

LEICESTERSHIRE SECONDARY EDUCATION AND INCLUSION PARTNERSHIPS

GUIDANCE FOR ACADEMIES, SCHOOLS AND PARTNERSHIPS ON PREPARING FOR OFSTED FOR ISSUES LINKED TO THE PARTNERSHIPS updated Aug 24

1. SUMMARY KEY POINTS

Partnerships advise that schools should ensure that they have a key member of staff who knows the details of every child on Programme Management to include:

- a. Knowledge of the student's timetable, the qualifications they are working towards and where they are each day.
- b. A copy of the Student's SEND/Learning Plan, evidence to show the school's continuing involvement in the monitoring and review of the plan. The staff member or the SENDCO should be able to explain to an Inspector why this plan is the "right way forward" for the child. Ofsted will need to know that provision is aligned to need, that the offer is appropriate for the pupil and that progress is monitored.
- c. Evidence to show that the school has a robust way of monitoring attendance and can demonstrate that any issues that arise are always dealt with swiftly and effectively.
- d. Evidence to show that any safeguarding issues are always communicated to the school DSL so that the school can ensure that issues are dealt with swiftly and effectively.
- e. Evidence to show that each child has been seen at each of the settings they attend at least once each half term. (NB this is primarily a check on the child not a QA visit to the provision)
- f. Evidence to show how the school quality assures provision used – either independently or as part of the collective work of the Partnerships
- g. Knowledge of the guidance contained in this document.

2. Introduction

Paragraph 292 of the April 2024 Inspection Handbook sets out that Ofsted will evaluate the use of off site AP by schools including:

- *Checking that placements are safe, effective and promote pupils' progress*
- *Visiting a sample of placements and speaking to staff*
- *Evaluating arrangements by schools for keeping children safe at the placements.*

It is clear that Ofsted as an organisation understands and recognises the type of arrangements that we have in Leicestershire to support students who cannot sustain a place in their mainstream school. The SEIPS view is that responsibility for provision made directly by Partnerships (for example the Base at Shepshed campus, Wigston, Roundhill and Glenfield) is shared by all partnership schools. The guidance suggests that inspectors could ask to see such provision and that this is likely to happen for schools having graded inspections. Paragraph 320 refers to this.

Links to the Partnership Agreement and Memo of Understanding can be found at:

<https://www.leicsseips.org/partnership-agreement>

2. The Guidance

This Partnership Guidance is designed to ensure that:

- a) Academies, schools and the partnerships have organised their work with this cohort of students effectively and in ways that demonstrate effectiveness to Ofsted.
- b) Academies, schools and the partnerships can answer Ofsted questions consistently and with confidence.
- c) The Partnerships are prepared for the possibility of a visit from Ofsted as part of an individual school Inspection and have prepared the providers they use for this possibility.

The Guidance is in three sections.

Section 1 sets out our arrangements for securing effective safeguarding of students in settings other than schools. The April 24 Framework retains the emphasis on this but broadens expectations around curriculum and progress. Common practice has been for the school to facilitate a phone call to the local Partnership Co-ordinator so that questions about this area of practice can be answered authoritatively. Section 1 also outlines the way that we ensure that the providers we use are not acting illegally as unregistered schools. Paragraph 399 refers specifically to the need for Inspectors to satisfy themselves that pupils are not being placed in illegal schools.

Section 2 sets out the expectations of the way that schools should remain involved with their students even when they are fully “programme managed” by the partnerships.

Section 3 sets out the responsibilities and accountabilities for every individual school for the quality of the provision that the Partnerships are making for their students, ensuring that no individual school carries the accountability burden alone. Paragraph 400-401 sets out how Inspectors should check the effectiveness of the schools QA process.

ACCOUNTABILITY OF PARTNERSHIPS

The LCC – Secondary Schools and Academies Partnership Agreement sets out the way in which the Partnerships are [accountable to the local partnership schools and academies](#). The commitment of schools is documented in the “Memorandum of Understanding” The Agreement and the Memo were revised and relaunched in Sept 2021.

The Partnership Agreement established a [second accountability process to ensure that the Partnerships are compliant](#) with the terms of the agreement. A County Board chaired by the Director of C&FS and with representatives from LA services, academies and MATS collects financial, provision and outcome data from each Partnership using this to review the performance of each Partnership.

Each Partnership has a Local Board with representation from all member schools.

3. Section 1: Safeguarding Students at settings other than schools

- a) Partnerships only place pupils in settings that are registered with Leicestershire Education and Business Company (LEBC). You can find out about LEBC by clicking here <https://www.leics-ebc.org.uk/about-lebc>
- b) LEBC carries out an annual audit on behalf of the Partnerships. This audit is triggered by the first placement of a student any of the five Partnerships makes at the start of each year.
- c) The audit includes a check to ensure that the Provider has a single central record and a Designated Safeguarding Lead. In addition these audits:
 - Ensure that Providers are aware of and understand the rules about the need to register as a school if working with students for a significant proportion of their education time. No AP will be accessible via the LEBC website unless they are operating legally. (see section f below)
 - Ensure that Providers have appropriate insurances and proper health and safety arrangements in place.
- d) Each time a Partnership places an individual student with a provider they register this with LEBC. This ensures that :
 - There is a direct link to the student’s Partnership records to show that the provider has been checked by LEBC for safeguarding, insurances and health and safety.
 - The Partnerships are therefore able to provide schools with an evidence trail to show that they are satisfied that requirements for safeguarding have been met in full, student by student. Partnership Co-ordinators are aware that they may be contacted by schools undergoing Ofsted Inspections and asked to provide information to demonstrate this.
 - There is a mechanism for ensuring that the Partnerships pay a fair share of the cost of LEBC’s audit service based on the number of students placed with providers. (This is currently around £40 per placement)
- e) In addition the Partnerships:
 - Hold an annual meeting for all the Providers they work with. In 2022 all providers were offered discounted safeguarding training, including the chance to do a follow up to gain updated DSL certification. This was provided by the LA’s Safeguarding Team.
 - Carry out Quality Assurance Visits using an agreed framework. The reports are shared across the five partnerships, are held in the Partnership web site and can be accessed swiftly by Co-ordinators on request of schools.
 - Have a process in place to ensure that individual students are effectively inducted when they first start a placement. This pays particular attention to issues such as who is the DSL and what a student should do if they feel unsafe.
- f) Partnership students are not placed in illegal settings. All our providers know that if they offer the substantial part of the education programme (the DFE guidance suggests more than 18 hours per week) to students they need to be a registered school. Partnership Co-ordinators take care to ensure that our students **are not** “handed over” to an unregistered provider to:
 - to take on the main responsibility for the student’s programme
 - to provide three or more days of provision per weekMost of our providers are unregistered. This group know that they must limit the work they do with individual students to ensure they do not need to register as a school. The

Partnerships and LEBC continue to ensure that our providers understand the law about registering.

ADVICE TO SCHOOLS USING ALTERNATIVE SETTINGS

If you make your own arrangements for placing students in “settings other than schools” you are advised to follow the procedure described above – working directly with LEBC and paying the necessary fee per student placement.

You should take care not to use an unregistered provision if it is acting illegally. You can find Partnership advice to providers here:

<https://www.leicsseips.org/draft-policies-and-documents-for-ap>

4. Section 2: School Involvement with Programme Managed Students

Paras 293-296 focus on Inspectors ensuring that the programmes for pupils placed in alternative settings provide and appropriate curriculum, support improvement in attitudes, behaviour and attendance and secure progress

You should be ready and able to demonstrate to an Ofsted Inspector that your school/academy:

- a) ensures that at least one member of staff has a full overview of those students who are on full or part time programmes with their Partnerships
- b) has made a referral using the Partnership Exclusion Forum and/or Panel/ Core Group following the locally agreed procedures
- c) has provided information about previous attendance, well being and academic progress as requested by the Partnership
- d) has worked with the SEIP on any Risk Assessments needed to ensure the pupils’ safeguarding and of others on the journey to and from any AP setting and once at the setting
- e) is confident that the current plan ensures that provision is a “best fit” with the student’s needs and **has clear milestones towards an agreed goal**. The goal may be reintegration or transition to Post 16 or full time specialist setting.
- f) has participated in the Partnership’s regular review of progress of each individual student, following a “plan, do, review” process and knows about the student’s current rate of progress.
- g) Is aware of the way in which progress towards the milestones is being measured and how that progress is going.
- h) has received and processed attendance data from the Partnership each day and has actively followed up any issues of attendance and punctuality working with the Partnership.

- i) has visited the student each half term in each setting to check on the well being of the student and to reinforce the schools' knowledge about the setting.

ADVICE TO SCHOOLS - BALANCING REALISM AND CHALLENGE IN PROGRAMME PLANNING

Schools, Academies, The Local Authority, the Chairs of Partnerships and the Partnership staff teams share a commitment to work to “get these learners back on track”. Some of the students referred to the Partnerships have become disengaged from education and as a result are at high risk of further degradation of their life chances. Programmes that fail to address the challenge of securing re-engagement of these students have no little or no chance of restarting educational progress. A difficult balance between the ambition to secure outcomes that are in line with the learners' potential and the need to secure some realisable progress needs to be struck. Schools and Academies, when participating with Partnerships in developing a plan and programme for individuals can be confident that the right plan has been established if it:

- sets a route back to engagement and onto a pathway for educational progress
- sets outcomes that allow a secure judgement of whether the planned progress has been achieved.
- Has timely reviews built in so that the plan can be readjusted as needed.

Section 3a: The quality assurance of the alternative provision

The April 2024 Handbook Paragraph 400 requires Inspectors to assess the adequacy of the school's quality assurance process. The DFE in its consultation document of May 24 on AO noted that currently schools, LAs and others are duplicating QA process and that "This can place excessive demands on their limited administrative resources, adding little value, and adversely affecting their ability to focus on supporting children." (Chapter 2 Para5)

Currently SEIPS operate a QA process using an "in House" QA framework. SEIPS reports are available on the web site for schools to review at <https://www.leicsseips.org/ap-reports>. The SEIPS have long term relationships with the APS we use and will not place pupils unless they are confident of the quality of the provision. Schools whose pupils are formally programme managed by SEIPS (Teir 4) can confidently report that robust QA is in place.

Schools placing pupils at AP independently may access the SEIPS QA reports. They may also use the template QA report independently. We advise that schools should let their local SEIP know of any placements they make and of any plans to carry out QA visits.

A project is now being developed jointly with Leicester City and Rutland to expand the QA framework, involve schools in a shared and moderated process of QA and provide them with access to a database of the outcomes of QA

5. Section3b The quality assurance and accountability for the Partnerships' "in-house provision" and overall management of its students

The Chair of Partnership's School and /or the Fund Holding School may feel an unfair burden of responsibility for the operation of the Partnership. This sense of responsibility has increased as the Partnerships have developed their own "in house provision". If the Partnership was to be regarded by Ofsted as a "unit" of the Chair's school, any adverse judgement of a Partnership by an Ofsted Inspector risks having a significant impact on the final judgement the school receives. It is clear from the Inspection Handbook and by implication that Ofsted corporately understand the nature of our partnerships. Chair/fund holding schools can be robust in asserting to Ofsted that their responsibility for Partnership provision is a shared one. Para 320 n the Inspection Handbook sets out the accountabilities for individual schools.

In order to demonstrate that they meet the requirements of Para 320 all local partnership members schools/academies should ensure that they have:

- Contributed to the development of arrangements for securing the local accountability of their Partnership provision
- actively participated in the agreed local arrangements as part of the Partnership's quality assurance of settings other than schools
- actively participated in the agreed local arrangements for securing the accountability of the Partnership itself to the local schools group including participating in any local arrangements to quality assure the Partnership's in house provision.

Schools/Academies should also ensure that Ofsted Inspectors are made aware of the significant role played by LCC and the Chairs through the County Board in quality assuring

provision including:

- The robust collection and analysis of data across the Partnerships
- The two level quality assurance process for settings other than schools – using LEBC and our own QA visits.
- The support network that Links the LA Inclusion Team with the Co-ordinators

In summary an Ofsted Inspection will consider the way each school participates in the quality assurance of its local Partnership and this consideration will impact on the leadership and management judgement in the school's report. A Chair's or Fund Holding School should be judged in exactly the same way as all of the other schools in the Partnership.

FIND THIS DOCUMENT ON LINE AT

<https://www.leicsseips.org/chairs-page>

Appendix A

Extract from School inspection handbook

For all Inspections

Para 237 (extract) And the extent to which all pupils, particularly disadvantaged pupils (including those with SEND):

- acquire the knowledge and cultural capital they need to succeed in life
- make progress, in that they know more, remember more and are able to do more. They are learning what is intended in the curriculum
- produce work of high quality
- achieve well in national tests and examinations, where relevant
- are being prepared for their next stage of education, training or employment at each stage of their learning, including whether pupils in sixth form are ready for the next stage and are going on to appropriate, high-quality destinations
- are able to read to an age-appropriate level and fluency (if not, they will be incapable of accessing the rest of the curriculum, and they will fall rapidly behind their peers)

Evaluating the use of off-site alternative provision

292. Where pupils, including those in PRUs and other alternative providers, attend off-site alternative provision, inspectors will evaluate the extent to which these placements are safe and effective in promoting pupils' progress. Inspectors will normally visit a sample of the alternative providers used and, if required, may speak to local authorities, other agencies and parents/carers to gather evidence. Inspectors will want to understand how providers ensure that pupils who attend multiple settings or part time are kept safe when they are not on site for the whole school day.

The following Paras provide insight into the expectations Inspectors will have for our Partnership Provision that involves schools as partners.

293. PRUs and academy alternative providers differ from other schools in that they are intended to be short-term interventions to secure the successful re-engagement into education. In these settings, inspectors will gather and evaluate evidence about:

- how well the school identifies, assesses and meets the needs of pupils when they first begin to attend the PRU or other alternative provider, including pupils with SEND
- how well leaders ensure that the curriculum is coherently sequenced and meets all pupils' needs, starting points and aspirations for the future, including through remote education
- how successfully leaders involve parents, carers and, as necessary, other professionals or specialist services in deciding how best to support pupils

- whether leaders are ambitious for all pupils, and the extent to which governors/trustees understand the particular context of the provision
- how well leaders include pupils in all aspects of school life, giving particular emphasis to how well they are prepared for their next steps in education, employment and training, and adult lives
- how well leaders ensure that pupils' outcomes are improving as a result of any different or additional provision being made for them, including outcomes for pupils with SEND

294. Pupils in PRUs and other alternative providers often have significant, complex vulnerabilities. In the same way as with other schools, inspectors will evaluate the ways in which leaders have made appropriate and effective safeguarding arrangements for pupils in the light of their higher vulnerability to safeguarding risks. Inspectors will expect providers to understand their unique contextual safeguarding factors and outline how they proactively work, including with other agencies, to mitigate the specific factors that affect their pupils and the community that they serve.

295. PRUs and other alternative providers may have different objectives in their work related to the reasons why a pupil is placed in alternative provision, the needs of the pupil, the duration of placements and the proportion of time that pupils stay with the provider each week. For instance, in a PRU that provides short-term placements for excluded pupils or those at risk of exclusion, the core work may emphasise specific improvements in pupils' attitudes, behaviour and/or attendance alongside their academic/vocational/technical achievement or be aiming to reintegrate pupils into mainstream schools. Alternative providers may also offer services to schools and other educational settings to help them support children with additional needs in their settings. An alternative provision setting may be the permanent destination for some pupils. Inspectors will evaluate schools' success in these areas, while bearing in mind that we expect high academic/vocational/technical aspirations for all pupils.

296. Transitions into PRU and alternative providers are often complex, involving dual registration, periods of non-attendance and meetings with a range of services and families. When evaluating pupils' attainment and progress, inspectors will consider the ways in which the school has identified, assessed and met the needs of pupils. They will evaluate the progress that pupils have made since they began to attend the alternative provision.

297. For pupils who have left the PRU or other alternative provider, inspectors will consider how well the progress they made there enabled them to move on to suitable destinations and, post-16, to take courses at an appropriately demanding level. They will also look closely at how effective liaison is with other schools to ensure that there are appropriately high expectations and, as far as reasonably possible, continuity in pupils' education programmes. Inspectors will also look at whether the provider works closely with families, schools and other agencies to ensure a smooth transition to and from alternative provision. They will look at whether it sets expectations that reintegration back into mainstream education is a key component of a placement.

The following Paragraphs apply to Graded Inspections

320. Over the course of inspection, inspectors will carry out evidence-gathering activities. In some cases, inspectors will be able to gather this evidence as part of other activities they are carrying out. The activities are:

- visiting any off-site unit that the school runs (on its own or in partnership with other schools) for pupils whose behaviour is poor or who have low attendance. Inspectors will assess safeguarding procedures, the quality of education and how effectively the unit helps to improve pupils' behaviour, learning and attendance.

398. Inspectors will evaluate how well a school continues to take responsibility for its pupils who attend alternative or off-site provision. Inspectors need to be assured that leaders have ensured that the alternative provision is a suitable and safe placement that will meet pupils' academic/vocational/technical needs, pastoral needs and, if appropriate, SEND needs. Inspectors will speak to a selection of pupils who attend off-site provision, where possible, including potentially through video or telephone calls.

399. Inspectors will ask the school about the registration status of any alternative providers that they use. Any provider of alternative provision must be registered as an independent school if it caters full time for 5 or more pupils of compulsory school age, or one pupil who is looked after or has an education, health and care (EHC) plan. If a school uses alternative provision that should be registered but is not, inspectors will carefully consider whether this affects the likelihood that pupils are safeguarded effectively.

400. Inspectors will normally visit a sample of any part-time unregistered alternative providers during the inspection, as directed by the relevant Ofsted region. This may be completed remotely. This is to assess the adequacy of the school's quality assurance process. Inspectors will normally visit any registered alternative provision site that we have not yet inspected to assess the adequacy of the school's quality assurance process.

401. Inspectors will consider the quality of registered alternative provision using our latest inspection report and assess its impact on the overall quality of education for pupils in a proportionate way.

402. Inspectors will consider:

- the reasons why leaders considered off-site provision to be the best option for the pupils concerned, and whether leaders have kept that under review
- whether leaders have made the appropriate checks on the registration status of the provision and how that has influenced their decision to use that provider
- what safeguarding checks leaders have made and continue to make to ensure that the provision is a safe place for their pupils to attend

- the extent to which leaders ensure that pupils benefit from a well-planned and sequenced, well-taught, broad and balanced curriculum
- the attendance and behaviour of the pupils who attend the provision
- how well the provision promotes pupils' personal development

403. If a school uses a provider that is not registered, the inspector must contact the duty desk so that staff can notify Ofsted's unregistered schools team. Following the inspection, the team will determine whether Ofsted needs to take further action because there is reasonable cause to believe that the setting is operating as an unregistered school.