	School (22)	Total (135)
More than once a term	12 (38%)	5 (22%)	23 (40%)	12 (55%)	52 (39%)
Once a term	6 (19%)	6 (26%)	11 (19%)	6 (27%)	29 (21%)
Once every six months or less	0 (0%)	1 (4%)	1 (2%)	0 (0%)	2 (1%)

Once in the academic year	2 (6%)	1 (4%)	3 (5%)	0 (0%)	6 (4%)
Only when necessary	4 (13%)	5 (22%)	5 (9%)	0 (0%)	14 (10%)
Other	8 (25%)	5 (22%)	15 (26%)	4 (18%)	32 (24%)
Total	32 (100%)	23 (100%)	58 (100%)	22 (100%)	135 (100%)

**Table 27: Quantitative analysis of question 15 - frequency of placement reviews**

Source: DfE Call for Evidence responses November 2022. Base: 135 respondents. Note 1: Percentages are of all respondents of each organisation type. Note 2: percentages may not sum to 100 due to rounding.

Text answers to this question were provided by 80 respondents. Where respondents provided more information on specific timeframes, they mostly described reviews every half term or 6 weeks. However, several respondents highlighted the need for regular reviews to discuss the appropriateness of the placement and to assess progression and outcomes. Several respondents suggested reviews should take place termly as a minimum standard.

### Timeframes (23)

Respondents gave specific timeframes; these were categorised into the following:

- Daily
- 1-4 weeks
- Half termly (6 weeks)
- Termly
- Bi-annually
- Annually

Most commonly, respondents felt half termly reviews provided sufficient information on successes and challenges, most respondents referenced their current experience of half termly reviews with their commissioners or within the alternative education service.

Several respondents highlighted once a term as a minimum standard, most respondents referenced their current experience with a commissioning school, local authority or as part of a personal education plan. Some respondents commented they review weekly, particularly referencing high risk children and monitoring attendance, others commented reviews take place every 4 weeks. A few respondents expressed that reviews need to reflect how long young people have been in unregistered alternative provision and how long they have been out of education. Reviews that are too regular can cause challenges when trying to plan for qualifications or project work.

A few respondents commented reviews take place on a sessional or daily basis, most expressed these were internal with one respondent commenting the daily review is sent to the commissioner.

A small number of respondents discussed reviews are conducted annually, referencing that these are part of an EHCP or Key Stage transition. One respondent referenced bi-annual reviews taking place in October and July.

### **Case study – frequency of reviews**

One provider described review meetings with commissioners every 6 weeks alongside supporting half-termly reports outlining what has happened over the course of the 6 weeks, key successes, difficulties or challenges faced by the young person, and any recommendations for next steps or an assessment of how close the child is to reintegration.

### **Regular or frequent (7)**

Many respondents discussed regular or frequent reviews, stating that this enables them to ensure the appropriateness of provision, measure attendance and assess engagement. One provider discussed using an accessible personal wellness plan that enables all parties involved with the young person to assess and measure against targets.

### **Other comments (10)**

A few respondents suggested that placements should be reviewed when necessary, on a case by case basis, as it was felt this would enable more frequent monitoring across cases causing concern.

Other comments included:

- Feedback should be shared whenever requested.
- There should be a dedicated member of staff whose responsibility is to monitor and review young people in unregistered alternative provision.
- Commissioners should have the authority to conduct unannounced visits and wellbeing checks.

### **Emailed responses**

Many of the comments made in emailed responses regarding the planning, commissioning, and monitoring of placements in unregistered alternative provision echoed those made by respondents who completed the online questionnaire and are

therefore captured in the question analysis detailed in this section. Where distinct comments from emailed responses were related to specific questions in section 2, these have been highlighted under the relevant question heading.

Other comments made in emailed responses not related to specific questions included:

- Concerns about poor quality unregistered alternative provision, such as young people not progressing towards formal qualifications, poor behaviour, safeguarding risks and health and safety deficiencies, and suggestion that registration and inspections are required to improve quality.
- Suggestion that mainstream and specialist schools should be better equipped to support the needs young people, to reduce the need to use unregistered alternative provision.
- The view that schools are currently incentivised to remove challenging pupils into provision that is outside of independent inspection.

## Focus groups

Focus group participants discussed whether registration should be required for unregistered alternative provision. Participants agreed that oversight was necessary, with some highlighting that provision which often serves the most vulnerable young people should be subject to stringent checks. There was recognition that registration could provide a level of standardisation and quality assurance, particularly regarding safeguarding, and a desire for a kite mark or nationally recognised standards to “weed out” poorer provision. However, there were concerns about a registration process based on existing standards for schools. Participants highlighted that unregistered alternative provision often blurs the boundary between education and therapy, suggesting that a bespoke registration framework was required.

Specific concerns included:

- Anticipated challenges in developing a framework for registration due to the lack of a clear definition of what unregistered alternative provision is.
- Concerns about being judged against school-based standards, particularly Ofsted frameworks.
- Suggestion that requirements to register with Ofsted would risk losing some of the unique benefits of unregistered alternative provision, such as flexibility and creativity.
- Concerns about the bureaucratic burden of registration, particularly on smaller providers, and suggestion that this could lead to providers exiting the market.

As with the respondents to the online questionnaire, focus group participants highlighted variation in local authority and commissioner quality assurance processes and monitoring, with some suggesting that local authority processes were viewed as more bureaucratic than those of schools.

Comments related to quality assurance frameworks or standards are sometimes linked to discussions on provider registration. Safeguarding, in particular, was viewed as a key area in need of a national framework and standards. Participants also discussed the need for quality assurance frameworks to place greater emphasis on young people's outcomes.

There was some suggestion that, whilst standards and guidance should be set nationally, local authorities should have the power to interpret and implement these based on local context and need. For example, a national framework could set minimum standards for unregistered alternative provision, with provider registration managed locally.

Many participants also expressed concerns about funding, highlighting that the cost of unregistered alternative provision is increasing and that available funding is often ad hoc or time limited. There was a view that funding for local authorities to expand alternative provision and specialist schools was limited because funding is pupil-based, making long term investment challenging. It was suggested that funding should be prioritised in the development of any new framework for alternative provision.

## The role of unregistered alternative provision to complement education in a school

### Q16a. Do you agree that unregistered alternative provision should only be used on a part-time or time-limited basis as a re-engagement tool to complement education in mainstream or specialist schools?

Views on this were mixed. Overall, slightly more respondents answered that they disagreed or strongly disagreed with this statement (47% or 63) than those answering agree or strongly agree (39% or 52). Just over one-tenth (13% or 17) answered that they neither agreed nor disagreed with a further 2% (3) answering that they were unsure or didn't know. Local authority representatives were more likely to strongly agree (47% or 15) or agree (28% or 9), with provider representatives more likely to strongly disagree (43% or 25) or disagree (32% or 12). section

Unregistered alternative provision should be part-time or time limited	Local authority (32)	Other (23)	Provider (58)	School (22)	Total (135)
Strongly Agree	15 (47%)	3 (13%)	6 (10%)	7 (32%)	31 (23%)
Agree	9 (28%)	3 (13%)	4 (7%)	5 (23%)	21 (16%)
Neither Agree nor Disagree	4 (13%)	2 (9%)	10 (17%)	1 (5%)	17 (13%)
Disagree	3 (9%)	4 (17%)	12 (21%)	4 (18%)	23 (17%)
Strongly Disagree	1 (3%)	9 (39%)	25 (43%)	5 (23%)	40 (30%)
Don't Know / Not Sure	0 (0%)	2 (9%)	1 (2%)	0 (0%)	3 (2%)
Total	32 (100%)	23 (100%)	58 (100%)	22 (100%)	135 (100%)

**Table 28: Quantitative analysis of question 16a - unregistered alternative provision should only be used on a part-time or time limited basis**

Source: DfE Call for Evidence responses November 2022. Base: 135 respondents. Note 1: Percentages are of all respondents of each organisation type. Note 2: percentages may not sum to 100 due to rounding.

Text answers to this question were provided by 80 respondents. A large proportion of responses expressed disagreement with the proposal for time-limited placements, suggesting that some young people are not able to re-integrate into mainstream

school and therefore require longer term placements. A similar proportion felt that decisions on placement length should be based individual need rather than what the respondents viewed as an arbitrary time-limit. A smaller number recommended split provision as a better option to time-limits. Some also expressed agreement with only using unregistered alternative provision placements on a part-time or time-limited basis.

### **Not time-limited (38)**

Some respondents outlined reasoning for their disagreement with requiring time-limits for placements into unregistered alternative provision. The most common reason provided for this view was that unregistered alternative provision can be a better fit for some young people than school, including alternative provision schools. Respondents suggested that smaller educational environments are more suitable for the complex needs for many young people accessing unregistered alternative provision. Some respondents suggested that some young people would never be able to access education in a mainstream setting and thus would require alternative provision, at unregistered providers, for the rest of their education.

“This approach would disadvantage many young people for whom a school setting is never going to be appropriate or accessible for them.” (***Provider representative***)

The second most common reason provided for disagreement with a time-limit was the view that there is not enough provision to otherwise meet the needs of these young people. Respondents expressed the view that there is a lack of one-to-one support in mainstream settings and a lack of specialist providers to support young people with varying additional needs.

Others suggested that once some young people access unregistered alternative provision, they would be unable to re-integrate into mainstream provision. Reasons included the stress and anxiety it could cause to students with additional needs and anxiety, as well as mentions of students in year 10 and 11 unable to find places in schools.

Other comments related to the view that a time-limit on provision would add pressure and stress for young people, to the point where they may not engage with any education. A few respondents commented that having what they viewed as arbitrary limits would have detrimental effects on those with mental health needs. In addition, respondents submitting feedback via email commented that if a placement is working effectively, there should be the option to extend it longer term to avoid unnecessary disruption for the young person and that long-term part-time placements can work effectively alongside home schooling.



Other email respondents felt it was important for the young person's home school to maintain responsibility for them during a part-time placement and stressed the importance of collaboration between providers and schools, with robust quality assurance processes.

### **Based on individual needs (33)**

Some respondents disagreed, suggesting that such a time-limit would be arbitrary and should instead be based on the individual needs of each young person.

Many respondents agreed that there should be an aim for re-integration into mainstream or alternative provision school. However, they expressed concerns about any time-limit not based on the needs of the young people and the availability of other provision on offer to support their needs. This included some respondents concluding that for some young people, full-time provision at unregistered alternative provision may be the best, or only option, to access any education.

“There should be a clear plan, following a comprehensive assessment that identifies all unmet or undiagnosed needs, that sets a clear pathway for the young person to ensure that they will receive a high quality education in the most appropriate setting.” (*Provider representative*)

### **Split provision as a better option (14)**

A smaller number of respondents recommended that split provision could be a better option for some young people, rather than a time-limit. There was a mixture of responses, with some suggesting a split between mainstream school and unregistered alternative provision, whilst others suggested a split between multiple unregistered providers.

“Split provision can help to address the limitations of only attending one alternative provider especially in terms of breadth of offer.” (*Provider representative*)

### **General agreement with time limits (10)**

A number of respondents agreed with the recommendation of placements being time-limited or part-time. The main reason provided for this view was that the aim for any alternative provision should be to re-integrate young people back into education, with a few respondents commenting that unregistered alternative provision should not be viewed as a destination in itself. A few email respondents also commented that medium or long-term placements in provision that is subject to limited oversight would not be acceptable, particularly as such provision is often accessed by the most vulnerable young people. In addition, it was highlighted that restrictions on full-time placements already exist, as any unregistered alternative provider delivering a

full-time placement for a LAC or a child or young person with an EHCP would by definition be operating an illegal school.

### **Other comments (6)**

Other responses included:

- Concerns that time-limits would negatively impact long-term electively home educated young people accessing alternative provision.
- Suggestion that if young people are accessing formalised qualifications at unregistered alternative provision, the placement should not be time limited.

### **Q16b. How would restricting the use of placements for children and young people in unregistered alternative provision settings to a part-time or time-limited basis impact on local commissioning practices?**

A total of 105 respondents provided open text responses to this question. The most common response centred around concerns that restrictions could risk reducing the choice of placements available to commissioners and thus limit young people's access to appropriate provision. Others commented that this practice is similar to current practice in their area, so would have no impact. A smaller number of respondents discussed the effect on young people, with some suggesting improvements to commissioning practices. A few respondents expressed general disagreement with the proposal without offering further detail, whilst others felt it would increase strain on commissioners.

### **Inappropriate or lack of provision (49)**

Some respondents expressed the view that if unregistered alternative provision placements were to be restricted to part-time or time-limited, there would be a lack of provision generally, or a lack of appropriate provision, for these young people to attend.

Some respondents expressed the view that local commissioners would struggle to find places for young people, with some suggesting that young people would end up without educational provision due to a lack of specialist schools for those unable to access mainstream education. A few respondents made particular reference to Key Stage 4 pupils who had been permanently excluded. They raised concerns that these young people may not be able complete their education and any qualifications if unregistered alternative provision placements were restricted.

Other respondents shared the view that restricting placements in unregistered alternative provision could lead to young people being inappropriately placed. They

commented that the needs of these young people may not be met in other provision, giving them a lower quality education of as it may not be as adapted to their needs.

“This would inhibit commissioners from taking decisions which are in the best interests of the individual pupil.” (***Local authority representative***)

A small number of respondents suggested that as local commissioners would have reduced choice in provision, young people may remain, or be returned to, mainstream schools where their needs would not be met.

### **No effects (17)**

A smaller number of respondents commented that implementing the practice of part-time and/or time limited placements in unregistered alternative provision would have no effect in their local area. The reason provided for this was that these practices were already being implemented in their local authority.

### **Effects on young person (15)**

A small number of respondents discussed the potential effects on the young people accessing unregistered alternative provision on a part-time or time-limited basis. Comments included effects on their mental health and stress levels if they are attending multiple provision settings, or having to move back into mainstream provision, even if they are not ready. Others suggested that the young people may become disengaged with education completely as their needs are not met. Others commented that it may result in young people having to access multiple education providers to fulfil their educational needs, adding stress and complications due to the instability this might cause.

### **Improvement (13)**

A few respondents suggested that the proposed restrictions would improve commissioning practices. It was felt this would improve regulation and monitoring of placements, with commissioners needing to place young people in the most suitable provision for their needs, before returning to mainstream school.

Others suggested it could lead to improvements in provision in mainstream schools to be able to cater and provide for individuals with a variety of educational, social, and mental health needs. A couple of respondents mentioned that this process would be beneficial as it would encourage and promote re-engagement with mainstream provision.

### **General disagreement (10)**

A few respondents expressed general disagreement with the proposal to limit placements in unregistered alternative provision. These comments echoed previous suggestions that placements should be based on young people's individual needs as many may never find mainstream provision accessible.

### **Increase strain for commissioners (8)**

A few respondents felt that such restrictions would increase strain on commissioners, suggesting that:

- It could reduce the amount of placement options commissioners have to draw upon.
- It could involve additional workload for local authorities and any other commissioners attempting to find multiple placements for one young person.

One email respondent, whilst welcoming further restrictions, stressed the importance of ensuring sufficient capacity in the system to meet demand for alternative provision school places.

### **Other comments (15)**

Other comments included concerns that time restrictions could:

- Result in existing unregistered alternative providers to become financially unsustainable, reducing the breadth of provision available.
- Lead to more young people being out of education, impacting parents working patterns and potential need to home school.
- Cause attendance issues if young people attend multiple providers.
- Risk increased bureaucratic burden for providers in terms of demonstrating compliance with the restrictions.

### Q16c. Do you think there are some children and young people who would benefit from attending unregistered alternative provision on a full-time and/or long-term basis

Most respondents selected 'yes' (84% or 113), agreeing that some children and young people would benefit from attending unregistered alternative provision on a full-time and/or long-term basis. A smaller proportion selected 'no' (13% or 17), with a few respondents selecting 'don't know / not sure' (4% or 5). This balance of responses was broadly mirror across representative groups.

Are there children and young people who would benefit from full-time and/or long-term	Local authority (32)	Other (23)	Provider (58)	School (22)	Total (135)
Yes	26 (81%)	18 (78%)	54 (93%)	15 (68%)	113 (84%)
No	6 (19%)	2 (9%)	3 (5%)	6 (27%)	17 (13%)
Don't Know / Not Sure	0 (0%)	3 (13%)	1 (2%)	1 (5%)	5 (4%)
Total	32 (100%)	23 (100%)	58 (100%)	22 (100%)	135 (100%)

**Table 29: Quantitative analysis of question 16c - some children and young people would benefit from full-time or long-term unregistered alternative provision**

Source: DfE Call for Evidence responses November 2022. Base: 135 respondents. Note 1: Percentages are of all respondents of each organisation type. Note 2: percentages may not sum to 100 due to rounding.

### If you believe there are some children or young people who would benefit from attending unregistered alternative provision on a full-time and/or long-term basis, please identify which groups of children and young people you feel would benefit from such arrangements?

Text answers to this question were provided by 101 respondents. Most respondents commented that full-time and/or long-term provision in unregistered alternative provision would benefit young people with SEND, particularly those with SEMH needs. Other identifiable groups included school refusers, looked after children and those with behavioural issues. It was suggested that smaller unregistered alternative providers are better able to support these young people and provide them with

stability. A small number disagreed with the notion that certain identifiable groups would benefit from this, instead suggesting that this is dependent on each individual young person’s needs.

The groups of children and young people that respondents felt would benefit from full-time and/or long-term provision, along with the reasons given for identifying these groups, are summarised in [Table 30](#).

Children and Young people	Detail provided
Those with SEMH needs (55)	<p>Most respondents commented that young people with SEMH needs would benefit from full-time or long-term unregistered alternative provision placements. These respondents commonly mentioned mental health needs, with many directly referencing young people with anxiety. It was felt that those with high anxiety would struggle to engage with placements for short periods, due to the prospect of returning to mainstream provision.</p> <p>Some respondents suggested young people who have experienced trauma or ACE would benefit from full-time and/or long-term placements. Respondents shared views that these young people would not be able to attend or return to mainstream provision due to their need for one-to-one support.</p> <p style="text-align: center;">“Some children with complex mental health and trauma-based needs require a long term, therapeutic and supportive environment.” <b>(Local authority representative)</b></p> <p>A smaller number of respondents suggested those with SEMH needs would benefit, without specifying particular SEMH needs.</p>
Those with SEND (52)	<p>Most respondents also felt that some young people with SEND would benefit from full-time and/or long-term placements in unregistered alternative provision. Most commonly, respondents referred to young people with SEND without specifying particular needs or disabilities. They regularly commented that some young people with SEND cannot be accommodated in mainstream or special schools due to their high level of need, whether relating to their physical, behavioural or educational needs.</p> <p>Some of these respondents made direct reference to young people diagnosed with ASD. These respondents shared the view that young people with ASD would benefit from full-time and long-term provision, as change is something they struggle with. It was felt that these young people require the stability and specialist support offered by small-scale unregistered alternative provision.</p> <p>“One particular group would be those with autism, especially those who are unable to access their learning without specialised one-to-one support where trust and understanding has to be built</p>

Children and Young people	Detail provided
	<p>up over time and where change is disastrous.” (<i>Provider representative</i>)</p> <p>A smaller number of respondents referred to young people with ADHD, pathological demand avoidance, visual impairment, hearing impairment with a few respondents making general reference to neurodiverse young people.</p>
School refusers (13)	<p>Some respondents also suggested full-time and long-term provision would be beneficial for young people who are school refusers. Respondents suggested these individuals would struggle to re-engage with mainstream school and that focus should therefore instead be placed on finding alternative options for them to improve attendance.</p>
Looked After Children (10)	<p>Other respondents suggested this approach to unregistered alternative provision would be most beneficial to young people in the care system, to provide them with the stability they may lack elsewhere.</p>
Those at risk of exploitation (7)	<p>A small number of respondents mentioned young people who are at risk of exploitation or have previous experience with the police. They suggested the one-to-one support offers and relationships built in smaller providers allows for closer monitoring than in mainstream provision over the long-term.</p>
Those with behavioural difficulties (7)	<p>A few respondents also felt that young people with behavioural difficulties would benefit from long-term placements in unregistered alternative provision, reasoning that some young people with behaviour difficulties can pose risks to other young people and educators when receiving education in large groups.</p>
Permanently excluded (7)	<p>Permanently excluded young people were mentioned by a small number of respondents. It was suggested that these young people clearly struggle with mainstream school, as evidenced by their permanent exclusion, meaning different provision would need to be sought for their full-time education.</p>
Vocational and trade interest (7)	<p>Young people who are interested in vocational or trade-based careers were identified by a few respondents as a group who could benefit from full-time and/or long-term placements in unregistered alternative provision. These respondents expressed the view that some young people who struggle with academic qualifications may find it challenging to access or engage with mainstream school and may therefore be better suited to small-scale provision focused on their interests. Examples provided included construction, mechanics, hair and beauty and landscaping.</p>



Children and Young people	Detail provided
Other young people (19)	Other identifiable groups mentioned by respondents included: Members of gypsy and traveler communities. Armed forces young people. Home educated young people. Displaced young people, including refugees and asylum seekers. Young people who have experienced severe bullying in mainstream school.

**Table 30: Children and young people benefiting from full-time and/or long-term provision**

Source: DfE Call for Evidence responses November 2022.

### Individual basis (9)

A small number of respondents recommended that the length of time spent in unregistered alternative provision should be based on the individual needs of each young person, rather than group characteristics.

“Any learner - no specific group. Dependent on need and circumstance, rather than which categorisation they fall under.”  
*(Provider representative)*

### **Q16d. If you answered yes to the previous question, what arrangements should be put in place to ensure that the children and young people are safe and are receiving a high-quality education that meets their educational and support needs?**

A total of 103 respondents provided text responses to this question. The most common responses centred around the monitoring of both providers and young people to assess the quality of provision and young people’s progression. Other suggestions included monitoring visits to quality assure education and safeguarding. Some recommended the development of a framework for unregistered providers to work towards and be assessed against. A few respondents suggested the development of a local authority approved and monitored list, whilst others felt feedback from young people and parents could support quality assurance.

### **Reviews and monitoring with parents, school, and professionals (46)**

Some respondents suggested that, for full-time and/or long-term placements to be safe and successful for young people, regular reviews and monitoring between professionals and parents is required. These respondents suggested there should be regular dialogue with key representatives including commissioners, parents and any other professionals involved with the young person such as social workers, SEND



leaders and therapists. Some also suggested that the young person should remain on roll at a named school.

To support communication between representatives, these respondents recommended weekly to half-termly meetings and reports with a focus on the young person's progress academically and socially, alongside any challenges they continue to face. A few respondents also suggested that commissioners should continually assess whether the unregistered alternative provision is the most appropriate option available to the young person.

A small number of respondents also mentioned reviews of the young person's attendance and behaviour, and how this connects to home-life through the inclusion of parent or carer feedback, to ensure progress is maintained at home.

### **Monitoring visits (37)**

Respondents suggested the use of monitoring visits when a young person is attending unregistered alternative provision on a full-time or long-term basis, with the aim of checking attendance, quality of provision, progress, wellbeing, and behaviour.

These respondents suggested that several different professionals should undertake these visits, including local authority representatives and staff from the school where the young person is on roll. A few respondents also suggested there could be overarching body or organisation responsible for these visits.

A small number of comments suggested inspections, like that of Ofsted, which are unannounced throughout the school year to ensure provision is consistent.

### **Standards and framework (26)**

Some respondents suggested the development of standards and/or a framework for unregistered alternative providers to work towards, and be assessed against, to ensure quality provision.

“A responsive national framework of quality that recognises the unique factors and differences between the diverse range of unregulated AP.” (***Provider representative***)

A few respondents recommended these standards should be set by the DfE or Ofsted and that they should be enforceable, rather than being guidance. Some suggested that unregistered alternative providers should be subject to the same levels of scrutiny as mainstream and independent schools.

## **Safeguarding (22)**

A smaller number of respondents specifically mentioned safeguarding checks, policies and training to ensure the safety of young people and staff at unregistered alternative providers.

Most commonly, these respondents suggested that safeguarding checks should take place. Recommended checks included DBS, health and safety checks, risk assessments and clarification with the school where the young person is on roll to confirm who holds safeguarding responsibility. As part of these checks, mention was made to monitoring visits to ensure standards are maintained.

A smaller number of respondents mentioned safeguarding training as a requirement to ensure the safety of young people and staff.

## **Approved local authority provision list (5)**

A few respondents suggested that a local authority approved list would ensure high quality provision, with a couple suggesting robust checks and vetting of providers to be included on the approved list.

## **Parental and young person feedback (5)**

A small number of respondents suggested that gathering parental and young person feedback throughout the placement in unregistered alternative provision would offer insight into what is working well for both parties.

## **Other comments (17)**

Other comments made by respondents included suggestion that:

- Attendance should be recorded electronically and shared with multiple parties to help ensure that safety concerns are addressed immediately.
- Assigned officers in local authorities should check on all young people attending unregistered alternative provision.
- Funding is required to support teaching and training practices in unregistered alternative provision and to provide services such as free school meals and counselling for young people access such provision.
- Unregistered alternative providers should offer formal qualifications, including English and maths functional skills.



**Q17a. At present, schools and local authorities have the power to use a combination of multiple part-time placements in unregistered alternative provision simultaneously across a school week to create a full-time education package. In such cases, some stakeholders say that using such an approach creates a risk that children and young people do not receive a full and balanced or "joined up" curriculum, and that oversight of their educational and welfare needs is lost. To what extent do you agree or disagree with this statement?**

Overall, respondents were equally split on this question, with almost the same proportion strongly agreeing or agreeing (38% or 51) as strongly disagreeing or disagreeing (38% or 52). Just under a quarter answered that they neither agreed nor disagreed (24% or 32). However, there were differences by respondent type. Local authorities were more likely to strongly agree or agree (75% or 24) and providers were more likely to strongly disagree and disagree (57% or 33).

Reasons	Local authority (32)	Other (23)	Provider (58)	School (22)	Total (135)
Strongly Agree	6 (19%)	2 (9%)	2 (3%)	5 (23%)	15 (11%)
Agree	18 (56%)	4 (17%)	9 (16%)	5 (23%)	36 (27%)
Neither Agree or Disagree	3 (9%)	9 (39%)	14 (24%)	6 (27%)	32 (24%)
Disagree	5 (16%)	5 (22%)	22 (38%)	2 (9%)	34 (25%)
Strongly Disagree	0 (0%)	3 (13%)	11 (19%)	4 (18%)	18 (13%)
Total	32 (100%)	23 (100%)	58 (100%)	22 (100%)	135 (100%)

**Table 31: Quantitative analysis of question 17a - children and young people do not receive a full and balanced curriculum when in multiple part-time placements**

Source: DfE Call for Evidence responses November 2022. Base: 135 respondents. Note 1: Percentages are of all respondents of each organisation type. Note 2: percentages may not sum to 100 due to rounding.

A total of 105 respondents provided open text responses to this question. Most said that it depends (on a variety of factors), some stressed the need for oversight or communication, whilst others gave varied reasons for disagreeing or agreeing.

## Depends (53)

Many respondents said that it depends on several factors ranging from how it is managed, the role of the commissioner, meeting the needs of young people and monitoring arrangements.

Respondents felt that combination placements could work if they were well-managed through careful planning and monitoring. They highlighted risks that being outside of a registered school can narrow the curriculum, especially around functional skills. Respondents also mentioned the importance of the relationship between the school and the unregistered provider.

“Using this flexible approach [of] multiple part-time placements has been proven to give results and it can be very successful with a multi-agency approach where all are involved and communicate.” (**Provider representative**)

In terms of the role of the commissioner, respondents said that commissioners must be actively involved and take responsibility for the young people that they place. Respondents stressed the importance of monitoring within a “joined-up” approach, and some said this must be through an independent panel.

“The onus should be on the commissioner to ensure there is a balanced educational package for learners.” (**Local authority representative**)

Other respondents highlighted the importance of provision meeting the needs of the young person. Local authority respondents emphasised oversight and quality assurance. Other respondents who are parents, gave examples of circumstances where the needs of their children were not met, due to limitations on available provision.

Monitoring was highlighted as a dependency by a few respondents. They described the importance of effective safeguarding, of involving a local authority casework officer and of regular reviews and meetings with the parent/carer.

A few respondents said that such arrangements should be the exception.

## Need for oversight and communication (29)

Respondents emphasised the importance of communication between all parties involved and that one individual should be in overall charge of the young person. Unregistered providers were more likely than schools and local authorities to mention points coded under this theme.

School respondents reiterated the point about having a consistent individual having oversight of the young person.

“I feel there needs to be a responsible person to oversee multiple placements to ensure the student is receiving a full and balanced curriculum.” **(School representative)**

Local authority respondents who mentioned this wanted to avoid schools abdicating responsibility for oversight of their enrolled pupil's education.

Other respondents said successful arrangements relied on effective partnerships, the definition of the working relationship and the policies and procedures that were put in place. A few said that the school and the unregistered provider needed to work together to ensure the overall curriculum package was appropriate for the pupil.

Some provider representatives gave examples of where this worked well.

“At the unregistered alternative provision I work for, all children and young people have a Case Lead who manages their delivery teams, liaises with other professionals involved with the young person, including their on-roll school, other providers and the family to ensure oversight. They also report to and liaise with the local authority case worker and support transition back to school / college or work.” **(Provider representative)**

A few respondents pointed out a perceived inconsistency that sometimes it is unclear who has lead responsibility for an individual case between the local authority case worker and the main school SENCO.

## **Disagree (27)**

Some respondents explained further why they disagreed with the statement. Unregistered providers were more likely to make responses that were coded to this theme. Their responses generally matched the other headings in this section. A few additional points are mentioned below.

A few respondents described how, in their experience, different provisions offer support for different aspects of a young person's life. In this instance, they felt there were times when a multiple-placement approach could work, with each provision offering something specific to the young person. Other respondents emphasised the negative consequences that could occur for young people who do not receive this type of support if they need it, including self-harm or breakdown of foster placements.

## **Agree (9)**

A few respondents explained further why they agreed with the statement. Their responses generally matched the other headings in this section. A few additional

points were mentioned, including respondents describing challenges with multiple placements such as safeguarding concerns, attendance, and disjointed education.

### **Schools' responsibility (9)**

A few respondents stated that they feel schools should have overall responsibility for overseeing the arrangements for their pupils.

### **Communication between providers (7)**

A few respondents, mostly unregistered providers, emphasised the importance of all providers that are supporting a young person being in regular, joined up communication with each other. One respondent said that local authorities should have the means to digitally connect all providers linked to the same young person. Another respondent stressed the value of a service level agreement between the school or local authority and the unregistered provider.

### **Other comments (14)**

Other points mentioned by a few respondents included:

- Local authority staff capacity issues, linked to a perceived growth in the number of pupils who require this pathway, which the respondent feels tribunals do not take into account.
- Greater challenges and risks associated with safeguarding.
- A perception that some unregistered provision does not include academic options and does not focus on reintegration back into the classroom.
- Commissioned unregistered providers should not be allowed to sub-contract to another unregistered provider without the explicit permission of the original commissioner.

### **Q17b. In circumstances where a combination of part-time placements in unregistered alternative provision is being used to make up a full-time placement, what measures should be in place to ensure that oversight of children and young people's educational and welfare needs is not being lost?**

Answers to this question were provided by 118 respondents. Most commonly, respondents highlighted the importance of strong communication between stakeholders, suggesting a joined-up approach would ensure the sharing of progress, successes, and concerns between all relevant parties. Several respondents discussed the responsibilities of the unregistered alternative provider, local authority, and school in ensuring sufficient oversight and monitoring, whilst also

suggesting the need for additional robust frameworks and quality assurance processes.

### **Joint responsibilities (66)**

Many respondents highlighted communication between various representatives, referencing a multi-agency panel, would enable regular conversations with professionals involved with the children and young people to take place to enable information sharing and regular feedback. Several highlight the importance of strong links between the unregistered alternative provider and schools to enable opportunities to map out the care, education and support being offered.

Standardised information sharing would enable stakeholders to have access to all relevant information. One respondent with experience in using unregistered alternative provision suggested an online tool which all stakeholders could access and contribute to, promoting communication and knowledge sharing. A few respondents felt a successful joined-up approach with strong communication links would ensure positive placements and would help identify ways to continue progressive, tailored learning which would assist in the reintegration of CYP back into mainstream provision in the future.

“Relationships and communication is key for all involved.”  
**(Provider representative)**

A few respondents discussed the need for rigorous national frameworks or a quality assurance board to ensure the monitoring of progress and regulation of unregistered alternative providers, few respondents draw comparisons to the virtual head framework.

“There needs to be collaboration and communication between providers supplying a personalised support package to a CYP. Providers would have to demonstrate to the Board that they can work collectively to ensure that each element of the CYP’s education is being addressed.” **(Local authority representative)**

### **Home school/provider responsibilities (59)**

Several respondents referenced regular reviews, reports and site visits would ensure young people’s needs are effectively being met, most commonly citing these should take place half termly or termly. Most frequently, respondents discussed that this would ensure continuous progress updates and that current or emerging needs could be identified, this would also enable an opportunity to discuss successes and challenges.



“Regular visits and assessments of the provision.” (**Provider representative**)

Some felt that schools are best placed to ensure the welfare and progress of CYP, commenting they are able to make judgements in line with Ofsted requirements and ensure the breadth of provision is meeting educational requirements. Schools would also be able to build relationships with representatives and ensure regular communication between all parties. This would enable the sharing of feedback, concerns, and outcomes. A few respondents expressed that giving schools the autonomy to make placement decisions would enable schools to change and adapt placements to ensure they continue to meet the learners’ needs and would ensure sufficient oversight. The home school should also be knowledgeable in unregistered alternative providers and the expectations of provision.

### **Provider responsibilities (32)**

Most commonly respondents discussed the need for weekly reporting between school and the unregistered alternative provider to share and agree outcomes and evidence engagement and attendance.

“APs should be expected to share updates, progress and discuss each term what they can offer the young person to ensure there is not too much overlap or areas of learning being missed.” (**Provider representative**)

Several respondents highlighted a designated safeguarding lead would ensure opportunities for communication and knowledge sharing among professionals, in addition, they would take responsibility for the achievement and development of the CYP accessing unregistered alternative provision and ensure their opinions are expressed.

A few respondents discussed the need for rigorous measures to ensure attendance. Respondents suggest it’s the schools’ responsibility to track daily attendance and contact the learner/parent if there are consecutive or unexplained absences. In addition, regular alternative provision placement checks should be undertaken to review provision and ensure progress and wellbeing. Further safeguarding measures need to be introduced that match the requirements of other mainstream provision, one respondent expressed there needs to be minimum standards for delivery.

### **Young person requirements (18)**

Some respondents felt individual plans or EHCPs should outline all provision needs and outcomes. This should help identify academic and SEND/SEMH needs and ensure providers are aware of their responsibilities. Other respondents felt there

need to be regular opportunities for young people and parents/carers to express their wishes and/or an advocate for the child or young person.

A few respondents discussed the need for balanced provision, ensuring social, emotional and academic needs are met. An unregistered alternative provider and a representative of a school discuss the need for rigorous academic frameworks based on clear outcomes and goals. One respondent highlighted the need for provision that reduces isolation, particularly for those who receive provision via online packages and to ensure that online class attendance should be recorded and shared with the commissioner on a weekly basis.

### **Local authority responsibilities (15)**

Several respondents felt the local authority should act as a coordinator to ensure oversight and coordination between the providers. A few respondents discussed an appointed independent professional lead with sole responsibility of monitoring and reviewing would ensure young people's education and welfare needs are met, those suggested include a SEND case worker, local authority case worker, education officer or planning officer. Regular review meetings conducted half termly by the local authority with all professionals involved with the young person would support communication and promote positive outcomes.

“If they have multiple providers then the local authority case worker should have oversight - with sufficient hours available to manage this effectively.” (***Provider representative***)

In addition, a local authority representative called for sufficient continuing professional development (CPD) provision for staff in schools, to ensure that SEND/SEMH needs are adequately met upon reintegration into school provision.

### **Commissioner responsibilities (11)**

A few respondents discussed the commissioner's responsibility to oversee unregistered alternative provision, this could include either the local authority or the school, respondents felt this would ensure rigorous QA processes and suitability assessments to ensure provision is meeting the young people's needs. A few discuss the need for regular communication with the provider and family and a representative of a school suggests weekly visits to the placement to create a joined-up approach.

### **Other comments (14)**

Other responses included:

- National safeguarding criteria for these placements which are regularly monitored and inspected.

- Unregistered alternative provision should not be used as an alternative to an alternative provision school.
- Suggestion that, where a young person completes all their education at unregistered alternative provision, they should be registered as EOTAS, with a virtual school framework implemented that can monitor the quality, relevance, and success of their provision.
- Regulatory standards and commissioning by local placement and/or fair access panels would ensure the correct oversight.
- External accreditation should support curriculum expectations.
- A young person passport which evidences the organisations involved and the expectations and impact measures of each provider to provide clarity and accountability.
- Regular team around the family meetings.

### Q17c. Which organisation or body do you think is best placed to oversee these multiple part-time settings functioning together as a full-time placement?

Just over two-fifths of respondents (43% or 58) answered that 'the commissioner (in this case the local Authority)' was best placed to oversee unregistered alternative provision placements. Just under a quarter of respondents (24% or 32) answered 'other' and 16% (22) selected 'local placement panel'. School representatives were significantly more likely than others to select 'a local specialist school' (27% or 6). Other representatives were significantly less likely than the other representative groups to select 'the commissioner' (13% or 3) and were more likely to select 'don't know / not sure' (22% or 5).

Reasons	Local authority (32)	Other (23)	Provider (58)	School (22)	Total (135)
A local placement panel	6 (19%)	6 (26%)	8 (14%)	2 (9%)	22 (16%)
A local specialist school	0 (0%)	2 (9%)	2 (3%)	6 (27%)	10 (7%)
The commissioner (in this case the local authority)	18 (56%)	3 (13%)	28 (48%)	9 (41%)	58 (43%)
Other	6 (19%)	7 (30%)	15 (26%)	4 (18%)	32 (24%)
Don't Know / Not Sure	2 (6%)	5 (22%)	5 (9%)	1 (5%)	13 (10%)
Total	32 (100%)	23 (100%)	58 (100%)	22 (100%)	135 (100%)

**Table 32: Quantitative analysis of question 17c - organisation or body best placed to oversee multiple part-time placements**

Source: DfE Call for Evidence responses November 2022. Base: 135 respondents. Note 1: Percentages are of all respondents of each organisation type. Note 2: percentages may not sum to 100 due to rounding.

Text answers to this question were provided by 61 respondents. Most responses referred to either the school or local authority, suggesting they are best placed to ensure successful placements and continued learning. Some respondents felt a placement panel incorporating a range of stakeholders would effectively support multiple part-time settings functioning together as a full-time placement.

### **Commissioner – school (27)**

Many respondents commented that the school, as a commissioner, is best placed to oversee multiple part-time settings functioning together as a full-time placement. Overall, respondents highlighted that the school's ability to oversee pupil progress would place them best to assess the appropriateness of placements to support learning. One respondent, an unregistered alternative provider, felt schools would be best placed to implement early intervention measures and enable a range of specialist or blended provision which would support in-school learning. One respondent, a representative of a school or academy, described that schools may be best placed to monitor progress and hold safeguarding responsibility, however, they felt that alternative provision schools would be best placed to oversee a learner's curriculum and placement to support their requirements.

A small number of respondents highlighted the need for a specialist role within school settings to oversee these placements in order to maintain progression and access to learning. A few respondents felt collaboration between the school and parents would support successful placement opportunities. Respondents discussed local specialist schools, commenting that they have insufficient time or may be biased towards particular unregistered placement providers.

A few respondents highlighted that whilst schools may be best placed to oversee placements, they have limited time or capacity to successfully prioritise unregistered alternative provision placements. They did not comment who on who would be best placed instead of schools.

### **Local Authority (26)**

Many respondents discussed the local authority as being best placed to make impartial decisions and oversee the package of education, gaining feedback from all parties and quality assuring targets, processes and policies. Some respondents suggested that in order for the local authority to be successful, additional measures need to be in place, this includes additional staff resources to place and manage young people and additional funding to support an increase in capacity.

Several respondents suggested a similar framework to the virtual school whereby the local authority is able to monitor the quality, relevance and success of provision with the ability to initiate reviews as required. Two respondents felt this process should be overseen as part of the EHCP.

### **Placement panel (13)**

Some respondents described the need for a placement panel, this could be inclusive of the local authority, school, teachers, health and social care team members and other professionals or relevant agencies that are working with the young person. Several respondents express the need for an independent panel, free from bias, which could be quality assured to oversee all EOTAS provision.

“A local placement panel or local authority would be more opened minded and hopefully not part of any monopoly to advise on what the best placement would be, based on the historical evidence and outcomes of the provider. They may also have the resources and time to complete any due diligence, visit the provisions and set up meetings, monitor updates and review outcomes. I would assume they would be more representative of the multi agencies supporting the vulnerable child and their family.” (*Provider representative*)

### **Joint responsibility (7)**

Some respondents suggested the responsibility of ensuring that multiple part-time settings function together as a full-time placement should be a joint responsibility. Respondents suggested the following collaborations:

- The local authority and unregistered alternative providers.
- The local authority and an independent panel.
- The local authority and schools.

### **Other comments (11)**

o A few respondents commented that an alternative provision school or trust would be best placed to oversee placements, highlighting they would be able to oversee all aspects of the curriculum. There were also comments that the commissioner should maintain responsibility for management of placements.

Other comments included:

- The organisation overseeing placements needs to have sufficient capacity, commitment, and funding.

- Placements should be overseen by those who hold safeguarding responsibility.
- There is no appropriate service that currently exists.

### **Q18. Thinking about your local area, is there anything else that could be done to improve quality of the unregistered alternative provision available?**

Text answers to this question were provided by 109 respondents. Some respondents suggested a need for a framework to ensure standardisation and quality assurance. Others recommended further monitoring, support, guidance, and funding across unregistered alternative provision. Smaller numbers of respondents made varied comments, including those related to an approved provider directory, a need for increased communication between stakeholders, greater recognition of unregistered alternative provision, and the need for an independent body.

#### **Framework and standards needed (22)**

Many respondents commented on the need for an appropriate framework which ensures unregistered alternative provision placements are quality assured, standardised, and consistent across local authorities. Some respondents describe that this framework could be introduced under a national Ofsted framework, one respondent suggested this should include a nationalised procurement and reporting framework.

A few respondents commented that whilst the framework needs to ensure a standardised benchmark, this should not detract from the individualised specialist approach that unregistered alternative provision is able to offer.

“A standardised benchmark/kitemark or individualised framework to quality assure all unregistered AP's to a point, without preventing the alternative provision from achieving its individualised approach to support young people's needs, and without restricting young people from accessing this.” (**Provider representative**)

#### **Suggested QA and monitoring processes (16)**

Several respondents referenced the need for additional quality assurance measures and on-site visits or inspections, both planned and unannounced, to ensure the quality of provision is meeting the young person's needs. Respondents highlighted the need for a robust and rigorous commissioning process which includes clear KPIs and review dates to ensure young people's needs and academic progress are met.

One respondent highlighted current measures working well within their local authority. These included a robust service level agreement and QA process in addition to a designated safeguarding lead within the unregistered alternative provision setting and regular reporting.

### **Support and guidance needed (15)**

Several respondents described the need for further support in the following areas:

- Additional resources from the local authority.
- Additional support required from the commissioners relating to needs e.g., behaviour and medical conditions.
- Increased provision of CPD training to ensure staff skill sets are developed and the quality of delivery is maintained.
- Support for those wishing to set up unregistered alternative provision.
- Consistent funding support through periods of high and low demand.
- National guidance and framework standards to ensure quality provision.

A small number of respondents commented events for unregistered alternative providers, attended by additional stakeholders inclusive of school representatives and the local authority would support them in sharing experiences, case studies and best practice.

### **Comments on funding and finances (12)**

Many respondents discussed the need for additional funding across several areas.

Additional funding was thought by respondents to be important for SEND services, for individuals without an EHCP but who struggle to engage in mainstream provision and for those with moderate learning and mental health needs. One respondent suggested additional funding for educational opportunities within local councils, schools and academies.

Business management support for unregistered alternative providers was also suggested, to ensure they are effectively using funding and can continue to deliver successful support, reducing the risk of small providers closing. One respondent highlighted that additional funding could be made throughout holiday periods to enable providers to run additional sessions. Another commented the following:

“An appropriate contracting system that guarantees and 'buys' a minimum number of funded places per year - thus guaranteeing a level of funding that enables planning, development, staff training and retention.” (***Provider representative***)



One respondent suggested increased funding for alternative provision schools to minimise the usage of unregistered alternative provision and another respondent suggested a national charging model based on needs and outcomes which would allow local area partners to control cost and make comparisons between providers.

### **Registration process required for unregistered alternative provision (10)**

Several respondents commented on the need for a registration process, suggestions included a similar process to nurseries, through Ofsted or as part of a local alternative provision trust. Respondents highlight this process would need to be easy to navigate and cost effective.

### **Concerns (8)**

Some respondents highlighted that quality and capacity of unregistered alternative provision differs between local authorities. An unregistered alternative provider highlighted the challenges in addressing the rise in demand for unregistered alternative provision following the COVID-19 pandemic. One respondent commented that commitment to staffing and resources can be challenging during periods of low demand and another respondent expressed concerns regarding increased legislation, highlighting this may cause resources to be allocated away from delivery. A few respondents expressed that unregistered alternative provision is successful due to the flexible and bespoke nature, they felt that treating them like a school would reduce their effectiveness.

One respondent expressed concerns of the motivations of unregistered alternative providers, commenting that those with a primary focus on making profit may not sufficiently look after the needs of vulnerable young people. Another respondent commented that whilst unregistered alternative provision is meeting the needs of young people without an EHCP, this may cause underlying issues to be unaddressed.

### **Approved directory required (8)**

Several respondents discuss the need for a directory of approved, quality assured unregistered alternative providers using an agreed framework, this would enable school and parents to make informed decisions and provide reassurance.

### **Information sharing and partnership working (8)**

A few respondents discussed improved communication and multi-agency working among unregistered alternative provision and different organisations. A small number of respondents suggested an online sharing platform accessible for all stakeholders involved, creating a joined-up approach in addition to regular reviews to enable services to plan effectively.



## Young person and parent voice (7)

Several respondents highlighted the importance of seeking the views of parents and young people, suggesting this would enable young people to feel valued and encourage participation when placed correctly. One respondent suggested a young person's participation board to support communication between young people and professionals to discuss their experience, successes, and challenges.

“Parent/Carer voice should be front and centre of planning, improving and monitoring APs. They are currently not listened to enough and some local authorities seem to work against rather than with parent/carers. Young people's voices should be valued more in saying where and how they feel they would be best educated.” (*Provider representative*)

## Recognise the value of unregistered alternative provision (7)

A small number of respondents felt unregistered alternative provision is undervalued, highlighting that there needs to be recognition to reflect the high-quality services provided to meet the needs of a variety of young people and reduce the stigma surrounding the use of the word 'unregistered'. One respondent highlighted that unregistered alternative provision is able to build on provision, e.g., online learning to enhance provision and create new ways of working.

## Independent body (5)

A few respondents suggested the creation of an independent unregistered alternative provision body to oversee and coordinate quality assurance, standardisation and best practice. This could be supported by key stakeholders inclusive of parents, school leaders, SEND professionals, health and social care and local commissioners. One respondent suggested that this could assist in the reporting of outcomes.

## Other suggestions (18)

Many respondents highlighted that bespoke and alternative education is essential to ensure all children are able to access quality learning, expressing unregistered alternative provision is able to meet the needs of those with additional requirements. There needs to be a broader understanding of young people's capacity to learn with providers given sufficient time to address their needs and work through barriers which inhibit them from participating in mainstream provision.

A few respondents said that clearer expectations, transparent decision making and better communication would support positive improvements to unregistered alternative provision. Other respondents highlighted the lack of recognition providers received despite supporting several positive outcomes.

A small number of respondents highlighted that there needs to be more unregistered alternative provision, especially for those with complex SEND, including complex SEMH needs. A few respondents suggested placements should be linked to the local labour market to address local skill shortages with additional provision to support young people into mainstream support following successful unregistered alternative provision, this could include apprenticeships or college courses. One respondent suggested regular safeguarding audits to ensure the correct policies and procedures are being followed, with supportive feedback for improvement and another respondent felt unregistered alternative provision should not be available for KS1.

### **Other comments (8)**

Other comments included:

- Unregistered alternative provision is not specifically linked to a local area.
- Respondents expressed their positive experience of unregistered alternative provision.
- There would be no requirement for unregistered alternative provision if other types of provision were sufficiently funded.
- Those without an EHCP should be able to access unregistered alternative provision over the age of 16.
- Confusion within the registering process for provision for pre-16 students.

### **Emailed responses**

In addition to the 135 online responses, the Department for Education also received 9 responses by email. Comments made in emailed responses regarding the role of unregistered alternative provision to complement education in a school echoed those made by respondents who completed the online questionnaire and are therefore captured in the question analysis detailed in this section.

### **Focus groups**

Focus group participants commenting on the role of unregistered alternative provision to complement education in a school were mostly provider respondents, although a few local authority respondents also commented on this issue.

Participants expressed the view that unregistered alternative provision can offer a broad and flexible curriculum for young people who struggle engage with the requirements of schools, whether mainstream, specialist or alternative provision schools. For example, it was felt that flexible, part-time provision is necessary for

some young people who may find the full-time attendance requirements of alternative provision schools challenging.

Equally, participants commented that some young people may benefit from full-time attendance at unregistered alternative providers but highlighted that this was currently not possible due to current restrictions. Provider respondents described finding these part-time restrictions challenging, particularly as different local authorities interpret the rules differently and sometimes “move the goal posts” as to the number of hours per week that is allowed. It was also suggested that these restrictions can sometimes mean a young person has multiple part-time placements where one full-time placement with an unregistered provider would better meet their needs and be the preferable option for the young person.

Providers were therefore keen to offer full-time provision, however, to do this under the current system would require that they register as a school. Many provider respondents felt school registration would comprise the broad and flexible curriculum they are able to offer, thereby reducing the unique benefits of unregistered alternative provision.

On placement length and re-integration with school, participants did not feel that limits on placement length would be in the best interests of young people accessing unregistered alternative provision. Participants described various issues that made re-integration over a short period of time challenging, including that:

- Unregistered alternative provision is often the “end of the line” for young people, after having tried multiple other options, meaning they are often reluctant to go back to settings they have tried previously and that have not worked.
- Young people accessing unregistered alternative provision often have very complex needs, which can take a long time to identify and address, with one participant suggested a typical timeframe of a year to 18 months.

Overall, it was felt that rather than placing limits of the use of full-time placements or on placement length, the focus should be on each young person’s needs and would be the best learning environment for them.

“We’d love it to be short-term, but not at the expense of what’s right for the child. So not just saying well we’re going to make sure this is just a six-week stopgap. Why are we going to do that if we know that after 6 weeks our only option is putting them back into an environment that really isn’t going to work for them?” (**Local authority representative**)

## Terminology

Terms defined below are used throughout the Call for Evidence questionnaire and in this report.

**Alternative provision:** 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 suspension; and pupils being directed by schools to off-site provision to improve their behaviour.

**School:** an educational institution that is not a further education or higher education setting and is an institution for providing full-time education for children and young people aged (approximately) 5 to 18, or part-time education for children aged 2 to 5.

A setting must register as a school if they provide full-time education to 5 or more pupils of compulsory school age, or one such pupil who is looked-after or has an Education Health and Care (EHC) Plan.

**Alternative provision school:** a school that provides education for children of compulsory school age who, because of exclusion, illness, or other reasons, would not otherwise receive suitable education. Alternative provision schools also provide education for pupils on a suspension or pupils who have been directed by their school to improve their behaviour.

**Unregistered alternative provision:** a setting providing education for children of compulsory school age (5 – 16) which is not registered and does not meet the definition of a school by providing full-time education to fewer than 5 children of compulsory school age without an EHCP or who are looked after, or part-time education for one or more children including those with an ECH Plan or who are looked after.

**Independent school:** a setting which meets the above-described criteria to register as a school but obtains funding by charging fees instead of receiving funding from the government and is not maintained by a local authority.

**Special school:** Special schools are schools which provide an education for children with a special educational need or disability.

**Specialist school:** A policy term to describe an alternative provision or special school.

## Abbreviations

ACE	Adverse Childhood Experiences
ADHD	Attention Deficit Hyperactivity Disorder
ASD	Autism Spectrum Disorder
CPD	Continuing Professional Development
CYP	Child or Young Person
DBS	Disclosure and Barring Service
DfE	Department for Education
DPS	Dynamic Purchasing System
EHCP	Education, Health and Care (Plan)
EOTAS	Education Otherwise Than At School
KCSIE	Keeping Children Safe in Education
LAC	Looked After Child
MAT	Multi-academy Trust
Ofsted	Office for Standards in Education, Children's Services and Skills
PRU	Pupil Referral Unit
SEMH	Social Emotional and Mental Health
SENCo	Special Educational Needs Coordinator
SEN	Special Educational Needs
SEND	Special Educational Needs and Disabilities

## **Methodology**

The methodological approach for analysis of the Call for Evidence data involved three phases, detailed in the following sections.

### **Phase one: Data checking, review, and preparation**

DfE staff undertook a process of cleaning and checking an Excel file prior to the transfer of data to York Consulting, i.e., to remove personal identifiable information. The data was then uploaded to NVivo 12 software for the analysis of open text questions. Analysis of quantitative data from closed questions was undertaken using Excel.

Responses to open text questions were analysed by researchers using a combined a priori and inductive coding approach. Certain themes were decided in advance of coding based on the question asked. Other themes were then added to the coding framework for each question inductively as they were identified in the data by the researchers. Themes from the coding framework were set up as thematic 'nodes' in NVivo for each open text question. All respondent data (online Call for Evidence responses) were coded under the thematic nodes (this included coding into 'other' thematic nodes for references not aligning with any of the other thematic nodes).

Review of each code by numbers of references was used to determine the final coding framework. In cases where the number of references was very low (under 5), consideration was given to merging these into other codes. Where the number of references was high (over 30 references) and where it was appropriate, further sub-coding was undertaken to assist the analysis process.

### **Phase two: Analysis of responses**

#### **Analysis of the final data sets**

Responses within each thematic node of the coding framework were analysed and summarised under the relevant question heading in this report. Further detail on the reporting of this analysis is outlined in Phase three: Reporting.

The groups for the analysis of closed and open questions were determined by groupings based on results from the initial question asking in what capacity respondents were responding to the Call for Evidence. Respondents chose from the following options:

- As a representative of a school / academy: (Including mainstream, special, independent, or alternative provision schools).
- As a representative of a local authority.
- As someone who delivers unregistered alternative provision (including tuition providers, online learning or non-school or other off-site settings).
- Other professional party with experience of supporting commissioners or working with unregistered alternative provision providers.

## **Analysis of emailed responses**

Responses to the Call for Evidence that were submitted by email (9 in total) were collated. The process for this included the following:

- Emailed responses were reviewed with reference to the format and scope of the information included. Most did not respond to the individual Call for Evidence questions using the structure of the online questions.
- Responses were analysed in line with the three headings from the Call for Evidence:
  - The use and role of unregistered alternative provision within the SEND and alternative provision system.
  - Planning, commissioning, and monitoring placements into unregistered alternative provision.
  - The role of unregistered alternative provision to complement education in a school.
- The analytical approach sought to identify areas of consensus between the online and emailed responses and the areas of difference. The focus was then on understanding and analysing these additional and different views.
- In almost all cases the emailed responses were in line with wider responses to the Call for Evidence. We have referenced emailed responses by exception under relevant questions, and summarised any additional responses not directly aligned with specific questions at the end of each section.

## **Analysis of focus group data**

Summarised notes of the 5 focus groups organised by DfE were shared with the research team. As with the emailed responses, these were analysed in line with the 3 headings from the Call for Evidence. Comments from focus groups relevant to each of the 3 headings are summarised at the end of each section.

## Analysis of Call for Evidence data: challenges

A range of challenges were identified during the analytical process. These specifically related to the qualitative responses provided by those participating in the Call for Evidence. The key challenges identified were:

- Some of the respondents provided detailed information in their answers to individual questions, often setting out a mix of views rather than only those related to the question. More detailed responses were frequently provided to the earlier sections of the Call for Evidence, and in many instances the respondents addressed subsequent questions as part of their initial answers.
- Participation in the Call for Evidence was on a self-selecting basis. The findings in the report therefore carry the unavoidable risk of self-selection bias meaning that those responding may not be representative of the whole population of potential respondents.
- Some respondents re-iterated their views across the questions, occasionally using the same wording. This resulted in a level of repetition across the text responses and different questions and sections. The analysis has aimed to capture the range of responses provided to each question and to reflect all views. As such, key issues and views are repeated in the reporting.

## Phase three: Reporting

### Report structure

The remainder of this report details our analysis of the Call for Evidence questions. It includes an introductory section describing the characteristics of the respondents followed by quantitative and qualitative analysis of the Call for Evidence questions, in line with the 3 Call for Evidence headings.

For each question, the following approach to reporting has been used:

- The Call for Evidence question is the heading for reporting of results.
- Results for closed questions (where applicable) have been presented as a table with an accompanying narrative of results, and with reference to the responses by respondent groups.
- Qualitative responses (open questions) have been presented under the main themes (NVivo thematic nodes), with a focus on coding volumes. On this



basis, the order of themes has been determined by the number of respondents with responses coded under each theme. Themes with the highest number of respondents have been reported first, with the others in descending order. The number of respondents with responses coded under each thematic node is reported in brackets after the theme sub-heading.

- Observed differences in qualitative responses between representative groups are mentioned by exception. Where differences are not highlighted within a given question, this indicates that there were no noticeable differences in qualitative responses between representative groups.
- Tables and bullet points have been used to provide succinct and clear information regarding the views of respondents and key issues that they have raised.
- Quotes are used to illustrate how a view voiced by several respondents was typically expressed.



## Analysis of respondents

A total of 135 respondents completed the online Citizen Space questionnaire. Of these, 43% (58) identified that they were provider representatives, that is, someone who delivers unregistered alternative provision. Almost one-quarter of respondents (24% or 32) identified that they were a representative of a local authority. The remaining respondents were either representatives of schools or academies (16% or 22) or other representatives, that is, other professional parties with experience of supporting commissioners or working with unregistered alternative provision providers (17% or 23).

Type of Respondent	Count	Percentage
Provider representative	58	43%
Local authority representative	32	24%
School representative	22	16%
Other representative	23	17%
	<b>135</b>	

**Table 33: Type of respondent**

Source: DfE call for evidence responses November 2022. Base: 135 respondents.

## Provider respondents

Of the provider representatives, the most common respondent type was those 'holding a leadership role in an unregistered alternative provision setting' (81% or 47), whilst 21% (12) identified that they were 'an employee of an unregistered alternative provision setting'<sup>5</sup>. Other Provider representatives included:

- An individual working on behalf of an organised body which represents or collectively oversees individual settings or groups of settings which provide unregistered alternative provision.
- An owner of an unregistered alternative provider.
- An individual working on a freelance basis for an unregistered alternative provider.

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<sup>5</sup> Respondents could select more than 1 option hence the numbers do not equate to those in the above table.

## Local authority respondents

Most local authority representatives identified that they were a 'department lead or officer in a team that commissions unregistered alternative provision' (72% or 23), whilst 13% (4) were a 'member of the virtual school's team'. Those selecting 'other' included members of local authority Alternative Provision teams, assistant directors of education and inclusion as well as one collated local authority response.

## School respondents

Of the school representatives, just over three-quarters (77%) were in a 'headteacher or other leadership position'. Other school representatives included a teacher, a Special Education Needs Coordinator (SENCo) and a school business manager, amongst others.

As shown in [Table 34](#), just under one-third of school representatives (32% or 7) were responding on behalf of a mainstream school and just over a quarter (27% or 6) were responding on behalf of an alternative provision school. Those selecting other included representatives of a 16-19 academy, a local authority-maintained Pupil Referral Unit (PRU) and a Multi-academy Trust (MAT).

Type of School	Count	Percentage
Mainstream School	7	32%
Special School	3	14%
Alternative Provision School	6	27%
Independent School that provides alternative provision	1	5%
Independent Special School	4	18%
Other	3	14%
	<b>22</b>	

**Table 34: Type of school**

Source: DfE Call for Evidence responses November 2022. Base: 22 respondents

Amongst school representatives, the most common school type was 'secondary schools' (41% or 9), followed by 'all through' provision (36% or 8). Other school types included:

- Primary (14% or 3)
- Other: Multi-Academy Trust (MAT) with primary and secondary academies (5% or 1)
- Other: Post-16 (5% or 1)

## **Other respondents**

Those who identified that they were an 'other professional party with experience of supporting commissioners or working with unregistered alternative provision providers', included a mixture of professionals; individuals who were both parents and professionals in education and related sectors; and a carer of a SEND child.

## **Email respondents**

Respondents submitting responses via email included local authorities and sector organisations including unions, regulators, and non-departmental government bodies.



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