

CABINET

4 FEBRUARY 2020

OUTCOMES OF CONSULTATION ON PROPOSALS TO RESTRUCTURE ALTERNATIVE PROVISION IN MEDWAY

Portfolio Holder:	Councillor Mrs Josie Iles – Portfolio Holder for Children’s Services (Lead Member)
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Summary

This report outlines the outcomes of the consultation on the Council’s proposals to restructure Alternative Provision in Medway. The Cabinet is asked to consider the report and authorise the Director of People, Children and Adults to commence discussions with all parties to create the centre of excellence and report back with formal proposals, once developed.

The Children and Young People Overview and Scrutiny Committee considered the report at its meeting on 9 January 2020 and its comments are set out at section 6 of the report.

1. Budget and policy framework

- 1.1. The proposals to make changes to Alternative Provision, often referred to as Pupil Referral Units (PRU’s), across Medway are consistent with the provisions of the School Place Planning Strategy 2018-22, and with the Council Plan outcome of ‘All children achieving their potential in schools’.

2. Background

- 2.1. Exclusion rates in Medway have historically, been very high. In 2015/16, permanent exclusions from Medway secondary schools was the 10th highest in England. This represented a 133% increase in the preceding three years compared to 40% nationally. The recent Special Educational Needs and Disabilities (SEND) inspection made critical observations of exclusion rates.
- 2.2. Fixed term exclusion rates from Medway’s secondary schools are significantly higher than national averages, although to a lesser extent than permanent exclusions.

- 2.3. In the primary sector, permanent exclusions are broadly in line with national rates, but the rate of fixed term exclusions were the highest in England over a five year period. The recent professional development programme, Effective Leadership: Inclusion, focused upon 20 primary schools with the highest rate of fixed term exclusion, and has been most successful in improving classroom provision and consequently has driven down the need to use fixed term exclusion in order to support vulnerable pupil's needs. After six terms of intervention and support from the School Improvement Team 79% of the schools were at or below the national rate for fixed term exclusion and 74% of those schools had reduced their use of exclusion to zero. This positive development needs to be sustainable and further work is planned in order to continue the positive trend of reducing fixed term exclusions and intensifying the support and challenge for those schools who are yet to secure sufficient provision for the most vulnerable pupils. This is especially pertinent at secondary level when any period of time away from formal education can lead to problems in later life for young people as they transition into adulthood.
- 2.4. Special schools did not permanently exclude at all during the same five year period, but the rate of fixed term exclusions, having been well below national rates, rose significantly. However, in 2016/17 the number reduced again.
- 2.5. Alternative Provision schools did not permanently exclude in 2016/17, however fixed term exclusions were high when considered against the size of the schools within these providers.
- 2.6. This table highlights the levels of fixed term exclusions (FTE) at the two state funded Alternative Provisions.

Will Adams	pupils no's	FTE rate	National rates for PRU's &AP	National FTE rate
2017	77	155.4	164.75	2.29
2018	90	224.7	158.40	2.33
2019	73	44.4*	not available	not available
Rowans				
2017	58	56.4	164.75	2.29
2018	55	36.2	158.40	2.33
2019	55	12.7*	not available	not available

* Year to date

- 2.7. Data for Will Adams shows fluctuations in the rate of fixed term exclusions overtime, and although an improvement is evident exclusions remain too high with little or no evidence of sustained improvement strategies being put in place. The Rowans shows a notable improvement overtime and is considerably lower than the national rate for Alternative Provision.
- 2.8. An exercise, The Alternative Provision Review, was undertaken during 2018 led by an independent professional and involved a steering group of Local Authority officers and headteachers (including both Will Adams and The Rowans), the purpose of the review, the report from which is attached at Appendix 5, was:

- to assess how the Local Authority can support schools to retain more children and young people within mainstream schools who have additional needs or behavioural difficulties who are at risk of exclusion or placement breakdown; and
 - to make recommendations around trialling new ways of supporting children and young people in mainstream schools.
- 2.9. Currently, there are two publicly funded Alternative Provision schools in Medway. These are The Rowans, an academy within the Inspiring Change Trust, rated as 'Outstanding' by Ofsted since 2015, which provides for pupils from key stages 3 and 4 and Will Adams, a Local Authority maintained school, rated as 'Good' since 2014, which caters for key stage pupils 4 only.
- 2.10. Between them there are now 115 commissioned places, which equates to one place per 173 secondary aged pupils. Comparatively, this is a low allocation with Bexley positioned at one place per 161 pupils. To match this proportion, Medway would need to provide 123 commissioned places.
- 2.11. The schools' performance are as follows;
- Will Adams - Attainment at the end of Key Stage 4 over time has declined despite showing fluctuations and pupil progress is significantly below the national average.
 - The Rowans - Attainment at the end of Key Stage 4 over time has, and continues to improve and pupils make progress in line with the national average. The Academy has also introduced a number of initiatives in order to keep pupils in mainstream education for example the 'revolving door' programme.
- 2.12. There are two independent alternative provision schools operating within Medway, these are Gillingham Football Club, rated 'Good' by Ofsted, and Manorway Academy rated as 'Inadequate'. Recently Gillingham Football Club School has increased its capacity to 50 enabling more pupils to be placed there to develop a more robust partnership model with the Local Authority, enabling more young people to be placed within Medway, one of the key actions moving forward; local schools for local pupils.
- 2.13. High levels of exclusion coupled with the rarity of reintegration means that there is insufficient space in the two Medway Alternative Provision schools to accommodate even half of permanently excluded children. This forces the local authority to place in settings that are outside of state funded Medway provision at a cost of between £370 and £650 per week (£14060 - £24700p.a.). This raises a number of issues around young people being educated away from their local communities, additional travel time to access educational provision and increased costs.
- 2.14. The review noted that there is much good practice in Medway, which should be shared and more widely exploited, which has been recognised in the Ofsted inspection regime. It did however highlight the low incidence of reintegration back into mainstream schools. Alternative Provision schools are intended, in most cases, to be short stay schools, with pupils returning to

their home school after a period of intervention to improve behaviour or resolve issues.

- 2.15. One recommendation from the review stated that the Local Authority should consider raising the number of commissioned secondary Alternative Provision places to around 120, which would bring Medway proportionately into line with other authorities. At the time of the review the number of places was 102, however in the meantime this has increased to 115. The LA has also supported a successful bid to the DfE for The Beeches, which will be a new build Alternative Provision Free School. This will provide additional capacity at primary school level.
- 2.16. In the short term this would reduce the need to spot purchase places in high cost, independent provision, but the review recommends that all additional places should only be utilised for pupils where a reintegration plan is in place and is delivered. In essence, ensuring pupils are re-integrated into mainstream Education.
- 2.17. The review recommended a number of measures that will be covered in other separate proposals. This report concentrates on the key issue which will improve the life chances of those pupils who require additional support in order for them to benefit from a full and varied curriculum within a mainstream environment. These actions will focus on school organisation and physical premises. Other recommendations in the report will be addressed when the organisation of Alternative Provision is determined.
- 2.18. It recommended that by more reintegration taking place, there would be a natural increase in capacity and the outcomes of the pupils would improve. A pilot scheme to improve reintegration is ongoing and is being led by The Rowans, Inspiring Change Trust.
- 2.19. It recommended that the Local Authority should look to restructure the publicly funded Alternative Provision in Medway, establishing a single all through integrated service. The review indicated that this service would result in:
 - a short stay provision for permanently excluded primary school children and secondary pupils in key stage 3;
 - time limited behaviour modification places for referred primary school pupils and secondary in key stage 3;
 - educational placements for students in key stage 4 for whom reintegration is not appropriate;
 - outreach services to schools; and
 - all primary and secondary pupils up to the end of year nine should be on a reintegration plan.
 - One site for these pupils within Medway

- 2.20. At this stage the Interim Assistant Director for Education and Special Educational Needs and Disabilities (SEND) has undertaken discussions with both key providers in relation to how we take forward the recommendations made by the steering group. Following these discussions and listening to the feedback from both schools, it is felt that combining schools onto one site is not in the interests of pupils and staff. Consequently, the suggestion of combining provision onto a one site operation is not being pursued at this stage. There is a recognition that creating a centre of excellence and having a more joined up approach which focuses on ensuring pupils are educated in mainstream provision, is the correct direction of travel. Ensuring that professionals can learn from best practice and take advantage of recognised external excellence in service delivery, the logistics of operating two sites under one coordinated leadership umbrella will require more work.
- 2.21. On the 6 August 2019, under decision number 91/2019, the Cabinet agreed to authorise the Director of People – Children and Adults Services, in consultation with the Portfolio Holder for Children’s Services (Lead Member), to commence a period of consultation for the proposed changes which would result in an implementation of the agreed actions following the report from the steering group to restructure Alternative Provision in Medway.
- 2.22. The first stage in the process comprised of an eight week public consultation, this took place between 23 September and 17 November 2019, and the results of this are set out in section 4 below.

3. The Proposals

- 3.1 The Alternative Provision review was undertaken in partnership with headteachers as set out above with the purpose of addressing the weaknesses in overall provision and reduce high levels of exclusions across schools. Therefore, improving the life chances of those young people who require additional support to help them with their educational needs.
- 3.2 The review stated that delivery of these recommendations would be best served by a restructure of the organisation, governance and capacity of Medway’s Alternative Provision. The proposals in the consultation were:
- to amalgamate Will Adams and The Rowans into an all-through provision, initially on a split site and with the possibility that over time to merge onto a single site at the Rowans.
 - This will be achieved by the technical closure of Will Adams and the expansion of The Rowans
- 3.3 The Council would be the decision maker on proposals to close Will Adams and the Regional Schools Commissioner (RSC) would be the decision maker on expansion of The Rowans
- 3.4 The proposals were, subject to the outcome of the period of consultation, to formally implement the changes during or after the summer term 2020, initially operating on a split site. The final proposals and a timeline will be informed by the outcomes of the consultation period.

4 Results of the Consultation

- 4.1 As part of the process, there was an informal consultation where the views of all interested parties could be expressed, and all views taken into consideration prior to Cabinet determination. The period of public consultation ran for eight weeks from 23 September to 17 November 2019.
- 4.2 Whilst there is no statutory duty to consult on changes to Pupil Referral Units, the local authority felt it was important to seek stakeholders views in a transparent and fair process to help inform future decisions. The Council's Interim Assistant Director of Education and SEND met on a number of occasions with the alternative provisions to make them aware of the process for the implementation of the review and to encourage their participation.
- 4.3 A notice was published in the Medway Messenger newspaper to notify the public of the consultation period, and to direct them to where they could find details of the proposals. These proposals were published on the Medway Council website. A copy of the notice and the consultation document are attached as appendices 3 and 4.
- 4.4 There were 158 responses to the consultation. The numbers of each type of respondent are shown in the table below. Responses to each of the five questions, and the comments received are shown in the rest of this section.

Member of staff (including staff at AP and other schools)	70
Student / former student	45
Parent/Guardian	20
Local resident	11
Governor / management committee	5

Question 1 - Do you agree it is important to provide a centre of excellence for those pupils who require additional support within Medway? If not, please explain your answer

- 4.5 Overall, respondents agreed with the question, but many felt that there should be multiple centres of excellence. They said that all pupils deserved a first-class educational offer and equal opportunities. Respondents also thought that different needs required different provisions and educational options. Some respondents said it was important to support staff to ensure they had the right skills. Other respondents agreed but felt that Will Adams already provided this.
- 4.6 Respondents said there should be an alternative site for students, and there should be a centre where students could get support and guidance. They also suggested there should be a forum to allow provisions to share best practice and collaboration.
- 4.7 There were some respondents who thought a single site would be a positive move. It would be cost effective, pupil needs would be best served by a single trust, and there should be a centralised over-arching provision providing a more cohesive and coordinated approach.

Yes	41
No	17
There should be multiple centres of excellence	36
All pupils deserve a first-class educational offer/equal opportunity	23
Different needs require different provision and educational approaches	8
Important to support staff to ensure they have the right skills	4
Yes, but Will Adams does this	7
Yes, as long as students of all capabilities are able to access the curriculum	1
Yes, but not too many	1
Yes, but Will Adams to remain its own school	1
Need alternative site for students	3
Important to have a centre where students get support & guidance	2
There should be a forum where all PRUs can share best practice	2
Important to combine expertise	1
More outreach needed	1
Need collaborative working	1
Three provisions should work in partnership	1
Will Adams and Rowans already work together and transfer students where appropriate	1
Early intervention is needed to support all children	1
Danger of younger pupils learning behaviours from older	2
No, needs to be smaller environment	2
Large PRUs will not provide a stable environment for learning	1
Single site risk confrontations	1
Agree with providing a centralised over-arching approach	1
Single site would be cost effective	1
Should be consolidated into one academy	1
Pupils needs would be best served by one trust	1
It does not need to be amalgamated with The Rowans/not via this proposal	2
Will Adams is excellent	1

Question 2 - Do you agree it is important to increase the number of alternative provision places in Medway? If not, please explain why

- 4.8 Respondents generally agreed that the number of alternative provision places should be increased. A number of respondents said increasing the number of places would allow more early intervention, and that early intervention was key. Respondents thought that more places would reduce permanent exclusions.
- 4.9 There were some respondents who said that the increase should be larger than in the proposal and should be across all provisions. Respondents thought that increasing the number of places would benefit all children and give the most vulnerable better life chances. Some respondents said that increasing places was key to ensuring pupils were educated in Medway or their local community.

- 4.10 A lower number of respondents said that there shouldn't be an increase in places, and instead exclusion numbers should be tackled at school level, and more outreach services were needed to help schools with this.

Yes	44
No	25
Would allow early intervention / early intervention is key	18
Would reduce permanent exclusions	6
More outreach needed	5
AP should aim to reduce home school numbers	1
Lack of AP leads to more disengagement	1
Should be larger increase than 5 places	8
Should be increased across all APs	4
Increased AP numbers would benefit all schools/children	3
Key to ensure pupils are educated in Medway / their local community	3
Will help most vulnerable children / better life chances	3
All children should get equal opportunity to access good education	3
Yes, if there are more pupils than places	2
Increasing number of pupils with issues	2
Has been difficult to find suitable place for child	1
Yes, but all students needs should be taken into account	1
Yes, on two sites	3
Increase proposed could be achieved by raising PAN	1
Increase should be across all key stages	1
No, exclusion should be addressed at source	6
Schools should do more, AP should be last resort	5
Not necessary to amalgamate to achieve	3
No, needs to be separate schools	2
No, need to address the source	1
Need more provisions rather than more places	1
Having two sites is better	1
Need a range of AP	1
Medway needs more high-standard AP	1
Needs more planning	1
Council has said it is planning to reduce places in 2020/21	1
No, you are closing schools in doing this merger	1
Not if it means amalgamating schools	1
Small class sizes are better	1
Some pupils do better remaining in AP	1
Will Adams gave support to move on	1

Question 3 - Do you think Will Adams is better placed to be an Academy or remain as a Local Authority maintained school? Yes or No

- 4.11 There were mixed views on whether Will Adams was better placed to be an academy or remain a local authority maintained school. There were 48 respondents who said Will Adams should remain LA maintained, compared to 50 who said it should convert to an academy. However, the academy

responses were split with the highest number saying Will Adams should join The Rowans ICMAT, and others saying they should join another AP trust. There were eight respondents who said that Will Adams should choose whether they become an academy or not.

Remain LA Maintained	48
Become an academy & join ICMAT	23
Become an academy in a wider trust	12
Become an Academy	8
Become an academy but Will Adams choice of trust	5
All AP should be in one trust	2
Will Adams should choose	8
No	18
Yes	4
Depends on which service provides a better provision for students	2
Should be amalgamated with The Rowans	1
Should remain on separate site if it joins Rowans	1
Too much silo working in Medway	1
Don't know	1

Question 4 - Do you agree pupils are more likely to receive a better education in an Ofsted graded outstanding school?

- 4.12 Respondents had mixed opinions on whether pupils were more likely to receive a better education in an Ofsted graded outstanding school. While many agreed, others thought that Ofsted ratings don't give a full picture of a school. Some respondents thought that it depended on how old the Ofsted rating was, that Ofsted was a one-off, and it depends on the match between the pupil's needs and the ethos of the school.
- 4.13 Some respondents felt that a Good rating was good enough, and the question wasn't fair on good schools.

No	29
Yes	20
Outstanding schools provide a good / strong education	24
More to a school than Ofsted rating	19
Depends how old the rating is / who the inspectors were	14
Ofsted is one off / snapshot	9
Depends on match between ethos etc and pupil	8
More complicated	5
Need to take into account ongoing data	3
Not necessarily	3
No as Ofsted ratings can go up and down	2
Ofsted grading does not affect learning and care given	2

No, it's down to what the pupils need	1
Outstanding schools are not perfect	1
Some ratings are outdated	1
Good is good	7
Question not fair on good schools	3
Need to work on improving good schools	1
Different provisions are required	2
Every child should have a right to an outstanding education	1
Only if all students are supported and can access the curriculum	1
Will Adams has been rated good for several years	1
Being part of a trust means Will Adams can share best practice	1

Question 5 - The Regional Schools Commissioner in his letter to schools dated February 2017 stated that there is a high ratio of small trusts within Medway. Do you agree?

- 4.14 There were mixed responses to this question, with similar numbers agreeing and disagreeing. Some respondents commented that all APs should come under a single trust, with several respondents saying that Will Adams should join the ICMAT.
- 4.15 Several respondents said that variety and diversity was beneficial, and more trusts would be required in future in Medway, such as when the Catholic schools become academies. Some thought that having more trusts was beneficial, as it brought diversity.
- 4.16 A few respondents took the view that a number of small trusts in Medway had been authorised by the RSC, and others said that the RSC has changed since the letter was written.

No	29
Yes	28
Will Adams should join ICMAT	11
Trusts / APs should amalgamate	9
All APs should be under one trust	5
There are too many and so another shouldn't be created	1
More trusts will be required eg when catholic schools become academies	9
Need to meet diverse needs	7
More variety allows different ethos to suit different children	3
Having more trusts is beneficial	2
No, not enough	1
Don't have enough information to comment	7
Not relevant	3
RSC authorised this	3
RSC has changed	2
Schools are better if they reach out and share expertise	2
Collaboration more important	1
Consistency and good practice needed	1

Not clear that AP is better if all under one trust	1
Will Adams wanted to join a large MAT	2
Amalgamation to reduce number of trusts isn't a good argument	1
Amalgamation would still leave GFC school	1
Amalgamation wouldn't solve this	1
Have other AP review recommendations been considered?	1
SPPS says schools should become academies, but this will bring more trusts	1
Forcing closure of Will Adams is not in the best interests of students	1
Majority of Medway trusts have schools out of Medway	1
Consolidation must be carried out carefully	1
Too many trusts focusing on leaders rather than pupils	1
Will Adams remaining LA maintained would be better alternative	1

Comments

- 4.17 Many respondents provided comments which covered a variety of topics. The most common comment was that having a single site would increase the risk of confrontation, due to increase pupil numbers, and rivalries between gangs in the Chatham and Gillingham areas.
- 4.18 Several respondents thought that having a single site in Chatham would be harder to get to, particularly for pupils living in Gillingham and Rainham. Some respondents thought that having two sites would give more options, provide diversity and a choice of provisions dependent upon the pupils needs.
- 4.19 Respondents said that smaller class sizes and a smaller school were beneficial, and a larger school would give less one-to-one time, affecting student-teacher relations. Some respondents also said that a large site would not be good for pupils with social issues. There were some comments that having a large number of AP pupils in one location could have an effect on the local community or local schools.
- 4.20 Several respondents said they did not agree with amalgamation, or that the schools should not be amalgamated. Some respondents thought that amalgamation would be disruptive or detrimental to pupils. However they did not explain why they thought this would occur.
- 4.21 There were a number of comments that more than one type of AP or approach was required, and that 'one size didn't fit all'.
- 4.22 Some respondents felt that more should be done to deal with the root cause, rather than excluding pupils, and that AP should be a supportive mechanism, not just for permanent exclusions.
- 4.23 There were some respondents who said that amalgamation would provide a better outcome, it made sense for all AP to be brought together, and a centralised and co-ordinated system would benefit pupils.
- 4.24 Some respondents thought that Will Adams should remain as it is. Other respondents suggested more collaboration between APs was needed.

- 4.25 Some respondents thought that Will Adams should convert, they should join Inspiring Change Multi Academy Trust, which operates The Rowans and is an outstanding academy trust.
- 4.26 A few respondents thought that the consultation document was biased and didn't provide enough information. Others asked if the Council had considered all of the points raised in the AP review.
- 4.27 Some respondents said that closing Will Adams would be a waste of the money invested in the site. Others asked what the implications were in terms of staffing and redundancy.
- 4.28 There were some respondents who said that Will Adams does not deliver good outcomes for pupils and has a poor record in excluding its own pupils.
- 4.29 There were a number of respondents who wrote about their experience of Will Adams. They said they staff had helped them or their child, and they had done better at Will Adams than at a mainstream school. Some respondents said that Will Adams had helped them in and out of school.

One site increases risk of confrontation / gang issues	62
Single site harder to get to	17
Having two sites gives more options	5
Staffing issues with one location	1
Location would cause issues	1
Benefit from smaller classes	23
Larger school would give less one-to-one time / student-teacher relationships affected	13
Large site not good for pupils with social issues / prefer smaller school	12
Smaller environment better for students	12
Large number of students in one location may have effect on local community / local schools	6
Will amalgamated AP be able to cope with change in scale	5
Amalgamated school will be too large	2
Should not amalgamate / do not agree with amalgamation	31
Amalgamation would be disruptive / detrimental to pupils	13
Academies do not perform better than LA schools	1
More than one type of AP / approach is required / one size doesn't fit all	17
The three AP provisions have different strengths and should be utilised more effectively	1
More smaller units needed	1
Deal with root cause instead of excluding / early intervention	10
AP needs to be supportive mechanism, not just for permanent exclusions	6
Amalgamation is important / would provide a better outcome	4
Centralized and co-ordinated AP system would benefit pupils	4
Makes sense for all AP to be brought together	3
Amalgamation will create stronger links	2
Amalgamation would be more cost effective	1
Should remain as is	3
Should remain on separate sites	2
Need collaboration between APs	7
More outreach needed	1

Amalgamation would reduce ability to learn from wider network (ie had planned to join larger trust)	2
Joining another trust would give wider experience from outside Medway	2
Will Adams should convert and join ICMAT	7
ICMAT are good	5
Will Adams should convert	2
Will Adams should join a MAT from outside Medway to get a wider range of experience	1
Consultation is flawed / biased/ doesn't give enough information	6
AP review document made 20 recommendations, have all been considered? / have other options been considered	4
LA does not have capacity to make recommendations due to Ofsted rating	3
Not enough evidence to support proposed amalgamation	3
Will Adams chose academy trust but was blocked by LA	2
AP is under resourced / needs more capacity	5
Commissioning of places is confusing and needs streamlining	1
LA needs a plan for AP	1
AP can only be accessed if child is excluded, and headteachers try to avoid exclusions	1
Some students do better if they remain in AP	1
Council won't give high functioning autistic students EHCP so they miss out	1
Closing Will Adams would be a waste of money / investment	3
What are the implications in terms of staffing / loss of staffing / redundancy	3
This all comes down to money	2
Disposal of the Will Adams site would be a waste of money	1
Intention is just to close Will Adams	1
Will Adams does not deliver good outcomes for pupils	3
Will Adams has poor record in excluding its own pupils	2
Will Adams leadership team has negative attitude and does not collaborate	1
Will Adams site is poor	1
Will Adams agreement costs LA too much	1
Older children could be negative influence on younger	3
Age range of proposed school will limit outcomes for older children	1
Increased range of ages and needs would cause issues	1
Rowans and Will Adams successfully cater for different ages	1
Shouldn't merge primary and secondary AP	1
Has LA externally verified quality of provision to ensure amalgamation will suit students not currently being served?	1
How will LA support and challenge (as the LA has no authority over academies)	1
Does O+S etc have expert & independent advice?	1
Have students/families from both schools been spoken to for their views?	1
Proposal doesn't include GFC School, and so AP will not all be co-ordinated	1
Students should have a say	1
Will Adams is a good school	7
Will Adams has been "Good" through 2 Ofsted inspections	1
Good school shouldn't be forced to amalgamate	1
Rowans shouldn't be forced into amalgamation	1
Rowans hasn't been inspected since 2015	1

Will Adams & staff are nice / helped me / my child	23
Have done better at Will Adams than mainstream school	15
Will Adams is like family / students and pupils have close bond	14
Will Adams supports pupils in and out of school	9
Feel safe at Will Adams	4
Feel more comfortable at Will Adams than mainstream	2
Will Adams offers multiple opportunities (for learning)	2

5 Advice and analysis

- 5.1 Officers are pleased with the number of responses, quality and engagement of the consultation and have considered the numerous and varied responses received from the various stakeholders. Many responses covered multiple areas and within those agreed on certain elements whilst disagreeing on others. All responses have been considered in revising initial proposals.
- 5.2 The responses to the consultation will be key in informing the local authority decision making in the creation of a centre of excellence, as will the comments and suggestions of the Children and Young People Overview and Scrutiny Committee.
- 5.3 A majority of stakeholders supported the notion of a centre of excellence for alternative provision in Medway. There were varied opinions as to how that should look, with multiple centres of excellence the popular view.
- 5.4 The aspiration is for a Medway-wide centre of excellence for Alternative Provision regardless of the number of locations. This requires a coordinated approach focussing on the pupils, to ensure the best outcomes and life chances possible for the young people and, wherever possible and appropriate, reintegration into mainstream. However, as many responses have highlighted, for a number of reasons, this doesn't necessarily need to be on one site.
- 5.5 With demand for AP places expected to increase as demand and overall pupil numbers increase, it is essential that action is undertaken now, to ensure that Medway's alternative provision is in a position to cater for this demand not only with sufficient places but also with a cohesive structure and approach, in order to ensure young people benefit from a comprehensive education..
- 5.6 Having a successful coordinated cohesive and focussed approach, albeit at a number of locations would best be served through an overarching leadership and management structure to oversee the various programmes, initiatives and outreach required to deliver the best outcomes and to create a Medway wide centre of alternative provision excellence.
- 5.7 To achieve this, officers, led by the Interim Assistant Director Education and SEND will work closely with all providers of Alternative Provision in Medway, making use of their knowledge and expertise to create a positive, progressive and pupil centred structure.

6 Children and Young People Overview and Scrutiny Committee

- 6.1 The Children and Young People Overview and Scrutiny Committee considered the report at its meeting on 9 January 2020 and its comments are detailed below:
- 6.2 The Programme Lead – School Organisation and Capital Services introduced the report which provided the outcomes of the consultation on the Council’s proposals to restructure Alternative Provision (AP) in Medway. He explained that the proposals were to address some of the recommendations in the 2018 AP review, which was attached at Appendix 5 to the report. There had been 158 responses to the consultation, with the majority supportive of a Centre of Excellence but with differing views in how that might be established.
- 6.3 The Executive Headteacher of the Inspiring Change Multi Academy Trust (ICMAT) then addressed the Committee, explaining that the Rowans AP was part of the ICMAT and was rated ‘outstanding’ and achieved positive outcomes. She also explained about the development of The Beeches, an AP free school which, when open, would offer early intervention support for children at Key Stage 1, 2 and 3. It would provide outreach support in mainstream schools to prevent exclusions and would be focused on reintegrating pupils back in to mainstream when appropriate and ready to do so. She gave examples of national projects and programmes The Rowans was involved in, which included working with the Department for Education. She welcomed a policy change in AP which would provide a cohesive, joined up approach, which she felt was needed to move AP forward.
- 6.4 Three people representing Will Adams AP then addressed the Committee. Firstly, an ex-student spoke about his experience at Will Adams. He explained that at 15 years old, he had a diagnosis of ADHD and anger management difficulties and had received multiple mainstream exclusions. He was involved in drugs, violence and crime and his parents, school and the police were struggling to find a solution to help him. He was then placed at Will Adams AP and he found the quiet, relaxed, close knit environment one in which he could thrive. He attended school every day and was willing to learn, eventually becoming Head Student. He was now 20, happy, healthy and with an ambition to join the Royal Engineers. He thanked Will Adams AP for turning his life and the life of others, around.
- 6.5 Secondly, a parent of two students at Will Adams explained how it had helped her children. She explained that both her children, who both had a diagnosis of ADHD and Autistic Spectrum Disorder, had attended mainstream school and because they were high-functioning, they had not met the criteria for an Educational Health and Care Plan (EHCP). Their mainstream school had tried to put strategies in place for both children but these had been unsuccessful. Her son was expelled after reacting to bullying behaviour that he had been experiencing for over three years and was moved to Will Adams where he received the right support, with access to in-school counselling and settled very well. Her daughter subsequently joined Will Adams and although she presented with challenging and

aggressive behaviour on starting, this was managed well by the school as staff were well trained in this and had a great understanding of autism. She praised the support and communication from the school and its nurturing environment, which she believed had helped her children both go on to succeed and achieve.

- 6.6 The Headteacher of Will Adams AP then addressed the Committee. She explained that Will Adams was a Key Stage 4 specialist provision, which provided a holistic wrap around service for some of Medway's most vulnerable young people. She explained the school offered a bespoke curriculum, tailored to the pathway of each student and commented that students often returned for support, highlighting the need for a post 16 provision. She also explained that the AP was graded consistently 'Good' by Ofsted and its results continued to be above the AP national averages. She commented on the AP's positive working relationship with mainstream schools and the sharing of best practice on matters such as understanding children in crisis and acknowledged the need for a clear strategy to develop consistent and good quality cohesive working across all provisions, welcoming the opportunity to establish Medway as a centre of excellence for AP. She expressed her concerns relating to combining two AP schools onto one site and the risks this could raise in relation to gang related issues and other social difficulties and urged the Council to support Will Adams in continuing to successfully educate some of the most vulnerable young people.
- 6.7 A short video, in support of retaining Will Adams AP, was then played to the Committee.
- 6.8 Members then raised a number of questions and comments, which included:
- **Mitigating risk relating to one site** – in response to questions about how the concerns relating to the amalgamation of the AP schools onto one site and the impact this may have in terms of gang rivalry and postcode wars, officers explained that the concerns around a single site had been raised during consultation and officers were adapting proposals moving forward to take into account the views expressed. Taking this and wider feedback received into account, it was more likely to move to a model which developed a centre of excellence with hubs or satellite sites to reduce this risk and also enable access to the provision by young people across Medway.
 - **Inclusive environment** – comments were made that improvements were still needed to create an inclusive environment across Medway's mainstream schools and there was recognition that wherever possible, children should be supported to remain in mainstream settings or be supported to return to mainstream where possible and appropriate to do so. Improved partnership working with schools would enable staff to be trained in skills to identify new strategies to support young people in crisis.

- **Future model** – officers confirmed that there was a need to develop a centre of excellence, increase reintegration back into mainstream education, share best practice specifically within AP provision and provide more outreach support to prevent exclusions, where possible. Specifics of the model were still to be finalised but it would be more flexible to offer outreach and respite opportunities and would enable improved partnership working, sharing of best practice and knowledge. Officers undertook to provide an update to the Committee when available.
- **Support of Early Help** – officers explained that, as part of its children’s services improvement journey, the authority would be working with Essex County Council in terms of strengthening its Early Help services which would also contribute to the partnership working of the AP centre of excellence model going forward.
- **Academisation of Will Adams** – officers confirmed that, as Will Adams was a Good school, the Council would not be looking to force academisation.

6.9 The Committee noted the outcome of the consultation and welcomed a centre of excellence for Alternative Provision in Medway but recommended that this not be provided from one site and requested further updates to be reported to the Committee.

7. Director’s comments

7.1 The consultation has highlighted a number of concerns and raised a number of questions which officers have taken into consideration. These have, and will continue to inform proposals and decisions moving forward.

7.2 It is imperative that the restructure of alternative provision results in a workable leadership and management arrangement which focusses upon improving the outcomes of all pupils.

7.3 Officers, having taken respondents and committee concerns around a single site option into account, will continue to explore the creation of a centre of excellence across Medway, looking at how best to deliver this taken into account the outcome of the consultation and the comments from the Children and Young People Overview and Scrutiny Committee.

7.4 Officers, working in partnership with providers, will strive to develop an inclusive culture which ensures effective leadership, cohesive and achievable strategies and focussed and managed reintegration.

8. Diversity Impact Assessment

8.1 A Diversity Impact Assessment (DIA) form is attached as Appendix 2. The DIA looks at how the proposed changes could impact upon various groups. The report shows that there could potentially be some impact upon certain groups; however it shows that any impacts are expected to be positive ones.

9 Impact of the proposal on arrangements for looked after children

- 9.1 Looked after children receive the highest priority for admission to all Medway schools. If necessary, the Admissions Code allows the Council to place looked after children in schools that would otherwise be deemed full. This ensures that the Council can secure appropriate provision for children that are looked after by the Local Authority. This Strategy covers both mainstream, special schools and Alternative Provision.

10 Risk management

- 10.1 The table below sets out the potential risks and mitigations associated with the proposals.

Risk	Description	Action to avoid or mitigate risk
A risk that it could undermine the Council's need to ensure the most effective use of resources, and in turn, the aim to raise standards across all schools.	If the proposals are not implemented there could be a risk that funding will not be directed in the most appropriate way therefore reducing available funding across other education sectors in Medway	Implement plan.
A risk that more pupils do not benefit from the alternative provision offer if no changes are made.	If no changes are made to the alternative provision structure, then some pupils may continue to be placed out of area away from their peers and in costly provision.	Implement the plan

11 Legal implications

- 11.1 The Council has the authority to open, amalgamate and close Local Authority maintained Pupil Referral Units (PRUs).
- 11.2 As set out in paragraph 4.2, whilst there is no statutory duty for the Council to formally consult on changes to PRUs, there is an expectation on Local Authorities to consult interested parties in developing proposals as part of their duty under public law to act rationally and take into account all relevant considerations. This period of consultation will satisfy that expectation.
- 11.3 The Council has a statutory duty to provide sufficient good quality school places.

12. Financial implications

- 12.1 Like special schools, PRUs are funded on the commissioned places and top up method. Each year, Medway commissions the number of places at each

school at £10,000 per place. This is more commonly known as the base funding.

- 12.2 Thereafter, top up element three funding is paid for every child placed in the school but the funding bands for each school are different. There is a potential £100,000 pressure arising from this proposal which could be mitigated by a review of the top up funding arrangements over the longer term with a view to introducing a formula based system based on the pupils need.

13 Recommendations

- 13.1 The Cabinet is asked to consider the comments of the Children and Young People Overview and Scrutiny Committee set out at Section 6 of the report.
- 13.2 The Cabinet is recommended to authorise the Director of People - Children and Adults to commence discussions with necessary stakeholders and report back to Cabinet on final proposals for the restructure of alternative provision to create the centre of excellence in due course.

14. Suggested reason for decision(s)

- 14.1 The restructure of alternative provision and the centre of excellence will improve outcomes for pupils, reduce exclusions and increase reintegration.
- 14.2 The restructure of alternative provision and the creation of the centre of excellence will ensure that the council can meet the Council Plan outcome of 'All children achieving their potential in schools'

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Background papers:

[The School Place Planning Strategy 2018-22](#)

https://www.medway.gov.uk/downloads/download/453/school_place_planning_strategy_2018-2022

Appendices

- 1) List of consultees
- 2) Diversity Impact Assessment
- 3) Public Notice
- 4) Consultation Document
- 5) Review of Alternative Provision – June 2018