

6th Day Provision for Primary Phase - Schools Forum 23rd November 2023

Background

The Local Authority has a statutory duty to arrange suitable full-time education for the any pupils that have been permanently excluded from schools. This education has to begin from the sixth day after the first day the permanent exclusion took place. (Suspension and Exclusion Guidance May 2023)

The current mechanism in place for discharging this duty at the Primary Phase is through provision provided by Mayfield Chestnut and delivered at St Margaret Clitherow campus.

The provision being provided by Mayfield is well regarded and the arrangements have provided the necessary flexibility to ensure the duty can be discharged.

Following our School Forum Meeting in June 2023 we agreed to provide additional resources to Mayfield to enable a worker to undertake re-integration work and then take forward a full options appraisal to inform future commissioning models.

The following paper sets out the options that are available to discharge the duty and meet the needs of children subject to an exclusion in the primary phase.

Information on the current provision

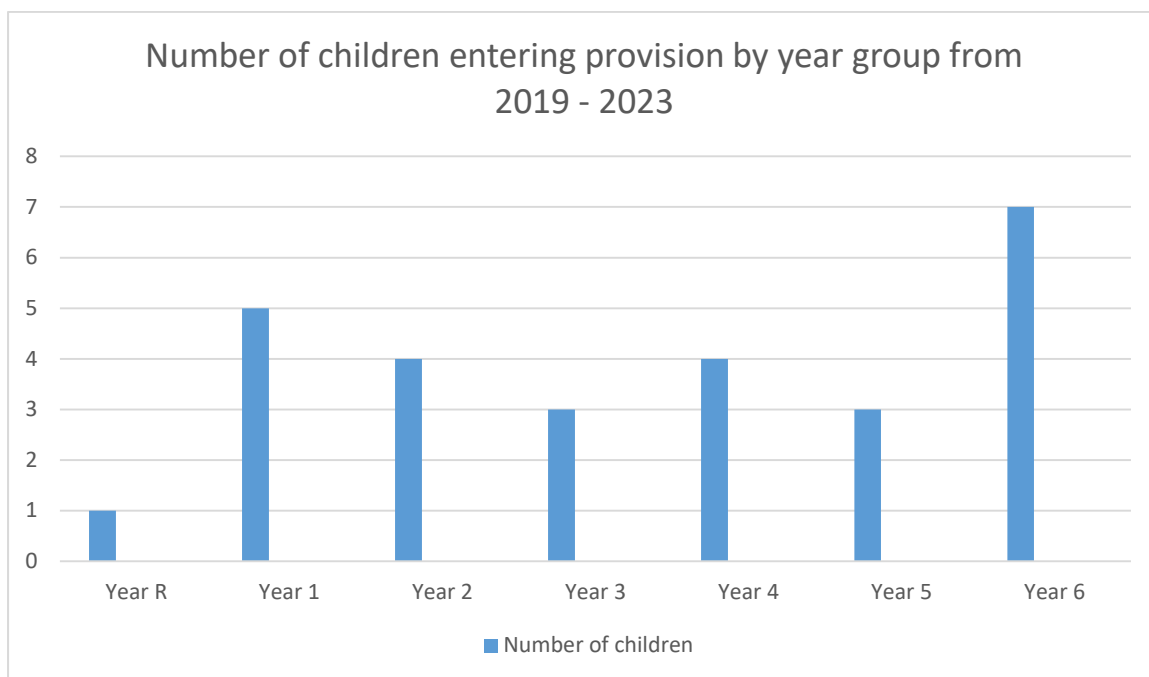
Children are provided with a placement at the sixth day provision following a permanent exclusion from a primary school. The objective of the provision is to ensure an education offer whilst the full range of needs are understood on the suitable education that is required post an exclusion.

The commissioned provision provides 6 XFTE places and has close links with Chestnut provision.

The following table demonstrates the number of children admitted to the sixth day provision over the last three years

2020 – 2021	2021- 2022	2022- 2023	2023 -2024
6	10	10	1

The following table demonstrates the entry point year to the sixth day provision over the period 2020 to November 2023.



Below is a breakdown of the entry year against the year group.

Entry date	Year R	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6
2020/2021		1	1		1		3
2021/2022	1	2		2	3	1	1
2022/2023		2	3			2	3
2023/2024				1			

Below are the list of exclusion categories that led to a place at the sixth day provision broken down by year group for the period 2019 to November 2023.

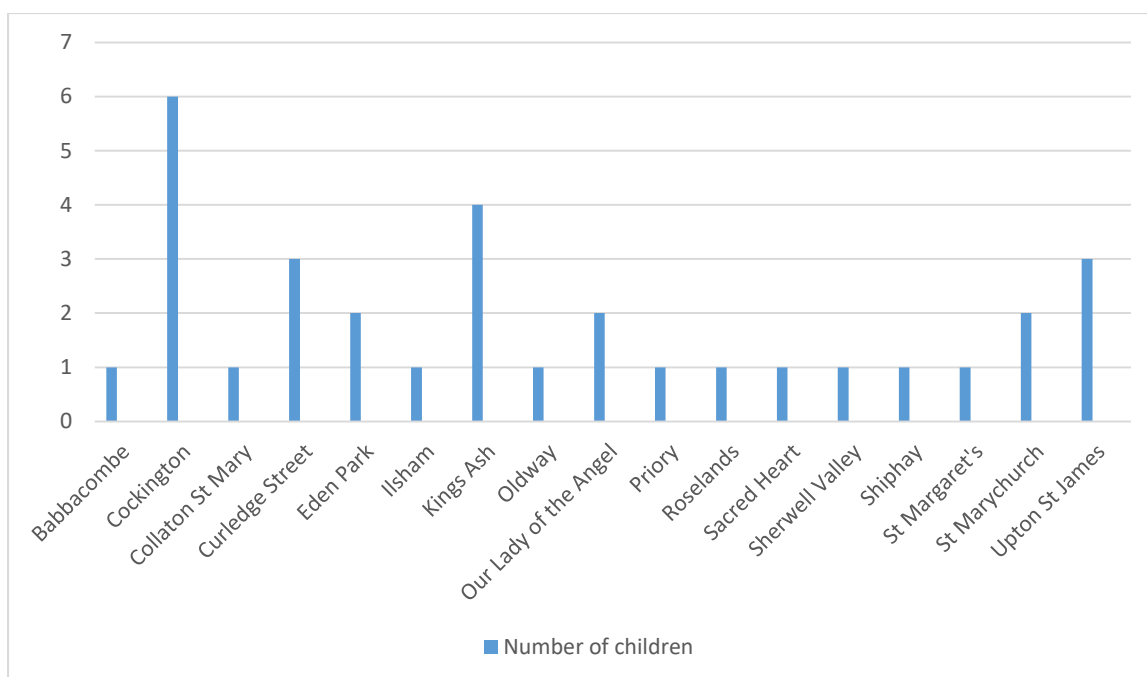
NCY	Assault on an adult	Assault on a peer	Persistent Disruptive behaviour	Sexual misconduct
R	1			
1	1		4	
2	3		1	
3	2	1		
4	2		1	1
5			3	
6	5		2	

In addition to the spend on 6th day provision the Local Authority has also provided Alternative provision offers for 5 children when a placement at the 6th day provision has not been available.

The reasons for exclusions and the NYC year groups for children placed in Alternative Provision are listed below.

NYC	Assault on adult	Persistent Disruptive Behaviour
1	1	
2	1	
5	1	
6	1	1

Below is a chart detailing the original school prior to admissions to the 6th day provision or the Alternative provision offer.



The cost of the provision provided has been managed through a service level agreement. The provision has been provided at the cost of:-

2020 – 2021	2021- 2022	2022- 2023	2023- 2024
£114,000	£114,000	£120,271	£138,642

Analysis of data and information

The figures provided show that the main referring schools are Cockington, Kings Ash and Upton St James. There is a variation between schools on the age of entry through exclusion.

The predominant reason for exclusion is assault on an adult 56% (18) with 37.5% (12) being as a consequence of persistent disruptive behaviour.

The total costs of providing the 6th day provision since 2020 until the end of the financial year 2024 will be **£486,913**

The average cost of placement per child that has accessed the 6th day provision is **£13,395**

The cost of the placement has reduced from **£19,000** in 2020/21 to **£12,027** in 2022/2023. The cost for 2023- 2024 will be determined by the number of children that require the provision during the year.

The cost of providing children with Alternative provision support when excluded from primary is **£32,284**

The total spend on providing 6th day entitlement from 2020 – 2024 is **£519,197**

The Local Authority recouped **£75,464** for children excluded from primary schools. Further recoupment may occur during 2023 –2024

Statutory Duties in relation to 6th day provision

The Local Authority and Governing Bodies play an important role in ensuring that children who have been excluded from school receive a suitable education that facilitates their successful reintegration or meets their long term needs.

The Department For Education Guidance advises below:-

For a suspension of more than five school days, the governing board (or local authority in relation to a pupil suspended from a PRU) must arrange suitable full-time education for any pupil of compulsory school age. This provision must begin no later than the sixth school day of the suspension. Where a child receives consecutive suspensions, these are regarded as a cumulative period of suspension for the purposes of this duty. This means that if a child has more than five consecutive school days of suspension, then education must be arranged for the sixth school day of suspension, regardless of whether this is as a result of one decision to suspend the pupil for the full period or multiple decisions to suspend the pupil for several periods in a row.

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. This will be the pupil's 'home authority' in cases where the school is in a different local authority area. The school should collaborate with the local authority when the pupil might be eligible for free home to school travel, arranged by the local authority, to the place where they will be receiving education.

(The education arranged must be full time or close to full time as in the child's best interests because of their health needs)

Source Suspension and Permanent Exclusion Guidance (DFE September 2023)

Work to consider the offer and develop an approach to 6th day provision

The Local Authority in partnership with stakeholders is conducting work on an Alternative Provision Strategy. This strategy is considering the needs of all children that are accessing alternative provision, including those that are accessing a pupil referral unit. The decisions on the future of the 6th day provision should fit within the wider findings of the review to ensure that we create a continuum of support.

The Alternative Provision Strategy Group are also reviewing best practice models.

School Forum received an update on the work of the Alternative Provision group in October 2023. There is still work required to further identify school leaders in the stakeholder group.

There are a number of potential solutions that could be considered as part of ensuring that the statutory duty can be fulfilled. These include but are not limited to the following options:-

- Continuation of the current service provision provided by Mayfield Special School
- Provision provided by another provider.
- Enhanced resource provisions within mainstream schools to enable children to remain within their community.
- Expansion of an already registered PRU
- A commitment to accommodate permanent exclusions back into alternative mainstream schools and the delegation of funding to support an outreach model of support.

Recommendation

- School Forum members review the information within the report.
- School Forum commit to providing representation at the Alternative Provision Strategy Steering Group
- School Forum provide initial feedback on any further information required and the initial view of options.

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