

The new funding arrangements for Alternative Provision and Pupil Referral Units in Kent from 1 September 2019

Summary: This paper is the outcome of the Alternative Provision (AP) and Pupil Referral Unit (PRU) consultation undertaken in November 2018 in response to the Government's vision published in March 2018 - Creating Opportunity for All: Our Vision for Alternative Provision, which aims to ensure that:

- the right children are placed in AP
- children have good experiences of, and receive high quality education in AP
- children achieve meaningful outcomes after leaving AP
- AP is recognised as an integral part of the education system
- the system is designed to achieve high quality outcomes for children and value for money for the taxpayer

This paper outlines the new funding arrangements for AP and PRUs in Kent from 1 September 2019, which aim to ensure that all schools operate in a way that is inclusive whilst continuing to improve performance and outcomes for all children.

1. Introduction

- 1.1. Kent County Council recognises that the majority of children are best served when their education provision is delivered by their mainstream school, with their peer group, accessing the breadth of curriculum and opportunities available. For the few who require off site support the best practice is where schools, as the education experts, work collaboratively to develop local arrangements, design provision and make decisions regarding intervention which meets the needs of the children they serve.
- 1.2. The local authority recognises this strength and, as such, devolves the majority of the funding for alternative provision to the secondary schools. It is clear in its expectation that schools work collaboratively and use their allocations flexibly to meet the needs of all the children within their district, including those of primary school age and those challenging learners awaiting the outcome of an Education, Health and Care Plan (EHCP) assessment.
- 1.3. Kent County Council have a legal duty to provide full-time and suitable alternative education for pupils who have been permanently excluded from school or are unable to attend school due to physical or mental health conditions. In the past few years, the stronger partnership between the schools and the local authority has resulted in a significant reduction in permanent exclusion. The aim is to strengthen the preventative approach in fulfilling our shared responsibility for providing good support and suitable education for pupils who would otherwise not be able to access school education.
- 1.4. The model for the ongoing funding of PRUs and Alternative Education Provision is detailed in this document. The rationale applies equally to areas with a PRU and those operating under a devolved arrangement. All non-selective secondary schools will receive a sum of devolved High Needs Block funding for Alternative

Provision as a pre-payment for delivering the agreed inclusion results – a payment by result model.

2. Kent Funding Model

2.1. Kent's current Alternative Provision budget (excluding the Health Needs PRU) is £11.5m (£11.2m, excluding administration and London fringe allowance).

2.2. Allocations to Districts

2.2.1. The local authority currently allocates a fixed annual budget through the application of a formula which utilises objective data already used to calculate individual secondary school budgets. Details of this can be found on Kelsi, by following the link and scroll down to the Alternative Provision District Budgets section: <https://www.kelsi.org.uk/school-finance/financial-support-and-planning/budgets/budgets-2019-20>

2.2.2. In recognition that schools who are operating under capacity are likely to take a disproportionately higher share of our most challenging children, from September 2019 the pupil number for each school will be calculated as 50% of the October census and 50% of the Published Admission Number (PAN). This will provide slightly higher allocations to those schools under PAN.

2.2.3. The formula provides a total sum per school. Individual school sums are aggregated to form the district total. Once the financial envelope for the district is calculated, the selective school proportion is reallocated across the non-selective school cohort within the district, on a pro-rata basis.

2.2.4. The detail of the September 2019 – March 2020 allocations can be found on the Kelsi website, by accessing the following links:

- [Summary table link](#)
- [Detailed table link showing individual school allocations](#)

2.3. Allocations within Districts

2.3.1. Each district has decided, locally, whether it is appropriate to have a formal PRU or to operate through a fully devolved funding model. A formal PRU is defined as one which has a DfE number.

2.3.2. Where there is a formal PRU, the local authority will provide stability to the core funding for this provision by guaranteeing the commissioning of a set number of places.

2.3.3. Nationally, approximately 0.42% of the 11-16 pupil population are catered for in alternative provision. The local authority will commission places in the PRUs totalling 0.42% of the Kent 11-16 pupil population. In recognition that need is increased or reduced by a number of socio-economic factors, the 0.42% will be proportionately allocated using the

same distribution as the funding formula (50% census and 50% PAN). The detail of the September 2019 – March 2020 commissioned places and associated funding allocations can be found on the Kelsi website, via the following link: [Summary Table](#)

- 2.3.4. In line with the national average cost of a PRU place, the local authority will commission these places for £18,000 each. This funding will be delegated directly to the PRUs. The £18,000 is expected to cover the cost of the PRU placement and not require further top-up charges from the school or from the High Needs budget. If the pupil is in receipt of pupil premium, local arrangements should be considered to cater for resource that is over and above what the PRU can be reasonably expected to offer. PRUs remain eligible to apply for additional high needs funding only where it can be evidenced that the costs are above the £18,000 per annum funding already provided.
- 2.3.5. All other funding will be devolved to the non-selective schools or trusts as a pre-payment for delivering the agreed inclusion results. Selective schools are not included in this as their funding has been distributed across the non-selective schools.
- 2.3.6. Allocation of PRU places will be agreed by the collaboration of schools. However, it is a requirement that there will be sufficient provision in the area to cater for the need, including those of the selective schools. We support outreach and intervention for primary age pupils. We do not expect primary aged pupils to be attending a PRU full time or for a sustained period.
- 2.3.7. Where an area wishes to increase the capacity of this provision or provide additional services through the PRU, the Local Authority provide a template contract to support the PRU in formalising these arrangements with their schools. If local areas decide to do this, the Local Authority supports the principle of multi-year arrangements (we suggest three-year minimum period) to provide stability and certainty for the PRU and the secondary schools within the area.

2.4. Devolved Funding to Schools

- 2.4.1. Funding can only be devolved to schools or trusts, under a contract with the Local Authority. This contract continues to include the following provisions:
 - i. Schools are required to ensure the best solution is designed and deployed for the effective provision and management of high-quality early intervention and prevention activities to reduce Permanent Exclusion, including:
 - offer a full-time provision (usually 25 hours).

- ensure that the pupils' capacity to access provision will be carefully assessed in accordance with current educational guidance and good practice. Wherever possible, the focus of provision should be on reintegration of the pupil to mainstream education.
- where pupils are unable to access full time provision, the School will inform the Local Authority of the reasons through the digital front door.
- ensure programmes are educational and focused on achieving good outcomes in recognised qualifications, supporting the learning of new and relevant skills and acknowledged accreditation and helping the pupil to overcome impediments to successful learning and achievement.
- ensure all pupils who need multi-agency support have the protection of a plan and take all reasonable steps to integrate the educational plan with those of other relevant services such as, Family and Social Care, Youth Offending Teams and Early Help and Preventative Services etc.
- ensure that all elements of the programme are accessible to the pupil and are sensitive to their ethnic, religious and cultural backgrounds and additional or special needs they may have.

ii. If a school, trust or group of schools subcontract provision to another provider, this further provision must have DfE registration.

iii. Subcontracting arrangements are not permitted to provisions who remove the pupils from the school's roll.

2.4.2. Kent County Council's approach is to support schools' autonomy while ensuring that pupils, in particular the vulnerable learners, receive the best support and education through schools' own internal inclusive strategies and practice. Schools receive a sum of devolved High Needs Block funding for AP as pre-payment on the assumption that the school will achieve the agreed inclusion results.

2.4.3. The contract includes a system of retrospective deductions from current funding to a school or trust that has failed to deliver the assumed results or follow the agreed processes as the conditions of the pre-payment.

2.4.4. In order to monitor the progress, support collaboration and provide evidence, Kent County Council produce a monthly scorecard report, providing relevant live data and information. Details of the data in the scorecard and the potential deducted funding can be found in Appendix 1.

2.4.5. Where a pupil attends a PRU outside of their school district, for example in the district of their home address, the funding will be transferred from the PRU in their school district to the PRU in the home district. If a pupil is permanently excluded from a school, the deduction will be transferred

to the PRU catering for the pupil.

2.4.6. Funding deducted from the devolved budgets will be used by Kent County Council to secure appropriate provision to resolve the issues for the pupil. This may include:

- Commissioning additional places from the PRU.
- Securing additional resource to deliver tuition.
- Providing additional resource to those schools catering for the needs of the pupil.
- Returning the funding to the Management Committee or IYFA panel to determine the best way to use it to support the pupil.

3. Support for Management Committees and IYFA Process

3.1. Collaboration is key to ensuring the highest quality outcomes for all pupils. In order to support this collaboration, the local authority will employ an officer Alternative Provision County Officer (APCO) who will work strategically to improve outcomes for vulnerable children and young people; supporting effective inclusion practices across the county, providing information, advice and guidance for the Management Committees of the PRU and In-Year-Fair-Access forums.

3.2. The Officer will advise on, monitor and evaluate panel outcomes, providing challenge where necessary. They will monitor the Alternative Provision models ensuring the funding is appropriately used to provide the correct balance of support and intervention for the young people identified to access this resource.

3.3. The local authority recognises that best practice occurs when all schools are represented at these panels and Management Committees by staff with decision making authority. It requires that all schools can have representation on their PRU Management Committees or local Head teacher forums if they wish to do so and strongly advises that these groups include Primary representation.

4. Empowering Schools

4.1. Kent County Council aims to promote inclusion within individual schools and local collaborations using an Inclusion Toolkit which comprises best practice criteria, a self-evaluation tool, action plan and support resources.

4.2. The best practice criteria include 6 Areas of Focus that apply equally to all schools and include schools' use of LIFT, High Needs Funding, Pupil Premium and requests for EHCPs. It also considers statutory frameworks around broad attendance issues and off-rolling including Children Missing Education and processes for Elective Home Education.

4.3. The aims of the Inclusion Toolkit are to help schools:

- evaluate their current context, both within school and the wider community with regard to their inclusion;
- identify opportunities for improvement in their approach to inclusion;

- develop an action plan to deliver improved inclusion;
- provide access to a variety of best practice resources to support delivery of their action plan;
- embed a cycle of Continuous Improvement for inclusion, that sits within the wider context of School Improvement and the school SEF framework; and
- embed inclusion and behaviour support in the school's curriculum Intention, and Implementation to achieve the best positive Impact on pupils' overall outcomes.

4.4. Throughout, there is emphasis on early intervention, how to avoid unnecessary exclusions and improving young people's personal development, behaviours and attitudes, as set out in the Ofsted Inspection Framework 2019.

5. Transition Arrangements

5.1. Implementation for all areas is from the 1st September 2019, however for areas with PRUs we will review current capacity and staffing, working budgets, reserves and local arrangements to identify where we need to provide additional funding to support transition for a time limited period.

Appendix 1: Contract Detail

KPI	Expectation of Contract	Data in published scorecard	Evidence	Reduction of future funding (where applicable)
1.1	Work collaboratively to operate a system where there are no permanent exclusions.	Number of permanent exclusions by school and district.	Statutory submission/report of permanent exclusions	<p>In the event of a permanent exclusion, a reduction of £21,000 at £1,750 per month, per excluded pupil for the first year. A reduction of £18,000 at £1,500 per month thereafter for any pupil who is placed in the PRU.</p> <p>The reduction will commence in the month following the exclusion and continue for the duration of the statutory education and for a minimum of a full 12 months, regardless of the age of the pupil. The funding will be given to the PRU.</p> <p>Where a pupil is placed in another school, the reduction will cease after the first year. The initial £21,000 will be passed to the receiving school at £1,750 per month for the year if reintegration remains successful.</p> <p>The national practice of “APWU money follows excluded pupil” is unaffected and continues to apply in Kent.</p>

KPI	Expectation of Contract	Data in published scorecard	Evidence	Reduction of future funding (where applicable)
	Fixed-term exclusion rate is declining and in line with or below the National Average. Instances of increased exclusions are planned for and proportionate. The percentage of pupils who have Missed 10 or more school days in an Academic year due to exclusion is below the national average 0.7%.	% of pupils receiving an FTE this academic year % of pupils losing 10 days or more to FTE in this academic year.	Statutory submission/report of fixed-term exclusions Pupil census	
	Schools will work collaboratively in the endeavour to ensure hard to place learners avoid exclusions and are given a fresh start where possible through the managed move process.	Number of managed moves into each school Number of managed moves from each school		
1.2	Due process as detailed in Appendix 2 is followed such that no pupil is taken off roll inappropriately to be electively home educated (EHE) e.g. to avoid exclusion, to halt poor attendance or to manipulate attainment outcomes	Number of pupils off rolled to be EHE this academic year. Number of pupils off rolled to be EHE where agreed process hasn't been followed	Digital Front Door (DFD) and EHE team and EHE 1 form	On spot fine for £10,000 for pupil removed from roll without following process identified in Appendix 2.
1.3	Due process is followed such that no pupil is taken off roll without prior notification to Kent County Council via Digital Front Door illegally in breach of The Education (Pupil Registration) (England) Regulations 2006 and their subsequent amendments	Number of pupils off Rolled by school and District. Number of pupils off-rolled where agreed process hasn't been followed.	Digital Front Door (DFD)	On spot fine for £10,000 for pupil removed from roll without following process identified in Appendix 3.

KPI	Expectation of Contract	Data in published scorecard	Evidence	Reduction of future funding (where applicable)
	Ensure all pupils who need multi-agency support have the protection of a plan and take all reasonable steps to integrate the educational plan with those of other relevant services such as, Family and Social Care, Youth Offending Teams and Early Help and Preventative Services	Percentage of pupils known to Early help Percentage of pupils known to Social Care Percentage of pupils in receipt of High Needs Funding	KCC data	
1.4	Legal, Regulatory & Procedural Compliance of In Year Fair Access (IYFA) (statutory processes) such that there is No delay in registering a pupil on a school's register following an admission decision made at the IYFA panel and decision making is open and transparent with the fair access team.	Number of referrals from each school Number of referrals into each school Number of referrals to school where the pupil has not been given an agreed start date or been taken on roll within 2 term time weeks of school being identified at panel meeting Number of referrals that have required a direction	Feedback from IYFA KCC officer feedback	A reduction of £1,000 every week, will be taken for a delay exceeding two weeks per pupil, from the date of the IYFA meeting, which has not been agreed with the Local Authority fair access team.

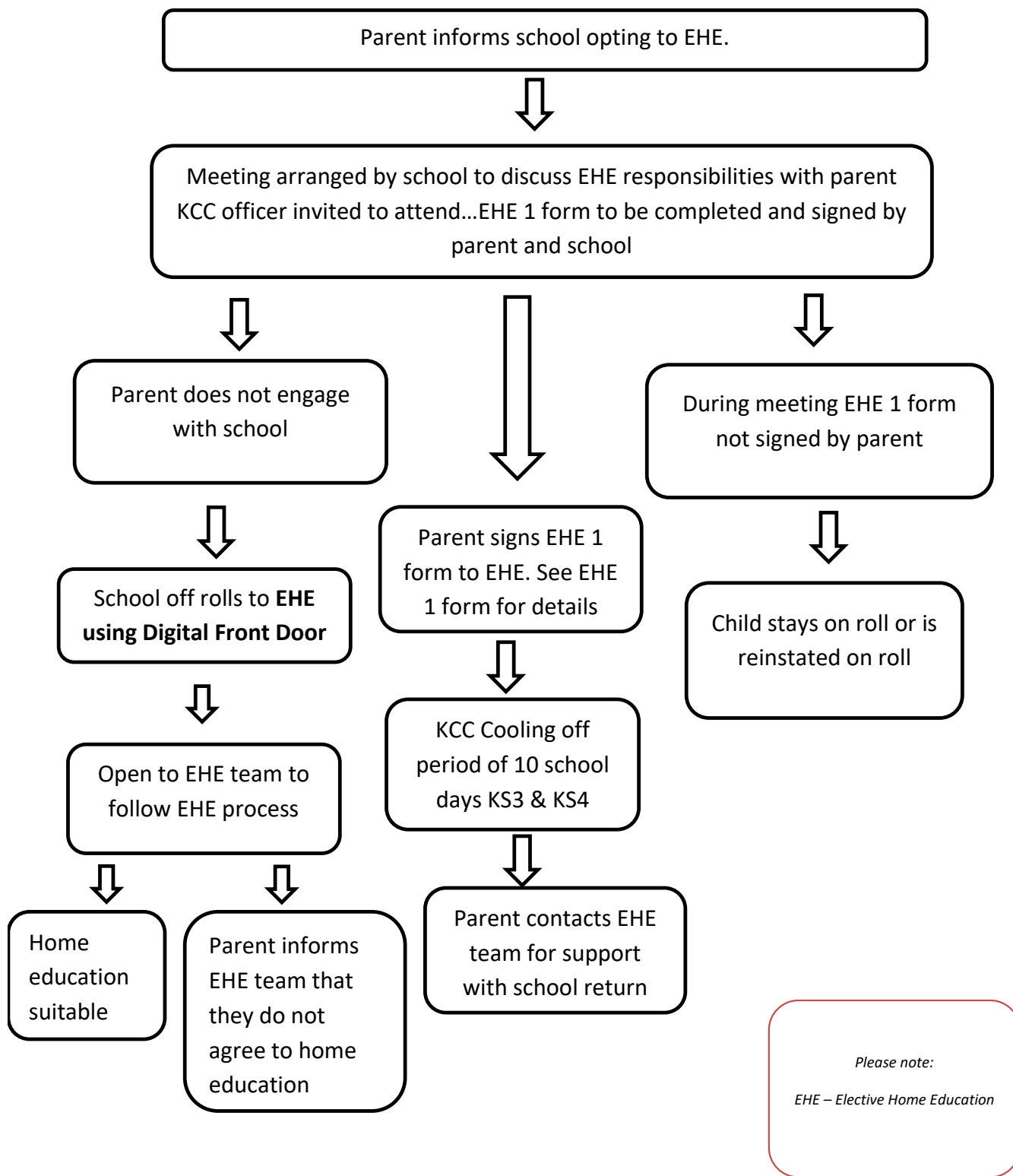
KPI	Expectation of Contract	Data in published scorecard	Evidence	Reduction of future funding (where applicable)
	All schools in the area work collaboratively to secure appropriate destinations for all pupils.	Attendance at IYFA Number of managed moves into each school Number of managed moves from each school	IYFA records	
	Casual Admissions processes are followed appropriately, as detailed in Appendix 3, such that the data can be used to inform decisions and strengthen collaborative support.	Number of casual admissions to each school School which have or have not returned IYCAF	Fair Access ICAF records	
	The number of pupils being removed from mainstream education is appropriate and proportionate. Wherever possible, the focus of provision should be on reintegration of the pupil to mainstream education. Part time timetables are used only as a short term (typically no more than 6 weeks) reintegration measure	Number of pupils placed in the PRU or off-site in other Local AP resource Number of pupils reintegrated from the PRU or off-site provision Number of pupils on part time timetables	PRU pupil numbers Census returns Local data	
	All pupils in the area are supported in securing appropriate post 16 progression pathway and return their September Guarantee data to the Local Authority.	Percentage of pupils with a September guarantee (from April to August only)	KCC tracking data	

KPI	Expectation of Contract	Data in published scorecard	Evidence	Reduction of future funding (where applicable)
	Inclusion provision is effective in ensuring that fewer pupils miss out on education through persistent absence.	Percentage of persistent absence by school	Census returns	

Appendix 2: EHE Flowchart



Elective Home Education – Flowchart 1



*Please note:
EHE – Elective Home Education*

Appendix 3: Guidance on IYFA Return



Timeline for In Year Fair Access Allocations – Flow chart 2

Panel – decision recorded. School place identified. APCO to record outcomes.



Parent is informed in writing of outcome of IYFA panel. Copies to relevant LA Officer



Following Fair Access Protocol point 5.9. School identified will contact parent / guardian within 5 school days and agree a start date.



When a start date has been agreed, in accordance with the Statutory Admissions Code. School to enter child onto attendance and admission register



Pupil to be given an agreed start date or been taken on roll within 2 term time weeks of school being identified at panel



Schools record and share with the APCL start date

School to evidence attempts to contact family to show that the admission process has been adhered to and continue to liaise with APCL of any non-engagement. APCO to engage with school, SAEO and CME team to facilitate ongoing tracking.



CME: if no longer residing at address, CME to follow process



Family confirmed to be still residing at address. Legal process to be initiated by the enforcement team naming school identified at panel

Please note:

APCL –
Alternative
Provision County
Officer

Appendix 4: Monitoring Scorecard Template Example

AP Funding Outcomes Scorecard

Template Example

Kent County and District Total

Kent County & District Total

	No. of Perm. Exclusion (PEX, rolling 12 months) ⁽¹⁾	Fixed-term Exclusion (FTE, 12 months)		EHE and Off-rolling					IYFA & Casual Admissions							Inclusion Collaboration				Vulnerable & Disadvantaged Learners				Attendance		% of pupil with a Sept. Guarantee	Notes	
		% FTE ⁽²⁾	No. pupils losing 10 or more to FTE	EHE No.	No EHE Breach	Off-rolling No	Off-rolling breach	More than 5	IYFA Attendance	No of Referrals from	No of Referral into	No. of case with a delayed admission	No. of case resulted in a direction	No. of casual admission	No. of IYCAF Return	No. of MM into District	No. of MM from District	No. of pupils placed in PRU or off-site	No. of pupil re-integrated from PRU or off-site	% known to EH, SC or YOT per 100 pupils	% active cases per 100 pupils	% known to EH, SC or YOT per 100 pupils	% Pupil premium	% in receipt of HDF	PA rate latest school term ³			No. of Reduced Timetable latest month
National Average (%)																												
Kent Average (%)																												
Performance at District Level																												
Ashford																												
Canterbury																												
Dover																												
Dartford																												
Folkestone and Hythe																												
Gravesham																												
Maidstone																												
Sevenoaks																												
Swale																												
Thanet																												
Tonbridge and Malling																												
Tunbridge Wells																												
Data Source	PIAS/MI	PIAS/MI	PIAS/MI	FA	FA	FA	FA	FA	IYFA Clerk	FA	FA	FA	FA	FA	FA	IYFA Clerk	IYFA Clerk	IYFA Clerk	IYFA Clerk	MI	MI	MI	MI	PIAS/MI	PIAS/MI	TEP/MI		