

# What children need from an integrated alternative provision system

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## Foreword from Dame Rachel de Souza

In The Big Ask, the largest survey of its kind in the world, over 500,000 children told me how much they love school<sup>1</sup>. They love learning. The pandemic re-set the relationship between children and school. After a tough two years of mainly online learning, children missed their teachers, their friends, their activities, and real classroom learning. And children care about the quality of their education, they prize a good education as one of life's priorities. They aren't afraid to work hard. Indeed, they value the opportunity that presents.

Vulnerable or disadvantaged children, such as those with Special Educational Needs and/or Disability (SEND) or awarded pupil premium, were even more likely than their peers to say that education was important to their future. I firmly believe that school is the right place for children to be, and the hundreds of children that I have spoken with this year as well as the thousands who responded to 'The Big Ask', have only confirmed that.

However, children for whom education can be the most transformational, are the least likely to be attending school regularly. The latest available data from autumn 2021 shows that 34% of pupils receiving Free School Meals (FSM) were persistently absent compared to 20% of pupils not in receipt of FSM. Similarly, 36% of pupils with an Education, Health and Care Plan (EHCP) were persistently absent in the term, compared to 31% for pupils with Special Educational Needs (SEN) support and only 22% for pupils with no identified SEN<sup>2</sup>.

So, to make sure that children can get the absolute most out of their education, this year I have made children's attendance at school a national priority through my 'Attendance Audit'<sup>3</sup>.

The Audit included a survey of all local authorities on the number of children missing from education, a deep-dive with ten local areas, speaking with over 300 children and professionals directly and collecting daily attendance data on 36,000 children across three Multi-Academy Trusts. Throughout all of this, I have kept children's voices at the heart of the conversation. From the children who told me that their school saved their life, to the children who told me they felt let down and abandoned by a fractured system. All their experiences matter, and we must listen and learn from them if we are to build an education system that is truly designed for and around the needs of all children.

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This is why I was pleased to see the Department for Education (DfE) open a public consultation on how unregistered alternative provision (AP) is commissioned and delivered<sup>4</sup>. My Audit included speaking with nearly 100 children in different types of AP and I learned from them how AP could provide the tailored support that they really needed to thrive in a mainstream setting and get their education back on track. I also learned however, how unregistered AP could be used indiscriminately by schools to place children in unsuitable education environments for their needs, without oversight or accountability.

This report was submitted to the DfE on behalf of children in England in response to their consultation. It features the voices and experiences of children from across a diverse range of AP settings. I have highlighted what children valued about AP but also the impact that seeking alternative education arrangements had on their families whilst they sought to secure suitable education.

Often, children in AP have an additional condition – some diagnosed and some undiagnosed – and we must create a system that is flexible and ambitious and provides support for children where they are. The way forward from here is a system that views AP holistically as part of the wider education sector, as part of families of schools, where provision is designed around the needs of children locally and integrated with both mainstream and special schools.

## Introduction

In 'The Big Ask', launched by the Children's Commissioner for England in 2021, and now the largest survey of children in England ever conducted, with over 550,000 responses, children expressed how much they loved school<sup>5</sup>. After two years of online learning, they told the office that they were excited to be back in school, had looked forward to being back in the classroom with their teachers, their friends and the other activities that come with being in school. School also mattered because children understood it was key to having bright, successful jobs and futures. Something that mattered to all children. Vulnerable children, such as those with Special Education Needs and/or Disability (SEND) or awarded pupil premium, were even more likely than their peers to say education was important to their future plans. Schools should be rightly heartened by this.

Children had high ambitions for themselves, but often felt they needed more support to reach these ambitions, be it for mental health issues, early family help or additional learning needs. They were frustrated when they felt adults in their lives didn't believe in them, and this was seen as a barrier to realising their aspirations. Where children received support for those additional needs, particularly in school, they were happier than the overall cohort.

Providing an excellent education for all children, irrespective of need, is something the education system works towards. The Children's Commissioner's Office (CCo) has been working with Government to ensure the measures in the Schools White Paper<sup>6</sup>, the Special Educational Needs Green Paper<sup>7</sup> and the Independent Review of Children's Social Care<sup>8</sup> are delivered together to ensure seamless delivery of support around the child.

As part of the Children's Commissioner's 'Attendance Audit', which investigated the causes of absence from school and the CCo's contribution to the SEND Green Paper consultation<sup>9</sup>, *Beyond the Labels: A SEND system which works for every child every time*<sup>10</sup>, the CCo spoke with hundreds of parents, teachers and children in need of additional support in school.

For some children, this additional support may come in the form of unregulated Alternative Provision. These will be settings that provide some kind of informal or bespoke education that are not registered schools or college. This means they will not provide an education on which they can be inspected by Ofsted. This may come in the form of educational provision like farm schools, boxing schools. These

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settings are often extremely beneficial for the pupils and provide them with the holistic care and 'life skills' education that a mainstream school or registered AP school cannot provide.

However, because these settings are unregistered there is a lack of oversight into the quality and safety of these settings. Anyone can set up an unregistered AP setting which will receive no official oversight from the LA or Ofsted. In addition to this, another problem with these settings being unregistered is that they cannot provide full time education meaning that, if no other provision is found, the children who attend these settings are left in isolation or out of school for the remainder of their school week.

The CCo want all children to be in school every day, ready to learn, in a safe and high-quality environment. We can only ensure that this happens in every setting if these schools are registered and regulated.

Recognising the importance of Alternative Provision (AP) education settings, the CCo is keen that the Government looks at new ways of providing support to children to whom full time mainstream education does not provide the support they require. In this document, CCo is responding to the Department for Education's (DfE) call for evidence on unregistered AP, which is looking at how they can improve education and strengthen protections for children and young people in unregistered provision settings so that every placement is safe and has clear oversight. The Children's Commissioner wants to see all children in school every day and ready to learn. Recognising that attendance is often lower in AP settings we need to make a collective effort to ensure that all children are receiving the support they need to attend school regularly. DfE publishes absence figures for both Pupil Referral Units (PRUs) and AP combined. The latest attendance data for these settings is the autumn 2021 term which showed that 76% of enrolments were persistently absent, meaning that they missed 10% or more sessions and 31% were severely absent, meaning that they missed 50% or more sessions<sup>11</sup>. Whilst APs are included in the new DfE daily attendance data collection<sup>12</sup>, figures are not yet reported for AP schools in the published experimental statistics<sup>13</sup>. This means that we do not have more current data on the attendance rates in AP schools.

This consultation response is informed by the CCo's work on attendance, primarily the report *Voices of England's missing children*<sup>14</sup>. Over the course of six weeks in February and March 2022, the CCo spoke with over 300 children; 95 of these children attended APs or had experience with APs on site of their

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mainstream school, and about a half of these children attended unregistered APs. The appendix at the end of this document outlines details on the research method and the participant numbers.

Children were asked:

- what they liked about going to school;
- what made it difficult for them to attend school regularly; and,
- what help and support they needed to attend school more regularly or get back into school altogether.

This document draws on the children's voices to convey some of the issues that were important to them and their experiences at APs. Many of them had previous experiences at mainstream schools and could directly compare their experiences to the AP they were now attending. However, the research did not include a comparison between registered and unregistered APs.

## Children's experience of Alternative Provision

Overall, children's experiences of APs were positive. Children valued the smaller class sizes, including the one-to-one support and less noisy environments. They valued relationships with staff in AP and felt that staff made an active effort wanting to get to know them for who they are. It was clear that AP was a viable alternative to mainstream and not just a place for children that had been excluded to be held because they couldn't be supported in a mainstream setting. They also valued the flexibility at APs, and less focus on attendance 100% of the time. Young people were able to take breaks when they needed them, come in later when necessary and had time and space to easy into the AP setting. Many children also found the curriculum more interesting and engaging and more tailored to their interests and needs. All of this made young people feel less pressured when attending AP compared to their experience in mainstream education, which they found beneficial for their learning experience.

This section gives more detail on what children told us about. However, for children at APs which were either attended by children who were excluded elsewhere, or which catered for children who were at risk of exclusion on site, the experience was different. They told us that they felt stuck at the AP, with other young people who were there because of negative behaviours, and that they would prefer to attend a mainstream school instead. The CCo visited two APs (registered and unregistered) where this was the case.

### Smaller class sizes

Many of the children really appreciated the smaller class sizes, and the smaller size of a setting generally, and one to one support that APs were offering. As several children explained during focus groups:

*'I like the small size of the space, part of the reason I didn't like mainstream was the size of the place, it was very overwhelming, here it's much more calm'* - Young person aged 16 in a hospital PRU, unregistered.

*'The size. Schools should be smaller, and there should be more of them. Probably making more benefits to being a teacher. Basically, try and make them like this one, more of a smaller and community driven, instead of mass congregation of children'* - Boy, 15, attending an AP for excluded children, registered.

*'There is about 50 kids in that school, most of them turn up...and average is 3, 2 in a room.. there is a big social area so everyone sits there [...]. I get on with most people...It is better than mainstream... you're not just in a classroom and they chuck work at you, they sit with you and go through it with you, that's why it's better'* - Young person, 15, attending an AP, not certain whether registered or unregistered.

The smaller class sizes also gave children the opportunity to get to know their peers better. Several children cited bullying as having been a concern at their previous mainstream school but not something they experienced in their AP:

*'My attendance in primary school was absolutely ridiculous, because I got bullied so much mainly in primary school that had such a big effect on me that I was getting really ill all the time I ended up in hospital every two weeks, primary school for me was awful my attendance was so bad'* - 15-year-old in a hospital PRU, unregistered.

## **Relationships with staff and trusted adults**

One of the main things children appreciated about APs was their relationship with staff and having trusted adults that they were able to speak to. They felt that staff understood them for who they were, they felt that staff were genuinely concerned about them and wanted to get to know them so that they could provide the right help.

They felt as though they could ask questions in class and felt less judged, as children across different setting types said:

*'Here they were never angry about it, they would always just ask me what they could do to help with my attendance [...] it's not a hard thing to do'* - Girl, attending a medical AP, unregistered.

*'Teachers are way more understanding, it's easier to trust people, it's easier to communicate [...] here if you need a break, you just let teachers know, they'll give you a TLC'* - Young person, 16, attending a special school, registered.

*'The teachers care about you more than the work, but they still make you get the work done. If you were having an off day, they would put things to one side and help you – you are not going to learn anything if you are not feeling happy'* - Girl, 16, attending a medical AP, unregistered.

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*'I feel like here if you don't know something or you get something wrong, it's ok, and I remember at my old school you would be told off [...] here you're allowed to ask.'* - Girl, 15, attending a medical AP, unregistered.

*'Schools consider students in general, don't shove them all into one group and just keep them as children instead of just an object. Instead of teaching the entire class, teach them as individuals, that would have really helped me'* - Boy, 15, attending a medical AP, unregistered.

## **Flexibility**

Children valued the more flexible approach to their learning that their AP was able to take, which better met their needs, both emotionally and educationally. Two children attending unregistered settings explained:

*'I've been here since year 9, coming up three years now. I haven't been to mainstream school since the end of year 8. It was really good for me to come here [...] it's good to be in this environment to get used to it for college. [...] It's just more chilled- it's less strict. It's smaller and much easier to concentrate. If you need help there is someone there to give you the help'* - Boy, 15, attending an AP, unregistered.

*'In my old school if I needed a 5-minute time out I'd need to explain to the class why I needed that time out [...] here they don't make you ask, if you look upset they'll come over to you privately and ask [...] it's safe'* - Young person 16, attending a hospital AP, unregistered.

Schools being flexible with reasonable adjustments was very important for children who required these. For some children, they found that their AP was able to accommodate their reasonable adjustments where their mainstream school had not been able to:

*'I literally have blu-tac in my hands all the time [like a fidget toy] and in my mainstream school they didn't allow that and I would start picking at my nails, they were so bad, they were literally bleeding because I just needed something in my hand to reduce the anxiety so I can still carry on with what I'm doing [...] I think they should be more aware of students who have got anxiety and allow them to have fidget toys, it's not distracting other students it's just for that student who has got anxiety, they should be more understanding in mainstream'* - Girl, attending a hospital AP, unregistered.

*'She used to get in trouble for fidgeting on her chair [...] things that are deemed low level [...] there is just so little tolerance for variety and diversity of learning styles. I understand there is 30 kids to get through the curriculum but there must be a better way [...] have a bit of flex there.'* - Mum of girl, who attends an AP 3 times a week.

Flexibility didn't just mean time out of class or specific learning support, for some children who took part in the focus groups, it also meant a flexible uniform and dress policy:

*'Mainstream school's very loud, busy and crowded and the teachers don't notice what's going on, so anything could happen and they wouldn't notice, and at the same time they would notice the tiniest of things, if you did one thing wrong, like wear jewellery there would be a big punishment, it was very strict'* - Girl, 16, attending a medical AP, unregistered.

*'It shouldn't be the teacher's choice for how children do their hair [...] I have wanted to get this hair cut for so long, and now that I have been able to do it, I feel so much more confident [...] I think kids should be able to do what they want with their own body [...] it's just teachers thinking that now that they have this haircut from this rebellious character, they are going to act like that [...] just let the kids do what they want'* - Girl, 13, who attends an AP 3 times a week, not clear whether unregistered or registered.

## **Curriculum**

Many children felt that the curriculum, and lessons, were more suited to the students in AP. They felt they had more say in what they wanted to learn and thought that was missing at mainstream schools. As a result, they often found the curriculums at APs more engaging. For example, these two children felt they were more excited to learn as the curriculum was more relevant to them:

*'Teachers understand the viewpoints of students. A lot of learning in mainstream is just taken off the website. I understand that teachers have other classes, but most students would benefit from lessons where it's adapted to the entire class and gets the entire class working together'* - Young person, aged 16, in a special school, registered.

*'It is such an awesome school [where I am now] in the summer it is absolutely lovely. In my new school [...] you have this huge variety of things [like] animal care [...] but you can also choose other stuff that they can plan. [...] there are many different people who have got all these different backgrounds [...] I believe most schools they are not bothered to put time into it to make lessons interesting. I think teachers think school is meant to be serious. But that's not what I think school should be' - Girl, 14 who is attending an AP 3 times a week.*

## **Fitting in**

Another common narrative was that children felt they didn't 'fit in' at mainstream schools. At APs, both registered and unregistered, children felt they did – or there was no pressure for them to fit in, as one girl explained:

*'They would put everybody in a box and if you didn't fit into the box, like me, I didn't fit into the box, then you were screwed, basically. It was horrible. I had a pass to leave early so I could avoid the crowds, and half the time they wouldn't let me go. I was also in one of the lowest classes, so it was with all the naughty people, it was very loud and everybody shouted and I didn't speak, at all – and I am speaking now and my confidence has definitely come up' - Girl, 16, attending a medical AP, unregistered.*

## **Pressure**

In line with feeling positive about smaller class sizes, better relationships with staff, one to one support, and more flexibility, children also spoke about feeling less pressured in APs. Several children mentioned the AP being more relaxed and putting less pressure on them:

*'I like how chilled out it is, they don't put a lot of pressure on us' - Young person aged 16 in a hospital PRU, unregistered.*

*'It's a very relaxed environment, everyone here is so understanding, they don't put any pressure on us at all [...] everyone here is just so lovely' - Young person aged 15, in a hospital PRU, unregistered.*

*'Everything is better – the teachers are laid back but they also care a lot about your work. In other schools they are pushier and in turn it gets you worse grades. Here they are pushy but they still care about you and they want you to be independent here' - Boy, 14, attending a medical AP, unregistered.*

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## Use of isolation spaces

Many of the young people the CCo spoke to had previously been excluded from school or isolated during lessons. For many of these young people, this was a difficult experience that they didn't consider helped them to meaningfully change their behaviour. Now, in the APs they were attending, isolation or exclusion was not being used as an intervention. Instead, young people explained that they were allowed breaks if they needed them or that they would feel comfortable talking to AP staff about their feelings. Some of the APs visited, especially medical provisions, had designed cosy and comfortable environments where young people could take time out if they needed it. Some young people were also able to benefit from one-to-one lessons, which were suited to the young person's needs. As children who spoke to CCo in focus groups explained:

*'I just think it's so dumb, why punish someone for not going to school by not really teaching them'* - Girl, attending a medical AP, unregistered.

*'It was horrible. We had this thing called isolation. I think most mainstream schools have it. I would just be stuck in that room with the door locked. They wouldn't even let you go to the toilet... I wasn't going to any lessons. There was one teacher who challenged me with work but if he wasn't in that day, I was just sitting there'* - Girl, 16, in a special school, registered.

*'For me - being on your own, it's just not good for you. For your mental health and stuff. It's a bit like a prison. You feel quite claustrophobic. It's just not good'* - Boy, 16, attending an AP, unregistered.

Children often felt that the alternative to isolation should be staff offering support to students, rather than making them sit in silence:

*'Isolation... teachers should ask students what's going on and help them out instead of putting them in isolation. They shouldn't not have a break time or miss lessons'* - Boy, 16, attending an AP, unregistered.

*'I think it is just the lack of help if you need it. Isolation and stuff. I don't feel it's good if you do something bad they put you in a room with close walls and stuff. I think you can talk it through with someone [...] not be in a trapped closed environment'* - Boy, 16, attending an AP, unregistered.

One young person described the alternative approach their AP employed, and how that made a difference for them:

*'They'll take you into a quiet room, they're good with you, talk to you try and calm you down ask what the situation is. They'll actually sit there and let you speak and ask what's on your mind and what's caused you to be stressful. They make you a drink they just let you take time and then they'll take you back when you're ready, they're very reasonable with you here they'll try their best to do what you need [...] makes you feel better, you could never get that in a mainstream because there's so many people"- 14-year-old, attending a special school, registered.*

## The impact on family

Whilst CCo heard many positive examples from children and their families about APs and how they valued the flexibility and support, other participants in the research described how it hadn't been possible to find an AP for their children. Some parents and carers had spent huge amounts of money to find education for their children, that was often happening virtually. Below families, in their own words, describe the impact on them if there is no education provision for their child available:

*'The emotional effect on all of us has been quite extreme, when I was a 24/7 carer quite intensely for that month when he was at home [...] some mornings he would refuse to eat which has been very difficult as a parent [...] very violent [...] it has made us feel very low [...] me and my partner have to work very hard to stay together as a unit'* - Mum of 8 year old son with autism.

*'He understands I am being threatened because he is not going into school, but he can't go into school because of his anxiety and because of what they did to him at school [...] And then I get sent letters that I might be going to court, and as a single parent you have to be worried that you are not going to prison [...] can you imagine, I am a middle class white woman who is education, and educated myself with SEND, and this is where I am with my child [...] if I can't get support for my own child, what is that telling us about the state for our children [...] I have 20 thousand pound on legal support. I can afford legal support, and I cannot get the LA to follow the law...there is no justice and if I can't do it, there is no chance any other parent can do it [...] I am 30 grand in debt, I can't throw more money at it [...] I can't get it back in any way. I have done it and I still can't get him education. He has missed a whole year of his life and the longer it goes on, his mental health is impacted. And equally, he is not going to believe that the next school wants to have him. It is just getting worse, it is not getting any better'* - Mum and 13 boy who is neurodivergent.

*'The impact of it is immeasurable, my health, and on him, he is 10 years old [...] if he is not in school before April, then it's Easter, he has nearly lost a year'* - Mum of 9 year old who lost his school place after having been on a travel ban.

*[...] I have a full time job it is enormous pressure [...] we have to take him and pick him up from the library because we could be fined if he is seen out [...] there is mum blame and that's certainly happened here [...] that we are not good enough parents [...] you failed to engage with the AP, and the damage to*

*our child's education are our fault [...] the stress levels are through the roof' - Mum of 13 and 15 year old both out of school due to SEND and anxiety.*

*'I can tell you from the time when we started to get into tricky water [...] and we felt we needed to get support, we have spent probably towards 16,000 pounds so far. Behaviourist was round about in total 5,000 pounds, the advocacy service will be about 1,500 pounds, a private educational psychologist report is 2,300 pounds, a private speech and language report was 700 pounds and we have to pay 200 pounds per service that this advocacy service attend' - Mum of 14 year old girl out of education due to lack of support with SEND and anxieties.*

*'So really, the last 5 to 6 months I have been fighting to get what he is legally entitled to' 'And it's been a really draining emotional time for both of us, I haven't really been able to work for the past 5 months, my son fell into depression, he just didn't want to do anything' - Mum of 12 year old out of education.*

*'It just made me cry, it really did, so much fighting just to get anywhere' 'it's been hard because I had to put my career on hold' - Mum of 15-year-old out of education.*

## The way forward

The DfE consultation on the use of unregistered AP is looking for evidence on how AP is used, the needs that it meets that cannot be met in a school, and how it can be better integrated into a new SEND and AP delivery model. All schools being part of a strong family of schools will help support a more integrated AP system. As part of the CCo response to the SEND Green paper, we included several recommendations for how we can make AP more integrated and effective.

DfE have highlighted the issues facing the sector at the moment, these include ineffective commissioning on unregistered AP, a lack of oversight from schools and local authorities on the quality, safety or suitability of the setting for each individual child. These things combined can mean children and young people become less visible across the system which puts their education at risk.

A large proportion of children in AP often have additional needs or undiagnosed SEND and the CCo has identified a challenge for the AP sector is the lack of join up to SEND and mainstream settings. The CCo found that being able to transition between the two sought the best outcomes. Through families of schools, the CCo recognises the opportunity in being able deliver high quality AP as part of mainstream settings. The CCo have split our recommendations into ones designed to improve provision in mainstream schools to ensure all children receive support and can experience smooth transitions between mainstream and alternative provision, and ones designed specifically for the AP sector.

To improve the provision in mainstream schools for children with SEND, the CCo recommends:

- DfE should provide mainstream schools should be given the resources to support children with SEND, and if AP is required this should be available from day one.
- The DfE should provide guidance and funding to ensure that mainstream schools are better equipped to support the needs of all young people. This should include more support for schools looking to develop in-house AP offers, and encouraging more schools to work together via their family of schools of academy trusts to commission good quality AP.
- Many schools shared an AP setting between a family of schools. This means that children who need extra support can receive it on site, and on roll, without the risk of falling off the radar. AP

was most effective for children where there was a clear plan for re-integration with mainstream school. DfE should provide guidance and best practice examples so that all families of schools are able to do this.

- If AP is required, the school should tell the young person why, and a trusted adult from that school should explain how their care, mental health, safeguarding and education will be supported in the new setting. When they move to an AP setting, children should not feel that schools are no longer their locus of support.

To better regulate and integrate AP into SEND and mainstream settings, and better monitor quality of delivery, the CCo recommends:

- The DfE need to have a stronger focus is needed on quality and accountability in the AP sector. This reform has been signalled in the recent SEND consultation through the development of a bespoke performance framework for AP. The Children's Commissioner supports this framework with its focus on ensuring children make progress, reintegration into mainstream education and sustainable post-16 destinations for those who remain in AP. To meet the objectives of a new framework and the needs of children, AP needs to be properly considered, with teachers and staff trained in managing the additional needs of the children and the system held fully accountable for the quality of provision and student attainment.
- Local authorities should have the statutory duty to arrange AP for those young people with SEND aged between 16 and 18, so that there is not a 'cliff-edge' or sudden end of support for young people once they leave secondary school or reach the age of 16.
- Ensure that AP settings are considered with the SEND inspection framework.
- The Government should implement an overarching framework for AP which outlines how every child with receive outstanding support and (if appropriate) help back into mainstream school.
- In some areas, there was a clear strategy that AP referrals were for fixed six-week periods with the placement reviewed every six weeks and the expectation that children would be able to return to mainstream education as soon as possible, with the right support in place. Building AP

as part of a wider family of schools, in this way, facilitates a smooth transition back into mainstream schooling and better communication between settings.

- Although the CCo recognise that there are some cases where children have to be excluded, vulnerable children should not be excluded to their homes. A suitable alternative should be sought to ensure that they are safe and still learning. The risks of these children falling out of school altogether if they get lost in the system are far too high. All children in AP settings, especially vulnerable children, should not be able to fall into the cycle of persistent absence.

## **On making exclusions a trigger for intervention**

A big part of the CCo's work across attendance and SEND has focused on exclusions. All children deserve access to high quality educational provision that meets their needs. Everything possible should be done to keep exclusions to a minimum. The reality is, however, that some children will need to be suspended, removed from the classroom, or excluded, to keep other children safe. In that instance, headteachers should feel supported and able to make the right choice for the child but everything should be done to ensure a smooth return to the classroom, as quickly as possible.

Any form of exclusion, including internal exclusion, is an urgent signal that further intervention is needed. All children who are excluded or suspended should have their needs assessed, and a plan be put in place for those needs to be met. Children that were placed in appropriate AP felt more supported, listened to, understood and able to participate in their education. The CCo strongly believes that AP settings should be temporary to ensure that this happens in every case, the CCo have made some recommendations that seek to reduce the number of children removed from school without appropriate intervention:

- Exclusions should always lead to an intervention. When a child is removed from the classroom, whether through internal exclusion, suspension, permanent exclusion, a managed move or implementation of a 'part time timetable,' this should be an opportunity to learn about a child's underlying needs. A child's needs should be assessed and a plan to regulate that behaviour should be implemented, jointly agreed with the child and the school.

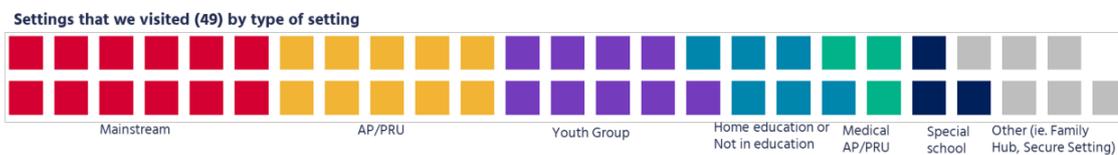
- DfE should consult on further guidance for the assessment of children’s needs who have been excluded to be included in the Keeping Children Safe in Education guidance. This would help ensure exclusion becomes a trigger for a package of support around the child.
- DfE should explore further guidance on the assessment of needs of children who have been excluded. This would help ensure exclusion becomes a trigger for a package of support around the child.

The CCo really welcomes this consultation. The benefits of AP settings to children for whom mainstream school isn’t appropriate are clear. But we need better accountability and supervision of the setting to ensure appropriate provision is being provided and to ensure that children are safe. To do this and ensure that they are receiving the appropriate support and education we need better frameworks to regulate the many types of settings there are in this sector. The CCo is optimistic about the use of regulation of the sector moving forward.

## Appendix: Research Methods

CCo spoke with most children in focus groups during visits to APs. The CCo also spoke with some young people in virtual focus groups, where CCo met young people who were attending APs. These visits were part of our work on attendance between February and March 2022. Figure 1 below shows the distribution of the settings visited and the characteristics of the children the CCo spoke with overall. Table 1 shows who the CCo spoke with specifically at APs. The CCo also spoke with 10 parents who were home educating their children, but not by choice. Some of their views are also included in this document. The themes that are included in this document were derived from careful consideration of the qualitative data. The data was thoroughly reviewed by one of the office’s social researchers, then collected into themes and written up.

**Figure 1. Distribution of settings visited, and characteristics of children engaged.**



**Table 1. Number of APs (registered and unregistered) visited, and number of children engaged.**

Setting	Number of settings	Number of children
Registered AP	8	35
Unregistered AP	8	36
Mainstream school with AP on site	2	22 (not all of these 22 children will have attended the AP on site, some did)

Virtual focus group, unregistered AP	1	1 (we met this young person during a virtual focus group)
Focus group, AP (don't know whether registered / unregistered)	1	1 (we met this young person during a focus group with young people who were involved with youth justice)
		TOTAL 95

## References

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- <sup>1</sup> Children's Commissioner for England, *The Big Answer*, 2021, [Link](#). Accessed on 18/11/22.
- <sup>2</sup> DfE, *Pupil absence in schools in England: autumn term*, 2022, [Link](#). Accessed on 18/11/22.
- <sup>3</sup> Children's Commissioner for England, webpage *School*, 2022, [Link](#). Accessed on 18/11/22.
- <sup>4</sup> DfE, *Understanding the use of unregistered alternative provision: closed consultation*, 2022, [Link](#). Accessed on 18/11/22.
- <sup>5</sup> Children's Commissioner for England, *The Big Answer*, 2021, [Link](#). Accessed on 18/11/22.
- <sup>6</sup> DfE, *Opportunity for all: strong schools with great teachers for your child*, 2022, [Link](#). Accessed on 18/11/22.
- <sup>7</sup> DfE, *SEND Review: Right support, right place, right time*, 2022, [Link](#). Accessed on 18/11/22.
- <sup>8</sup> Josh MacAlister, *The independent review of children's social care*, 2022, [Link](#). Accessed on 18/11/22.
- <sup>9</sup> DfE, *SEND Review: Right support, right place, right time. Closed consultation*, 2022, [Link](#). Accessed on 18/11/22.
- <sup>10</sup> Children's Commissioner for England, *Beyond the Labels: A SEND system which works for every child, every time*, 2022, [Link](#). Accessed on 18/11/22.
- <sup>11</sup> DfE, *Pupil absence in schools in England: autumn term*, 2022, [Link](#). Accessed on 18/11/22.
- <sup>12</sup> DfE, *Share your daily school attendance data*, 2022, [Link](#). Accessed on 18/11/22.
- <sup>13</sup> DfE, *Week 45, 2022, Pupil attendance in schools*, 2022, [Link](#). Accessed on 18/11/22.
- <sup>14</sup> Children's Commissioner for England, *Voices of England's Missing Children*, 2022, [Link](#). Accessed on 18/11/22.



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