

Policy on Education Other Than At School (EOTAS)

under Sections 19 of the Education Act 1996 and the arrangement of alternative provision.

INTRODUCTION

This policy outlines the responsibilities of Derby City Council in the provision of **Education Other Than At School (EOTAS)** under **Section 19 (S19) and Section 61 (S61) of the Education Act 1996** for children and young people in England who are unable to attend mainstream or special schools. It applies to those with **Special Educational Needs and Disabilities (SEND)**, and those in **alternative provision (AP)**.

With respect to arranging alternative provision, this policy considers the statutory guidance for 'Arranging alternative provision' (Feb 2025); The Department for Education statutory guidance 'Arranging education for children who cannot attend school because of health needs (2023).

This policy does not consider Elective home education (EHE) and special educational provision otherwise than at school arranged under S61 of the Children and Families Act 2014 (EOTAS) neither of which are not a form of alternative provision.

EHE is a term used to describe a choice by parents to provide education for their children at home (or elsewhere) instead of sending them to school full-time. EOTAS under S 61 is arranged for children and young people with special educational needs (SEN), typically with an Education, Health and Care (EHC) plan, when it would be inappropriate for the provision to be made in a school, college or other educational institution; often due to the child's multiple and / or complex SEN.

DOCUMENT CONTROL

Version control	FINAL
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Lead Directorate	People Services
Implementation date	01/05/2025
Revised / updated date	01/10/2025
Next Review date	02/03/2026
Reviewing officer	Paula Nightingale

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Provision of EOTAS

1. EOTAS arrangements must ensure education is **equivalent to full-time provision** unless part-time education is deemed in the best interest of the child. Provision may include:
 - Home-based learning supported by qualified teachers or tutors.
 - Online and remote learning platforms.
 - Hospital education services.
 - Specialist alternative provision (e.g., therapeutic settings).
 - Vocational and skills-based learning.
 - Flexi-learning arrangements where a child attends school part-time alongside other provisions.
2. The law does not define “full-time education” but children should have provision, where possible, which is equivalent to the education they would receive in a mainstream (or special) school. This may not mean the same number of hours. If, for example, a child receives one-to-one tuition, the hours of face-to-face provision could be fewer as the education may be more intensive.
3. **Special Educational Needs and Disabilities (SEND)** For children with SEND who require EOTAS under **S61**, their EHCP must clearly specify:
 - Why school-based provision is unsuitable.
 - The alternative educational arrangements to be made.
 - How progress will be monitored and reviewed.

Responsibility of Local Authorities’ in arranging S19 provision

4. Councils must “make arrangements for the provision of suitable education at school or otherwise than at school for those children of compulsory school age who, by reason of illness, exclusion from school or otherwise, may not for any period receive suitable education unless such arrangements are made for them.” (Education Act 1996, S19(1))
5. Although there is no statutory timeframe, the Council should attempt to arrange alternative provision as soon as it is clear that the child will be away from school for more than 15 school days if their absence is because of illness.



6. The courts have considered the circumstances where the S19 duty applies. Case law has established that a council will have a duty to provide alternative education under S19 if there is no suitable education available to the child which is “reasonably practicable” for them to access. The “acid test” is whether educational provision the council has offered is “available and accessible to the child”. (*R (on the application of DS) v Wolverhampton City Council* 2017).
7. When considering whether to provide alternative provision, councils must have regard to statutory guidance, *Arranging education for children who cannot attend school because of health needs* (Dec 2023). This makes it clear that councils are not expected to become involved in situations where a child can still attend school with some support, or where a school has arranged to deliver suitable education outside of school.
8. Local authorities must:
 - Ensure EOTAS is suitable to a child’s **age, ability, aptitude, and SEND needs**.
 - Regularly review the provision and adjust it based on the child’s progress. For pupils with SEND this includes an annual review.
 - Work with health and social care services where necessary.
 - Ensure parents and carers are fully involved in decisions about their child's education.
 - Quality assure the alternative provisions that we are providing as part of EOTAS

Arranging EOTAS due to Exclusions

9. It is important that pupils continue to have access to learning during their suspension or permanent exclusion so that they continue to make progress and achieve.
10. For a suspension or pupils at risk of permanent exclusion of more than five school days, the governing board must arrange suitable full-time education for any pupil of compulsory school age.
11. This provision is commonly called alternative provision and must begin no later than the sixth school day of the suspension.
12. For permanent exclusions, the local authority must arrange suitable full-time education for the pupil to begin from the sixth school day after the first day the permanent exclusion took place.



13. The education arranged must be full-time or as close to full-time as is in the child's best interests because of their health needs.
14. When notifying parents about a suspension or permanent exclusion, the school should set out what arrangements have been made to enable the pupil to continue their education prior to the start of any alternative provision or the pupil's return to school, in line with legal requirements and guidance.
15. It is important for schools to help minimise the disruption that suspension or permanent exclusion can cause to a pupil's education. Whilst the statutory duty on governing boards or local authorities is to arrange full-time education from the sixth day of a suspension or permanent exclusion, there is an obvious benefit to the pupil in starting this provision as soon as possible.
16. Where it is not possible, or not appropriate, to arrange alternative provision during the first five school days of a suspension or permanent exclusion, the school should take reasonable steps to set and mark work for the pupil. Parents and carers are responsible for ensuring that their children are supervised during school hours on these days and complete the work which has been set. This will ensure that they will have the best chance to keep up with their learning and be less at risk of becoming involved in anti-social activities.
17. If a pupil has been permanently excluded, they do not return to their school and, in line with the local authority's statutory duties, will receive their education from either a mainstream school or a Pupil Referral Unit (PRU). If a mainstream school, then some AP may also be commissioned as an intervention to support the effective transition of the pupil.
18. If placed in a PRU, wherever possible, pupils return quickly to mainstream schools. This will be managed through the Fair Access Process. It is expected that, wherever possible, children will return to mainstream after a maximum of two years. For some pupils, the PRU will continue to provide education for a longer period of time. These placements will be reviewed frequently to ensure that the pupil is accessing the right curriculum.
19. The Derby City Behaviour Panels will also support children who are finding it difficult to remain in mainstream schools. The purpose of the half-termly panel is to support schools with managing children who are at risk of exclusion or placement breakdown to ensure children are given structured opportunities to be successful by meeting identified need at the right time and in the right place.
20. The Derby City Behaviour Panel may suggest the following in support of the child's continued education;
 - a Fresh Start referral to another mainstream school
 - a Fresh Start PLUS referral to another mainstream school
 - a Fresh Strat PLUS referral to a time-limited alternative provision or
 - a referral to the Multi Agency Panel for further consideration.



21. For primary pupil permanent exclusions, wherever possible the pupil will not be placed in a pupil referral unit but will be provided with a period of EOTAS or placed in mainstream with a flexi- learning package to enable the pupil to maintain or sustain mainstream.
22. Due to the increase vulnerability of looked after children wherever possible Derby City schools will not permanently exclude a looked after child.

Eligibility for EOTAS

23. EOTAS may be considered when:
 - A child is medically unfit to attend school (including mental health conditions such as anxiety or trauma).
 - A child has been excluded or is at risk of exclusion.
 - A child's needs, as outlined in their EHCP, cannot be met in a school setting.
 - A child is awaiting placement in a suitable provision.
 - A child is engaged in flexi-learning due to specific educational needs
24. Placements into alternative provision should always be made with the child's reintegration back into mainstream education or move onto a sustained post 16 destination in mind.
25. Where a child has an EHC plan, the local authority will usually name an educational institution for them to attend. It is not common practice, but local authorities can name an alternative provision on an EHC plan.
26. The s.19 duty does not apply to children and young people under or over compulsory school age.



Arranging S19 due to health needs and medical conditions

27. Schools must provide support for their pupils with medical needs under their statutory duties as set out in 'Supporting pupils with medical conditions at school' (Department for Education, 2015). Shorter term illnesses or chronic conditions are usually best met by school support and resources. Such conditions that might meet this definition include short term post-operative support and periods of reduced immunity.
28. Wherever possible the local authority will look at education provision being provided by school to ensure continuity for pupils. However, it is recognised that in some circumstances that may not be possible and provision for such cases may require additional advice and/or support from the local authority. In such cases the local authority will work alongside schools, parents, health and other professionals to provide an alternative education provision to meet a pupil's individual needs to enable them to thrive and prosper in the education system. Every effort will be made to minimise disruption to the child's education.
29. Where a pupil is, or likely to be, absent for a period of 15 days whether consecutive or cumulative across the school year due to a medical condition, schools are required to notify the local authority.
30. Once notified by schools that a child will be absent for 15 days or more, the local authority will work alongside schools, health, and other professionals (where appropriate) to ensure that suitable education is made available.
31. Derby City Council commission the Derby City health Needs provision (Castle School, Respect Collaboration of Schools) to provide dual registered interventions for children who for medical reasons cannot attend school. Where an absence is planned e.g. hospital admission or recurrent stay in hospital, or recovery at home educational provision should begin as soon as the child is well enough. Castle school will liaise with the child's home school and work with them to minimise any disruption to their education.
32. For children who are unable to attend school due to emotional wellbeing and mental health needs, the Derby local area partnership has developed a pathway to ensure a suitable education can be maintained.
33. The Derby Emotionally Based School Non- Attendance (EBSNA) Pathway offers help to schools to identify and support children who are experiencing EBSNA. The health needs panel triage the school referrals, offering support and guidance to schools and signpost to local resources. The support through this pathway ranges from reasonable adjustment to turnaround placements through a multiagency approach.



Children not in receipt of suitable education for other reasons

34. Where parents elect to educate their children at home, this conveys different legal responsibilities on the local authority. Responsibility for the child's education now lies with the child's parents and not the local authority in these circumstances. Although, it should also be noted that where a child is receiving education at home, the local authority is not entirely discharged of its legal duties and must be satisfied that the educational arrangements are "suitable". A parent is entitled to change their position on home education, Please see Derby City Council's Elective Home Education Policy.
35. Where children are unable to attend school for any other reason the local authority will consider the individual circumstances of each individual child, considering all available evidence, to inform our decision making and any action required by the local authority.
36. If a pupil is not in school due to an admissions issue, the admissions policy and children missing education policy will be followed.
37. If the pupil has an EHCP, then an emergency annual review should be requested to review the current EHCP and provision. If an alternative offer is to be provided then there is an expectation that flexi – learning options are considered.
38. If as a consequence of the multiagency meeting the parents takes the child off- roll, this will be considered as the parent wishing to electively home educate. In this circumstance the local authority is not required to provide EOTAS.
39. The Court of Appeal in *G, R (on the application of) -v- Westminster City Council* [2004] EWCA Civ 45 discussed the scope of the S19 duty on local authorities, and in which circumstances the duty is likely to arise. In this case, the Court held that the local authority had not acted unlawfully where they had provided the child with a place at a suitable school which was reasonably practicable for him to attend but the child was not attending that school.
40. The Court also stated there may be exceptional situations where it is unreasonable to expect a child to attend a suitable school (and there is no physical reason to prevent attendance). For example, if a child experiences persistent bullying and the school is unable to stop it, it may be reasonable for the parent to refuse attendance, and the local authority would be required to act in accordance with the S19 duty. There can also be specific cases whereby a pupil presents a significant risk to themselves or others at the school and, despite risk assessment and adjustments, the risk cannot be safely managed.



What must the local authority provide?

Provision of Alternative Provision

41. When it is decided that a child would benefit from alternative provision the placement should focus on enabling them to overcome any barriers to learning they may have and to assist them back into mainstream education or into a sustained post-16 destination.
42. Alternative provision can also support early intervention in mainstream schools to improve school capacity and capability to respond to rising issues over behaviour, attendance, mental health or other needs. Interventions can reduce the likelihood of children becoming persistently or severely absent, reducing preventable exclusion and the need for longer term placement into alternative provision. Early intervention can take the form of outreach work, supporting children whilst they remain at their home school. This might be through direct work with individual children or their parents, or more general work to build capacity in the home school to address behaviour or other issues before they escalate.
43. Early intervention can also take the form of planned placements into an alternative provision school for a fixed period. Where early intervention is offered, it should be as part of a continuum of support, with clear local processes for referral and to escalate or de-escalate support as required.
44. If a school commissions alternative to address arising needs, the school is ultimately responsible for the provision they put in place. As such as the commissioner, prior to placement, the school should always conduct their own due diligence to assess whether the provision is safe, offers high quality education and is suitable for meeting the child's individual needs. However, as above, a placement should focus on enabling them to overcome any barriers to learning they may have and to assist them back into mainstream education.
45. Throughout the placement the school should maintain contact with the pupil and explore all opportunities to support them to return. Once placed in alternative provision by the school, the school will assess the ongoing suitability of the placements as part of the commissioning process.
46. Whilst the local authority is not responsible for the commissioning of these placements, oversight will be provided as part of the tracking and monitoring role of the local authority as per the statutory guidance 2025 outlined in paragraph 57.



47. To support commissioning practice, Derby City Council has a quality assurance framework (APPENDIX A) to support an approved lists of all local providers, including unregistered alternative provision, which are measured against clear, locally defined standards. Education providers offering full-time education for five or more children of compulsory school age or at least one child with an EHC plan or who is looked-after by the local authority are required to be registered as independent schools and meet the Independent School Standards. However once placed in alternative provision by the local authority, the local authority will assess the ongoing suitability of the placements as part of the commissioning process.
48. The alternative provision must be suitable to the child's age, ability and aptitude, and any other special educational needs they have.
49. Education provided under S19 must be full-time unless the local authority considers that for reasons which relate to the physical or mental health of the child it would not be in the child's best interests for full-time education to be provided, in which case it must be on such part-time basis as the authority considers to be in the child's best interests (Appendix B; Derby City Parttime Timetable Protocol).
50. While "full-time" is not defined in legislation, pupils should receive the same amount of education as they would receive in a maintained school.
51. The statutory guidance (2025) relating to alternative provision further defines the meaning of 'good alternative provision':
- Good alternative provision is that which appropriately meets the needs of pupils which required its use and enables them to achieve good educational attainment on par with their mainstream peers. All pupils must receive a good education, regardless of their circumstances or the settings in which they find themselves.. Given the unique nature of alternative provision and its cohort, providers also need to:
 - have a strong focus on literacy and numeracy throughout the curriculum that enables children to better access wider learning and improve life outcomes
 - provide a flexible curriculum that can be personalised to meet the varied needs and ambitions of all children
 - enable curriculum sequencing that allows for the many different possible entry and exit points of children in a school year
 - where possible, and particularly when re-integration is the aim, work closely with the child's home school to align curriculums as far as is possible.
 - deliver a curriculum that supports academic achievement whilst also aiming to address any additional needs of the child, including improving behaviour and re-engaging them in education



52. Provision will differ from pupil to pupil, but there are some common elements that alternative provision should aim to achieve. The 'common elements' include good academic attainment with appropriate accreditation and qualifications; identification and meeting of the specific personal, social and academic needs of pupils to help children overcome barriers to attainment; engagement with education; and clearly defined objectives for future education, training or employment.
53. The S19 duty is a vital provision that ensures that every child's right to education, even in challenging circumstances, is upheld.

Oversight of Placements

54. Responsibility for the oversight of the alternative provision used always rests with the local authority or school that commissioned the placement.
55. Schools should always inform the local authority when they commission a placement in alternative provision for a child to ensure the local authority maintains oversight of sufficiency and safeguarding.
56. Commissioners should maintain regular contact with the provider and child, with clear procedures in place to exchange information, monitor progress and provide 16 pastoral support.
57. A child should not be removed from the home school's admission register, with the school making every effort to ensure that the child continues to feel that they belong and are part of the school.
58. The commissioner and alternative provider should discuss and agree a proposed maximum period of time as part of the planning phase for an off-site direction. The commissioner and alternative provider should agree on appropriate reporting mechanisms, including how the provider can report any issues or concerns and how the provider keeps records on and reports back information about a child's attendance and progress in the provision.
59. Commissioning schools and local authorities should maintain a full record of all placements they make, including a child's progress, achievements and destination following the placement. This should also include the child's own assessment of their placement. Where a child has been directed off-site to an alternative provision school, the child should always be dual registered from the beginning of the first day on which the school has directed the pupil to attend the provision. For the purpose of the school census a child should be dual main registered at their school and dual subsidiary registered at the alternative provision.



Safeguarding

60. Where a child is placed in alternative provision, the commissioning school or local authority continues to retain safeguarding duties towards the child and should therefore be satisfied that the provision is in a safe environment as well as meeting the child's pastoral and educational needs.
61. Commissioners should obtain written confirmation from the alternative provider that appropriate safeguarding checks have been carried out on individuals working at the establishment, i.e. those checks that schools would otherwise perform in respect of their own staff. This includes written confirmation that the alternative provision provider will inform the commissioner of any changes to arrangements that may put the child at risk, e.g. staff changes, so that the commissioner can assure itself that appropriate safeguarding checks have been carried out on new staff.
62. When a child is attending an alternative provision school, the commissioner should ensure that they have arrangements in place whereby all absence is followed up promptly, particularly unexpected and unexplained absence. When a child is placed in a college or unregistered alternative provision setting, the commissioner should also ensure that they have arrangements in place whereby the provider of the educational activity notifies them of any absences by the child.
63. The commissioner should always know where the child is during school hours. This includes having records of the actual address of the commissioned alternative provider and any subcontracted provision or satellite sites the child may attend.
64. Commissioners should regularly review placements they make in alternative provision. Reviews should be frequent enough (at least half-termly) to assure that the provision is achieving its objectives, that the child is regularly attending and that the placement continues to be safe and meets the child's needs. Where safeguarding concerns arise, the placement should be immediately reviewed and terminated if necessary, unless or until those concerns have been satisfactorily addressed. Schools and local authorities should always have regard to Keeping Children Safe in Education guidance and Working Together to Safeguard Children.



Appendix A

Quality Assurance (QA) Framework for Unregulated Alternative Providers (AP) – Derby City

This QA framework is based on the proposed national standards for unregulated AP as outlined in the consultation document “Strengthening protections in unregistered alternative provision” May 2024

The framework looks to Quality Assure provisions against the standards across the following themes:

- 1. Safeguarding and the Wellbeing of Children
- 2. Health and Safety
- 3. Admissions, Guidance & Support
- 4. Quality of education
- 5. Outcomes of children

Dates of QA Visits

Name of provider		
Date of QA Visit	LA Representative	Provider representative

Overview of Provider and the AP provision which can be accessed:

Insert text here

Length of AP which can be offered:

Up to a maximum of 12 weeks full time*	Yes	No
Longer term part time, up to 2 days per week	Yes	No

*if a pupil is in a full time place and has an EHCP or is a LAC, the provider will need to register as an Independent school with the DFE. This would be considered as at more than 15 hours per week.

Courses and programmes which can be offered:

Course/programme	Expected outcome

Contact details:

Name of Provider	
Address	
Contact details for Provider	Name Telephone

	Email
	Website
Name and contact details of the Designated Safeguarding Lead (DSL)	Name Telephone Email

1 Safeguarding and the wellbeing of children

	National Standard	Requirement met	Evidence
1a	All staff and proprietors have appropriate recruitment checks including an enhanced Disclosure Barring Service check, which are recorded on a single central register, and persons failing to meet those checks are not employed.	Fully Partially Limited evidence Not at all	
1b	<p>Appropriate policies and procedures to safeguard pupils are in place and are accessible to relevant parties.</p> <p>Policies are up to date and compliant with the latest version of KCSIE and Derby & Derbyshire Safeguarding Children's Partnership Policy and Procedures.</p> <p>All staff have undertaken safeguarding training within the last year.</p>	Fully Partially Limited evidence Not at all	
1c	<p>Staff are aware of the content of safeguarding policy and procedures and implement them effectively.</p> <p>All staff can demonstrate that they have read part 1 of the latest version of KCSIE.</p> <p>All managers and supervisors can demonstrate that they have read the latest version of KCSIE.</p>	Fully Partially Limited evidence Not at all	
1d	Robust procedures are set out for recording and escalating concerns and the actions taken.	Fully Partially	



		Limited evidence Not at all	
1e	Access to the site is restricted to registered learners, the organisation's own staff, and supervised visitors.	Fully Partially Limited evidence Not at all	
1f	There is a safeguarding lead at the setting who has received appropriate, documented training. All managers and supervisors have undertaken level 3 / level 4 safeguarding training within the last 2 years. Concerns are communicated between the Alternative Provider and the school, The concerns are recorded, including any actions taken and how concerns are escalated. All documentation is stored appropriately.	Fully Partially Limited evidence Not at all	
1g	The provider's website and social media feeds (if appropriate) have been checked.	Fully Partially Limited evidence Not at all	
1h	If the pupil has access to computer or online system. There is an online safety policy which includes appropriate monitoring and filtering requirements. There is a policy for the safe use of mobile phones on site.	Fully Partially Limited evidence Not at all	
1i	Where appropriate, pupils with needs relating to health, disability or a special educational need should have individualised plans in place to help meet their needs.		



1j	<p>Different age groups of children and young people <u>MUST NOT</u> be mixed beyond Key Stages, i.e. primary and secondary children <u>MUST NOT</u> be on site together.</p> <p>Pre-16 children and Post 16 young people, and adults <u>MUST NOT</u> be on site together.</p>	<p>Fully</p> <p>Partially</p> <p>Limited evidence</p> <p>Not at all</p>	
<p>To note</p> <p>The provider will need to provide evidence of how these standards are being met.</p>			

2 Health and Safety

	National Standard	Requirement met	Evidence
2a	A health and safety policy is in place that is understood and implemented by all staff.	Fully Partially Limited evidence Not at all	
2b	First Aid equipment and/or facilities are readily available and there are arrangements for access to a qualified first aider.	Fully Partially Limited evidence Not at all	
2c	A system is in place and in use for recording health and safety and first aid incidents.	Fully Partially Limited evidence Not at all	
2d	All specialist equipment used by pupils, staff or volunteers at the setting has undergone individual risk assessment and additional health and safety checks consistent with industry standards.	Fully Partially Limited evidence Not at all	
2e	Staff hold appropriate qualifications or have received appropriate training in the use of specialised equipment including, where appropriate, supervising or training others in its use	Fully Partially Limited evidence Not at all	
2f	The setting has all appropriate insurance cover, including public liability insurance.	Fully Partially Limited evidence Not at all	
2g	Fire drills take place regularly, at least once a year, and a record is kept.	Fully Partially	



		Limited evidence Not at all	
Comments The provider will need to provide evidence of how these standards are being met.			

3 Admissions, guidance and support

	National Standard	Requirement met	Evidence
3a	Admission and referral procedures are clear and well supported.	Fully Partially Limited evidence Not at all	
3b	The setting maintains records including information supplied by schools on admission, induction records, personal education plans or other learning plans, additional health needs, EHC plans, behaviour reports and risk assessments.	Fully Partially Limited evidence Not at all	
3c	All pupils participate in an induction process that will help them understand their rights and responsibilities and health and safety procedures.	Fully Partially Limited evidence Not at all	
3d	The setting records pupil attendance for each session, and there is a clear process in place to notify the commissioner of any absence within 30 minutes of the session start time.	Fully Partially Limited evidence Not at all	



3e	Processes are in place with commissioner(s) for checking on the health and wellbeing of absent pupils.	Fully Partially Limited evidence Not at all	
3f	<p>The setting records pupil behaviour and progress and shares information on a commonly agreed form, routinely with schools and parents, and/or with the local authority if the pupil is not on a school admission register.</p> <p>A commissioning agreement is in place and all parties understand how procedures for managing attendance, punctuality, behaviour and rewards will be communicated, including the process if the placement does not work or isn't appropriate.</p> <p>This information is shared with schools and parents, and/or with the local authority if the pupil is not on a school admission register.</p>	Fully Partially Limited evidence Not at all	
To Note Schools <u>MUST</u> inform providers of how the pupil will travel to and from the provision. Please circle / highlight the following, <ul style="list-style-type: none"> • Bus (which bus number(s) will the pupil travel on?) • Car (who will be driving the pupil?) • Taxi (please provide the name of the company) • Walk • Other 			



<p>Schools MUST provide details of the educational provision for the rest of the week, to the provider (i.e. is the pupil in school or at a different Alternative Provision?)</p> <p>The provider will need to provide evidence of how these standards are being met.</p>	
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4 The quality of education

	National Standard	Requirement met	Evidence
4a	Staff providing education have the appropriate skills and qualifications to deliver programmes.	Fully Partially Limited evidence Not at all	
4b	Planning for learning shows lesson/session plans identify the knowledge, skills and understanding that different groups of pupils will achieve.	Fully Partially Limited evidence Not at all	
4c	Regular and thorough assessment and review of progress takes place, observed during a learning walk.	Fully Partially Limited evidence Not at all	
4d	The setting promotes to pupils the importance of attendance, punctuality and good behaviour and has a strategy to address non-compliance.	Fully Partially Limited evidence Not at all	
4e	<p>The following policies are in place, readily available and are shared on induction.</p> <ul style="list-style-type: none"> Behaviour Policy (including the use of physical intervention) Attendance Policy Anti-bullying Policy 	Fully Partially Limited evidence Not at all	



	The provider can demonstrate that practices for managing behaviour and attendance and recording are strong.		
4f	The setting (where appropriate) ensures there are opportunities within the curriculum for all pupils to learn the knowledge, skills and attitudes to help them to manage relationships, keep safe and to develop personally e.g. PSHE curriculum (personal, social, health and economic education).	Fully Partially Limited evidence Not at all	
Comments The provider will need to provide evidence of how these standards are being met.			

5 The outcomes of children

	National Standard	Requirement met	Evidence
5a	There is a process for setting and monitoring pupil progress to support reintegration where appropriate, and for taking action if progress is not on track.	Fully Partially Limited evidence Not at all	
5b	Pupil underperformance is addressed through appropriate intervention and support.	Fully Partially Limited evidence Not at all	
5c	There is a process to assess regularly whether the provider is effective in delivering the	Fully Partially Limited evidence	

	commissioned service. This should be evident in the provision's annual report.	Not at all	
5d	Through the commissioning agreement, school and the providers work in partnership with pupils and parents/carers to monitor and review individual pupils' needs, abilities and aspirations. Including employability skills and post 16 plans.	Fully Partially Limited evidence Not at all	
To note The provider will need to provide evidence of how these standards are being met.			

Following the QA visit from the Local Authority the provider has:

- Provided detailed evidence of attendance, progress, outcomes for places commissioned by the LA.
- met all the standards within this QA framework and will be placed on the approved LA list for approved unregistered provision.
- met the majority of the standards and has agreed to have in place timely improvements which enable it to be placed on the approved list.
- not met the standards required and understands what it needs to do to reapply at a future date.
- not met the standards and does not wish to progress any further.

Improvement Plan

Area for Improvement	Actions	RAG	By when?	Who by?

Signatories

Local Authority	
Name	
Position	
Date	

Provider

Name	
Position	
Date	

Next QA visit is scheduled for





DERBY CITY PART-TIME TIMETABLE PROTOCOL

LA POSITION STATEMENT

Derby City Council remains committed to every child's right to a full-time education offer and makes clear the requirement that **a Part-time timetable can only be implemented in exceptional circumstances**. These terms of reference are in place to ensure all stakeholders are committed to:

- identifying a good practice approach for all maintained Derby schools, academies and alternative provision settings (referred to as "schools"), in the appropriate use of Part-time timetables which will protect both pupil and school
- assisting schools in ensuring that no pupil is excluded illegally through the imposition of a Part-time timetable
- securing a more consistent approach because the use of a Part-time timetable for an extended period of time, or in cases where issues have not been addressed, can have a serious impact upon the ability of a future school to try and increase access to education.

In line with these goals, the LA requires:

- an assessment of need having taken place to ensure that it will benefit the pupil
- a notification to the local authority that the child is going to be placed on a part-time timetable as part-time timetables must be discussed with your named Inclusion and School Attendance Officer (ISAO) during your school's Targets Support Meeting (TSM)
[Part-time timetables - Schools' Information Portal](#)
- a risk assessment covering the full length of the Part-time timetable being in place
- signed consent from a parent\carer
- signature of Headteacher
- for pupils with an EHCP, an interim or early Annual Review having been called, inviting the pupil's Derby City Council EHCP Officer
- the presence of the Virtual School at any meeting where the intervention will be discussed for a child looked after to Derby City Council and their full agreement
- a supporting Individual Healthcare Plan for pupils with medical needs
- schools being able to still evidence educational progress for the pupil

SCOPE

This guidance;

- Applies to pupils of compulsory school age and to children in Foundation Stage Two (Reception) when a parent wants their child to access their full-time educational entitlement (see School Readiness section)
- Applies to all maintained Derby schools, academies and alternative provision settings (referred to as "schools")
- Acknowledges the need for a range of people and services to be involved in the planning and implementation of a Part-time timetable (where relevant), including **but not limited to**; pupil,



parent/carer/s, school representative/s, parent/family representatives, Social Care, Virtual School, Education Welfare, Health, Educational Psychology, Youth Offending Team and **requires** opinions and information from these are taken in to account at the Implementation Meeting (via attendance or up to date written communication)

THE LAW

All children, regardless of their circumstances, are entitled to a full-time education which is suitable to their age, ability, aptitude and any special educational needs they may have and schools have a statutory duty to provide full time education for all pupils. The Local Authority has a statutory duty to secure a full-time education, appropriate to their needs, for all pupils deemed fit for school.

What is 'full time' education?

All pupils should receive full time education commensurate with their key stage as set out in DfE Guidance, namely:

- 21 hours at Key stage 1
- 23.5 hours at Key Stage 2
- 24 hours at Key Stage 3
- 24 hours at Key Stage 4 (Year 10)
- 25 hours at Key Stage 4 (Year 11)

Every day a school is open is divided into 2 sessions where the register must be taken at the start of the school day and again in the afternoon.

Maintained schools must be open to students for no less than 380 sessions (190 days) per year. Academies can set their own school year.

School Readiness

Children ordinarily start school in the September following their 4th birthday. However, it is acknowledged that parents can choose to defer their child's start to the beginning of the term following the 5th birthday. It is common practice for schools to stagger admission during the early part of the Autumn term to support all children in adjusting to school life, this process is not regarded as a Part-time timetable. The admissions process may begin with shorter days e.g. mornings for a commonly agreed period, quickly building to full-time attendance.

A school may determine, that for a small minority of children who are not 'school ready', an extended integration programme is appropriate to support their emotional and developmental needs. In this circumstance, the child would be regarded as being in receipt of a Part-time timetable and an appropriate plan must be agreed in partnership with parents and signed consent recorded.

DEPARTMENT FOR EDUCATION

The DfE states that there are no regulations that govern Part-time timetables as all school age children are entitled to a full-time education.

In the current School Attendance guidance the DfE state that **in very exceptional circumstances** there may be a need for a temporary Part-time timetable to meet a pupil's individual needs. A Part-time timetable must not be treated as a long-term solution and any pastoral support programme or other agreement must have a time limit by which point the pupil is expected to attend full-time and be agreed with the pupil's parents/carers.

PRIOR TO IMPLEMENTATION OF A PART-TIME TIMETABLE

VULNERABLE GROUPS

- In the case of a child with an EHCP, an interim or early annual review having been called, inviting the relevant Derby City Council EHCP Officer, for pupils with an EHCP.
- The presence of the Virtual School at any meeting where the intervention will be discussed for a child looked after to Derby City Council and their full agreement.
- A supporting Individual Healthcare Plan for pupils with medical needs.
- For Children in Care the Virtual Headteacher **must** be consulted and agree to the arrangements.
- For Children with an Education Health and Care Plan (EHCP), the SEND Team Manager **must** be consulted and agree to the arrangements.
- Children on Child Protection Plan and Child in Need Plan are very vulnerable and may be placed at greater risk if placed on a part-time timetable. Therefore, a part-time timetable should only be implemented in the most **exceptional** circumstances when all other interventions have been tried. In these cases, the child's social worker **must be** consulted and their agreement secured.

GENERAL PRINCIPLES

- ✓ Any proposal to use a part-time timetable **must** be discussed with the parent/carer before the arrangements start
- ✓ The LA's Education Welfare Service must be consulted and invited to attend the Implementation Meeting.
- ✓ A parent/carer must be informed of the school's intent to consider a Part-time Timetable **prior** to attending an Implementation Meeting and **must consent** (and not be coerced) to a part-time timetable by signing an agreement form during the meeting. The agreement form must make explicit that they are consenting to a part-time timetable; that they are taking responsibility for the pupil when they are not in school and that they are guaranteeing that the pupil will be supervised off site
- ✓ The timetable should be for a limited period. The suggested **maximum** length of a part-time timetable is half a term
- ✓ Any part-time timetable arrangements must be **regularly reviewed**
- ✓ A school has explored all other options for providing support to enable a pupil to attend on a full-time basis including consideration through the Team Around the Child/ Early Help process

A Risk Assessment for Time Out of School must be carried out prior to implementation of the arrangement which must address:

- an assessment of the safety and well-being of the child
- where the child will be at each part of every school day and by whom they will be supervised when not in school
- any Child in Need/Child Protection concerns
- the risk of the pupil engaging in criminal activity (Youth Offending Team should be consulted in the case of known offenders)
- the risk of substance misuse, child sexual exploitation or other such issue, while not in receipt of education during the school day.

IMPLEMENTATION MEETING

Professionals/Support Services must/should have been consulted for their views prior to the meeting, or be invited to attend, along with parent/carer and their chosen representative/s. All views should be represented.

A **Risk Assessment** must be completed.

Discussion should focus on:

- ✓ what support will be put in place to enable the pupil to attend school on a full-time basis as soon as possible
- ✓ how work will be provided to the pupil whilst they are not on the school site (pupils should be provided with differentiated work to complete at home during the period of their Part-time timetable. Schools should ensure that it is marked in line with the school marking and feedback policy, to reduce the impact of the temporary provision and Part-time access to teachers)
- ✓ how progress will be monitored and reported
- ✓ how the pupil's safety will be assured when they are not on the school site
- ✓ **a time limit by which point the pupil is expected to attend full-time**, with appropriate targets to gradually increase attendance during the period agreed. This should not exceed 6 school weeks at the maximum.

MONITORING AND REVIEW

- The support plan should be reviewed and agreed by a member of the senior staff and signed by the Headteacher. Copies should be given/sent to all attendees

- The designated member of staff should coordinate the review in consultation with parents, pupils and other agencies.
- The designated member of staff should be responsible for internally reviewing the programme of support offered fortnightly, checking progress against incremental increases in attendance and recording outcomes and amendments.
- The designated member of staff should complete the Notification of a Part-time Timetable and Reintegration Plan and the Risk Assessment for Time Out Of School and send it to PTTimetables@derby.gov.uk, where it will be reviewed and the school will be contacted if there are any factors which require further discussion or clarification.
- Should it be the case that a Part-Time Timetable process needs to exceed the 6-week maximum, an email should be sent to PTTimetables@derby.gov.uk to state this and this may result in one of the team requesting a discussion to explore what further support the child or young person may need.
 - If it becomes apparent during the period the arrangements are in place that progress is not being made a review meeting should be convened to determine what further support needs to be provided or action taken
 - Those involved in the network can and should raise any concerns **before** the next Review date if necessary

September 2022.

Reviewed 15 April 2025.

