

***DCSF Consultation on Statutory Guidance for Local Authority and Schools  
on Information Passports, Personal Learning Plans and the Core  
Entitlement for all Pupils in Pupil Referral Units and other Alternative  
Provision***

***Response from the Association of Teachers and Lecturers,  
March 2010***

ATL, as a leading education union, recognises the link between education policy and our members' conditions of employment. Our evidence-based policy making enables us to campaign and negotiate from a position of strength. We champion good practice and achieve better working lives for our members.

We help our members, as their careers develop, through first-rate research, advice, information and legal support. Our 160,000 members – teachers, lecturers, headteachers and support staff – are empowered to get active locally and nationally. We are affiliated to the TUC, and work with government and employers by lobbying and through social partnership.

### **ATL Policy**

ATL's education policy is underpinned by the professionalism of teachers. Teachers should be recognised for their knowledge, expertise and judgement, at the level of the individual pupil and in articulating the role of education in promoting social justice. Development of the education system should take place at a local level: the curriculum should be developed in partnership with local stakeholders and assessment should be carried out through local professional networks. Schools should work collaboratively to provide excellent teaching and learning with a broad and balanced curriculum, and to support pupils' well-being, across a local area. This means that mechanisms must be developed that ensure a proper balance of accountability to national government and the local community, and which supports collaboration rather than competition.

### **Introduction**

We support the government's review of Alternative Provision. We welcome the emphasis on ensuring that alternative providers are given the information they need to ensure that the pupils in their care will receive the education opportunities to enable them to move back into mainstream provision.

The emphasis on learning is particularly important as we know that the current outcomes for children and young people in alternative provision are not good, with many leaving education with few skills or formal qualifications. Alternative provision has long been inconsistent, ranging from the excellent to the inadequate, and we agree with the principles in this document that would

combine support and accountability measures to improve consistency in provision across the country and to build stronger information-sharing structures between schools and alternative providers.

We are concerned about the curriculum entitlement element – we believe that it is vital that teachers working in alternative provision have the flexibility to devise and teach a curriculum which can cater for the particular needs of their pupils, for whom the full curriculum may well have proved challenging in their previous setting. We support the principle of all pupils receiving a broad education but we find that the current National Curriculum is too prescriptive, often stifling innovation. We therefore welcome the flexibility contained within the statutory guidance around fuller curriculum and agree with the core curriculum.

## Information Passports

The information passport, as outlined in the consultation document, will be a very comprehensive and useful document. The information to be included would be relevant to PRUs/short-stay schools and alternative providers in that it includes all information that relates to the pupil's learning and their well-being, from academic attainment and learning styles to pupil aspirations and learning barriers. We also welcome the inclusion of information regarding the involvement of other agencies. However, as we expressed in our July 2008 response to the DCSF 'Back on Track: A strategy for modernising alternative provision for young people' consultation which introduced the concept of information passports, there are significant workload and bureaucratic duplication issues here.

ATL strongly supports the right of PRUs and alternative providers to this kind of information on their pupils in order to ensure that they can devise the most suitable learning plan for their children and young people. However, there are already many forms that need to be completed for vulnerable pupils. We know that the information passport will sit alongside other sources of information such as the Common Assessment Framework (CAF), the Common Transfer File (CTF), the Personalised Education Plan (PEP), the Individual Education Plan (IEP) and the Transition Plan. We stated in our abovementioned response (July 2008) to initial Information Passport (IP) proposals that the passport should contain only relevant information that is not already provided in other ways. However, the co-ordination of these various information media will not be straightforward and the potential for duplication is high.

The consultation states that the information passport should be sent to the new provider within two weeks of the referral and in advance of the pupil commencing the new provision. However, this timeline does not align with the other forms, which are supposed to fit together without duplication. For example, CTFs are required to be completed no later than fifteen school days after the day on which the pupil ceases to be registered at the old school. This disparity will result in PRUs and alternative providers not having the range of information that Passports could provide before pupils start with them if the information sits elsewhere and will be delivered on a different timeline. Yet, it would be very inefficient for information to be provided through the different forms, costing resources in terms of staff time. There needs to be a fresh look at

the range of documentation required from schools for vulnerable children to avoid duplication and to simplify an increasingly complex structure.

The consultation outlines the possibility that the information passport could be an annex to other forms. While this would seem to prevent duplication, the necessary timeline for the receipt of the passport by PRUs or alternative providers may, in reality, add a tighter deadline for the completion of the other forms, bringing further workload pressure on those staff responsible. In many cases, completion of these forms require input from external agencies, increasing pressure on the school staff member designated to co-ordinate these responses within what is now a tighter deadline. Any new responsibilities on schools need to be considered within the context of extended services and appropriate role boundaries. ATL would suggest that these consultation proposals be reviewed again with a recognition of the extended services aspect of working with vulnerable pupils, particularly in relation to a co-ordinating role which may well fit best at Local Authority rather than school level.

Bearing in mind the information to be contained within the information passport, the task of completing it will most likely fall to the SENCO, classroom teacher or teacher designated for personalised learning or indeed be shared between these roles. SENCOs have many new regulations with which to comply including those around CPD: any new work requirements will be very difficult to fulfil and will add a significant workload burden. Classroom teachers and designated teachers for personalised learning already have many competing priorities and we are concerned that the task of completing the information passport will overburden them, as duties around CAF completion has done and continues to do. The answer lies in more resources for schools in terms of staffing so that members have more time in which to fulfil their professional responsibilities. Alternatively, there should be a review of the demands made on schools, in areas such as curriculum coverage, assessment, data tracking, accountability etc., in order to rationalise/reduce these demands, and thus free up resources for use in areas like this. Local protocols to determine appropriate staff roles and responsibilities in relation to the Passport are helpful but perhaps this needs more responsibility given to Local Authority for the balancing of new duties against existing ones.

### **Personal Learning Plans**

Personal learning plans, like information passports, are excellent in principle, again supporting a focus on learning, pupil needs and goals. However, ATL has many concerns about the practicalities around its development, the workload issues it raises and accountability for its completion and reviews.

As with the information passport, there is a quick timeline for the production of the personal learning plan, and this process is to take place in close consultation with the school, Local Authority, other agencies and professionals where appropriate and should seek to involve the parents/carers and young person. We understand the need for such speed in the development of the learning plans, in order that it supports the activities and progress of the young person in alternative provision. However, that timeframe is a challenging one: alternative provision settings will have to co-ordinate meetings with external groups and individuals and will have to rely on the timely receipt of information documents from schools in order to avoid duplication of information.

ATL members believe in education professionals being able to be flexible in terms of their professional approaches and strategies in order to meet their pupils' needs. This necessitates the monitoring of activities and progress in order to ensure that the optimum strategies are being used to help pupils. We therefore agree with the principle of regular review as proposed in the consultation's review structure, if the reviews are aimed to check progress against targets and the success, or not, of particular strategies. However, care must be taken to avoid the risk of these six-weekly reviews being another workload burden or a tick-box exercise done merely to satisfy the statutory guidance. The latter risk is a lesser one, as the consultation proposes that the review of the personal learning plan should involve the parents, the child and relevant education professionals and where the young person has a statement, a named officer from the Local Authority. While this mitigates against the review becoming a meaningless tick-box exercise, it will confer a heavy workload burden on the person with responsibility for the personal learning plan and its co-ordination.

ATL members also believe that teachers in alternative provision should be able to exercise their professional judgement to decide when the reviews should take place; six weeks seems to be an arbitrary length of time which will not be appropriate in all cases. We agree with the principle of regular reviews and that, in practice, agreement should be reached on a case-by-case basis between the relevant professionals as to the regularity of the reviews. It is not helpful, that in alternative provision settings, the government are dictating such matters of pedagogy to this extent.

The individual with responsibility for the personal learning plan is accountable, according to the guidance, for speedy implementation of the actions agreed in the plan and for co-ordinating any joined-up working with other professionals or agencies. The consultation states that "it is important that other lead professionals support and work towards the objectives of the plan." Yet, we know from our own member experience, and backed up by Ofsted observations, that other professionals frequently leave the lead, co-ordinating role to education staff, even when the role would more appropriately belong somewhere else. ATL believes that this co-ordination role would be better served if undertaken at Local Authority rather than institution level.

We find the section within the Statutory Guidance about the content of the Personal Learning Plan to be clear. However, the Plan, like the Information Passport, will have to fit within an already complex and layered amount of documentation for vulnerable children and young people and we believe that this will undermine the clarity of content as outlined in the Guidance.

We welcome, the reintegration aspect of the proposed Plan although we are concerned, as we note in our response to the DCSF Consultation on Regulations and Guidance on School Governing Bodies' Power to Refer Pupils to Off-site Provision to Receive Education or Training to Improve their Behaviour' (March 2010), at the lack of resources which the government is prepared to consider as necessary to support that reintegration. We are concerned by the statement in the risk assessment attached to that Consultation that "it should be possible for a classroom assistant to provide, at no extra cost, any extra support a pupil will need as part of a reintegration plan once they have returned to school". This seems to presuppose the content of a re-integration plan and a reluctance to provide any extra resources to schools to manage the transition of pupils who had been unable to

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manage their behaviour within a school environment before. This is particularly concerning as providers of alternative provision may include, in the Plan, the outcomes which are expected when the young person goes back to mainstream school. This would require a very good understanding of the kind of education that the school can offer and the resources it has to work with pupils with particular needs. More importantly it would require a depth of partnership working to come to an agreed reintegration plan. Partnership working, while rewarding, is resource-intensive in terms of staff-time and expertise. It also raises issues of accountability.

This consultation avoids the question of accountability, yet it is a vitally important one. Many of the responsibilities outlined in the consultation rely on the input of professionals across sectors and for documentation from a range of sources. Accountability will be far from straightforward, but we are concerned that it is the 'lead professional' in schools and in PRUs who will be held responsible. Again, it is the co-ordination role which is, perhaps, the most vital in putting together the required documentation and some consideration should be given to where this role best fits. ATL believe that a dedicated role at Local Authority level would be more useful in supporting this process.

Whilst we welcome the specific allusion to the Plan being brief, we are not sure how well the balance between expected content and brevity will be maintained. The outlined content is significant and although some of it may be covered in other documents, the dispersal of information across various paperwork will inevitably reduce its comprehensibility to young people and their parents/carers, who are a core part of the intended 'audience'. This reflects the continuing dissonance within this Guidance between intent and most likely effect. It is vital that the government listens to all stakeholders to ensure that the excellent principles and concerns which have driven these changes can result in the desired outcomes of better immediate and lifelong opportunities for those vulnerable young people who get lost in the current system.

### **A Core Curriculum Entitlement**

ATL recognises the good intention, in terms of offering equitable opportunities to every child, of ensuring that pupils in alternative provision are offered a core curriculum of similar value and scope as their peers in mainstream schools. However, for many of these pupils, it is the restrictive and often inflexible nature of the core curriculum to which these pupils have been subject that has already led them to becoming disaffected and disengaged from formal learning, and feeling an acute sense of failure. In response to this, many staff in PRUs have created flexible learning pathways for these children and young people and ATL welcomes that the guidance leaves some room for flexibility, although we have yet to see how any use of this flexibility will be judged by inspection bodies.

In ATL's curriculum policy, where we state our belief that curriculum should be developed at local level in partnerships with far less prescription at the national level, we recognise public concern with proficiency levels in literacy, numeracy, science and IT skills and therefore accept those elements within the suggested minimum core curriculum. While we accept the importance of minimum hours and curriculum coverage, our members feel strongly that teachers in PRUs and other alternative provision should retain the right to work flexibly within this

framework, to design the best programme of teaching and learning to engage the children and young people in their settings.

The proposals around full-time education are also rooted in the principle of equity of opportunity, which ATL strongly supports. However, there will be pupils for whom being full-time in an education setting is challenging and staff need to be able to have the flexibility to meet the needs of these pupils, in order to draw them back into learning and education. Also, there will be resource issues; many alternative provision settings may not have the physical or staff capacity to offer full-time provision.

In this economic climate, it is very important for young people to gain recognised qualifications through their education and we welcome the accreditation of the work that young people are doing during their time in alternative provision. However, many of the young people in alternative provision will have found the testing culture that is inflicted on mainstream education very difficult, often leading to their having an acute sense of failure. The first priority for PRUs and other alternative provision is to deal with this sense of alienation and failure and the behaviour in which it is often manifested. We welcome the recognition within the Guidance document of this order of priority.

### **Placement within 2 weeks of identification of alternative provision need**

ATL agrees with the importance of placing pupils in alternative provision, when it is deemed necessary, without unnecessary delay. However, there will be logistical challenges, from the necessity of getting representatives from diverse organisations together to complete the paperwork and meeting requirements to ensuring that there are sufficient places available within alternative provision, and that any places that are available are accessible to the pupil and/or their family/carers.

### **Engaging required support services**

We welcome the proposal that Local Authority should work towards having any relevant support services in place no later than two weeks after the placement in alternative provision, although, as we've stated previously in our response, there are challenges with co-ordinating the work of professionals, across sectors particularly when there are issues of staff turnover and high caseload for many of the services involved. However, we welcome that the responsibility has been given to Local Authority, who, we believe, are best placed and resourced to fulfil this role and its responsibilities.

### **Conclusion**

ATL strongly agrees with the stated principles behind this Guidance. However, our members are very concerned about the impact on workload and capacity to innovate, in order to engage previously hard-to-reach pupils, within PRUs and other alternative provision. The Information Passport and Personal Learning Plan are good documents in themselves and would provide an excellent level of information to support education in alternative provision and transition between mainstream and alternative provision settings. However, these documents risk being an onerous burden, placed as they are within an area which already requires an extremely high level of bureaucracy and documentation and adding

confusion rather than simplicity. The curriculum provisions risk ignoring the reasons why many of these young people feel failed by schools and why those schools have been unable to be flexible enough to meet their needs; in trying to bring consistency to the alternative provision sector, we must not lose their special character, particularly their ability to innovate and tailor their provision to the needs of the vulnerable young people with whom they work. Therefore we recommend the following:

- That the Government review the procedures, including the documentation of information, around the area of pupil referrals to alternative provision, with a view to reducing duplication and avoiding excessive workload
- That the Government review the roles and responsibilities related to multi-agency working
- That the role of co-ordinating across-sector and network working should be carried out at Local Authority level
- That the Government focus on providing support to PRUs and alternative providers to offer engaging and innovative curricula to their pupils, with minimum prescription.