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Young London Matters



GOVERNMENT OFFICE
FOR LONDON

The London Quality Assurance Framework for Alternative
Provision (14-16 year olds) - A Coordinated Approach

Part 2, Annex 2: The Contract



ALDCS

Association of London
Directors of Children's
Services



Making Every
London Child Matter

The Contract

Once a provider has completed the quality assurance and verification process and commissioners have identified, through individual checks, that the provider is appropriate for the pupil, the commissioner should establish a service level agreement with the provider.

The two examples that follow have been developed by the London Borough of Ealing and the London Borough of Haringey.

1. Introduction

- 1.1 A service specification or contract clarifies the provision required by the commissioner and highlights the activities necessary to achieve the intended aims and objectives.
- 1.2 Typically, a contract or service specification is divided into two parts. The first part details general requirements, which apply to all provision areas. The second part contains separate schedules. These schedules detail additional requirements which are specific to curriculum areas.
- 1.3 Suppliers should be asked to demonstrate how they will deliver against Part 1 of the service specification or contract and the additional requirements as contained in the relevant service schedule(s) through to the completion of a pricing schedule and method statement.



2. Checklist of basic requirements¹

1. An assessment of suitability is undertaken before placing pupils with alternative providers, especially new providers. Suitability of regularly used provision should also be reviewed from time to time.
2. A contract / service level agreement is drawn up with every provider that:
 - Details the nature of the arrangement
 - Makes clear the expectations, including curriculum content
 - Reinforces statutory requirements.
3. Child protection checks and other aspects of suitability are completed prior to any placements being made.
4. A risk assessment is undertaken for each pupil prior to placement.
5. Steps are taken to ensure adequate insurance arrangements are in place and maintained.
6. Health and safety considerations are assessed and issues dealt with.
7. Robust arrangements to monitor and report on attendance are in place.
8. Systems are agreed for keeping track of pupil attainment and progression.
9. Systems are developed for ongoing review, quality assurance and continuous improvement.

[See quality assurance and risk assessment checklists]

¹ Example from London Borough of Haringey



3. Checklist for developing contracts

Pre-contract information:

3.1 Basic information about the provider:

- Contact details
- Systems for obtaining and maintaining student information
- Processes of selection
- Baseline assessment
- Programme and timetable
- Full-time or part-time
- Targets for students
- Arrangements for monitoring, evaluation and reporting
- Previous outcomes
- Destinations of past students
- Development and training needs
- Any other information.

3.2 Contractual requirements:

- Child protection procedures in place
- Health and safety checked
- Insurance arrangements are adequate
- Notification of pupil circumstances or change in circumstances, for example, changes in personal details, changes in course designation, pupil's attendance falling below a designated level.

3.3 Conditions of funding:

- Regular attendance records for each pupil are provided on an agreed frequency and schedule of dates;
- Details of every pupil's entry for accreditation
- Post-16 progression plans.

3.4 Payment arrangements:

- Both parties are in agreement about payment arrangements
- Penalty clauses for late payment are understood – if relevant
- Consequences of late invoicing is understood – if relevant
- Impact of changing numbers, exclusions, attendance, withdrawal of or from provision are shared
- A contact procedure for finance officers is detailed.

3.5 Information recording:

- Details and records relating to each individual placement are readily available and contain reference to placement contracts and quality assurance checks
- Each placement has a risk assessment relating to the placement and the individual
- Parent/carer or notification and consent are recorded.

4. Contracts between main education providers and external/alternative providers²

A statement of actions required and roles and responsibilities:

**delete as appropriate

In providing education for pupils who **live within [x] LEA/** are on the roll of [x] school, [Name of Provider] will:

- Provide a structured programme of learning, with clear aims, objectives and methods, leading to a nationally recognised qualification or [specify expected outcome]
- Provide young people and their parents/carers and **the local authority/**the school with all relevant programme details, i.e. term dates, whom to contact, timetables etc
- Provide all tools, equipment and materials required
- Provide a set of personal safety equipment required for all practical work where necessary and provide training in its use
- Provide a thorough induction programme, to include health and safety, at the start of the programme
- Carry out risk assessments on all aspects of programmes prior to the commencement of the programme
- Provide a clear process for the reporting of accidents
- Keep all young people's details in accordance with the Data Protection Act
- Employ staff with relevant teaching and vocational experience
- Employ staff with appropriate qualifications and/or experience to meet any specialist needs of the young people
- Collect and supply the necessary data for audit requirements
- Contact the **local authority/**school immediately regarding any young person whose behaviour or progress is causing concern
- Where the young person is to be unsupervised, parents/carers will be informed and their consent obtained in accordance with Haringey procedures
- Provide an identified person to be available for support
- Monitor progress and provide termly written reports to be forwarded to the parent/carer
- Discuss the reports with the young person regularly – at least once per term, but more frequently if required **[specify if part of an individual plan for any young person]
- Record individual attendance and provide **termly/monthly/weekly reports to the **local authority/**school

² Example from London Borough of Ealing



- Notify the ****local authority/****school of any timetable changes or any variation
- Ensure that all accreditation costs are met [****or specify how this will be funded**]
- Comply with the local authority's centrally agreed equalities policy, guidelines and procedures and policy for educational inclusion ****[and any additional school policies/procedures where relevant]**
- Comply with the local authority's centrally agreed drugs, bullying and disciplinary policies ****[and any additional school policies/procedures where relevant]**
- Comply with the local authority guidelines for trips and visits and ensure that all necessary documentation is completed
- Ensure that child protection regulations are adhered to and all staff and volunteers working with children/young people are CRB checked
- Ensure moderation and quality assurance systems are robust and meet any external requirements
- Provide learning support for young learners who require it
- Ensure that staff receive appropriate training where necessary
- Hold at least one open/parents'/school evening a year
- Ensure that any work placements required as part of the agreed provision meet all child protection, legal standards and health and safety requirements
- Provide a meal where required – including arrangements for those with entitlement to a free meal
- Provide a clear post-16 progression route in education, training or employment with training
- Ensure that injury or loss insurance covers young people under the age of sixteen
- Invoice the ****local authority/****school for the agreed amount on a termly basis [****or other specified time**]
- Attend regular progress meetings with the ****local authority/****school to monitor all provided programmes.

In placing pupils with [x provider], **the local authority/****the school will:**

- Remain the responsible body for the education and welfare of the young person
- Nominate an appropriate member of staff to act as the key contact and co-ordinator
- Carry out a risk assessment of the young people it nominates for a programme
- Interview prospective young people with their parent/carer and obtain written permission from the parent/carer for them to be taken onto the course
- Provide in writing, prior to the commencement of the programme place, relevant detailed reports on the participant's circumstances, behaviour and educational status
- Provide an emergency contact number and information on any known medical condition
- For young people who are Statemented as having special educational needs, provide information about these needs.

- Notify the programme co-ordinator of any significant change or circumstances involving the young person or details likely to effect programme delivery
- Support the providers with concerns - take responsibility for the following up of non-attendees after notification of absence and provide support if other problems occur
- Assist the provider with carrying out the previously agreed disciplinary procedures and behaviour policies
- Arrange, co-ordinate and finance transport to and from the provider
- Remind the parent/carer that travelling to and from the provider placement remains their responsibility
- Attend all open evenings held by the providers
- Require and ensure that all providers have the necessary child protection checks and procedures in place
- Require and ensure that all providers have the necessary health and safety arrangements in place
- Require and ensure that all providers comply with all legislation and guidance in relation to young people of statutory school age, including all equalities requirements
- Settle invoices for the agreed payment within the provider's specified time
- Attend regular progress meetings to monitor all programmes and visit placements regularly.

****In addition, the **local authority/**school will:**

- Support training programmes for providers
- Assist with the production of policies to support the provision
- Act as a consultant.



5. Aims and objectives

5.1 An overall aim of this work is to support commissioners of alternative education to commission suppliers that are able to meet current education needs, or enrich an existing curriculum for young people of statutory school age who are referred to them.

5.2 **The objectives of the provision are:**

- To provide all referred pupils with a rigorous and high quality alternative or supplement to a mainstream curriculum
- To offer children and young people who have not succeeded in the mainstream system a creative and engaging opportunity to rejoin the world of education
- To offer a high level of attention to both the learning and personal development needs of individual pupils
- To enable pupils, wherever possible, to remain in or to reintegrate into the school environment at KS 2 & 3 and in Year 10 of KS 4
- To work towards successful transition at the end of KS 2 or 3, or to appropriate provision at the next Key Stage
- To work towards successful transition to education, employment or training post-16, at the end of KS 4
- To support and raise the attainment of all pupils to ensure that they achieve at the highest level possible
- To raise the aspiration of all pupils.

In addition, where applicable:

- To enable KS4 pupils arriving from overseas to develop a functional level of spoken and written English and support these pupils in adapting to education and life in Britain
- To enable children and young people with SEN/ behavioural difficulties to develop the skills necessary to better manage their own behaviour (both within the educational system and wider society)
- To meet, or support the meeting of, the requirements of a pupil's Statement of SEN where appropriate
- To make provision for young people in Year 11, who cannot access a school place because of late arrival in the Borough, but who will be able to rejoin the mainstream education system without additional support post-16.

6. Levels of service and programme content

- 6.1 Provision may range from part-time (e.g. one half-day session per week) to full-time provision of 25+ hours per week.
- 6.2 Sessions may be delivered in one-to-one settings or in groups.
- 6.3 Programme content may vary widely, as long as it is tailored to fit the needs of an individual referred pupil or of a defined group of pupils. For example, extra-curricular support or programmes might be outdoor-based, centred on the visual arts or music, or based on physical education.
- 6.4 Provision may be made in premises managed by a supplier on a school or similar site as appropriate.
- 6.5 Premises used will be clean, well-appointed and fit for purpose.
- 6.6 Age-appropriate and up to date teaching and learning resources will be available for use in all teaching situations.

7. Referral process and selection criteria

- 7.1 Most referrals, including medical referrals, are made through the fortnightly Year 11 Clearing House, the Exclusions Forum, and the SEN Panel to the EOTAS Placement Forum or the Primary Behaviour Service.
- 7.2 Final placements are made directly from the EOTAS Placement Forum or the Primary Behaviour Service to Alternative Education providers.
- 7.3 Referrals from school admissions are made directly to alternative education providers if in Year 11; otherwise through the Hard to Place Forum.
- 7.4 Pupils referred may be aged between 7 and 16 years but most will be aged 14 to 16.



8. Working together

- 8.1 Both suppliers and the local authority will nominate an appropriate member of staff to act as the key contact and co-ordinator for placements.
- 8.2 The local authority will support suppliers with concerns relating to each pupil's educational progress, attendance and welfare and will provide support with other issues which may arise as appropriate.
- 8.3 The local authority will work with suppliers should disciplinary procedures relating to a pupil's behaviour need to be invoked.
- 8.4 Suppliers will work in partnership with relevant agencies in order to share information effectively and to plan/review interventions for pupils.
- 8.5 Suppliers will work in partnership with pupils and their parents/carers, managing these relationships in a sensitive and respectful way.
- 8.6 Suppliers will prepare their own reports to parents/carers or contribute to those of partner institutions.
- 8.7 Suppliers will immediately relay any child protection concerns to relevant Local Safeguarding Children Board (LSCB) officers within the local authority.
- 8.8 Suppliers will keep relevant local authority officers and professional agencies fully informed as soon as concerns about a pupil's attendance, conduct or learning or other relevant issues are identified.
- 8.9 Suppliers will keep relevant local authority officers fully informed if they intend to place a pupil on a fixed-term exclusion or to permanently exclude a pupil from the programme.
- 8.10 Suppliers will liaise with relevant officers within the local authority responsible for the Children Missing Education Procedures.



9. Staffing

- 9.1 Suppliers will be responsible for all employment issues whether in relation to staff employed directly or through an agency.
- 9.2 Suppliers will ensure that all workers involved in delivering the service have appropriate qualifications, skills and competencies to provide the service, and be able to demonstrate this as required to the local authority.
- 9.3 In addition, suppliers will ensure that all staff responsible for teaching National Curriculum subjects are eligible for membership of the General Teaching Council, either through training and qualifying in the United Kingdom, or by doing so in a country whose training and qualification system meets the criteria required of Overseas Trained Teachers (OTT).
<http://www.gtce.org.uk/>
- 9.4 Where suppliers are offering courses within a specific skills base, they will ensure that teaching staff, for example vocational instructors, have appropriate trainer or instructor qualifications.
- 9.5 Suppliers will ensure that staff have significant experience in working with, or an understanding of the needs of, vulnerable pupils and particularly of needs relating to their social, emotional or behavioural development.
- 9.6 Suppliers will ensure that staff are properly supported and supervised and that they are provided with training specific to the service if this is required.
- 9.7 Suppliers will ensure that, as well as receiving appropriate professional training, all staff (including management) will be appropriately instructed in health and safety, child protection and equal opportunities and diversity issues.
- 9.8 Staff training records will be kept and the continuous professional development of staff actively encouraged and promoted.
- 9.9 Suppliers will be able to provide evidence to the LA that they have obtained Enhanced CRB Disclosures from the Criminal Records Bureau (CRB).
- 9.10 Suppliers will be able to provide evidence to the local authority that they have checked the identity of appointed staff - see DfES Safeguarding Children and Safer Recruitment in Education guidance (January 2007).
<http://publications.teachernet.gov.uk/eOrderingDownload/Final%206836-SafeGuard.Chd%20bkmk.pdf>
- 9.11 Suppliers will be able to provide evidence to the local authority that a minimum of two written references have been obtained for staff appointed and that all staff are legally entitled to work in the United Kingdom.



10. Quality assurance and monitoring

- 10.1 Suppliers will comply with monitoring requirements as requested by the local authority. This will include completion of a monitoring form template as supplied by the local authority for the purposes of evaluating, monitoring and reporting on the progress of pupils.
- 10.2 As part of the monitoring requirements, suppliers will provide the nominated local authority officer with weekly attendance and progress records.
- 10.3 Suppliers will ensure that quality assurance and performance monitoring procedures are in place.
- 10.4 Suppliers will ensure that a procedure for consulting with pupils and their parents/carers on a regular basis is in place, to evaluate and develop the service.
- 10.5 Suppliers should make available to local authority officers upon request, access to sessions/lessons to allow observation of teaching and learning.
- 10.6 Suppliers will attend contract monitoring meetings, co-ordinated and chaired by the nominated local authority officer once each school term, or more frequently if required.
- 10.7 Suppliers will allow local authority officers access to premises to ensure that they are suitable for the work being undertaken.
- 10.8 Suppliers will give parents/carers details of their complaints procedure which should include details of how to report complaints to the local authority.

11. Service standards

- 11.1 Services will be sensitive to the needs all pupils, whatever their cultural, ethnic and religious backgrounds.
- 11.2 Suppliers will have in place as a minimum their own child protection policy, health and safety policy and equal opportunities policy.
- 11.3 **Suppliers will ensure that the service is carried out in compliance with the following legislation and guidance:**
 - Children Act 1989 and 2004
 - Education Act 1996 and 2002
 - SEN Code of Practice
http://www.teachernet.gov.uk/_doc/3724/SENCodeOfPractice.pdf
 - Disability Discrimination Act 2005
 - Human Rights Act 1998
 - Police Act 1997
 - Race Relations (Amendment) Act 2000

- Race Relations Act 1976
- Health and Safety at Work Act 1974
- Health and Social Care Act 2001
- Data Protection Act 1998
- Freedom of Information Act 2000
- Access to Personal Files Act 1987
- Safeguarding Children and Safer Recruitment in Education
<http://publications.teachernet.gov.uk/eOrderingDownload/Final%206836-SafeGuard.Chd%20bkmk.pdf>
- What to do if you're Worried that a Child is Being Abused
<http://publications.teachernet.gov.uk/eOrderingDownload/6840-DfES-IFChildAbuse.pdf>
- 14-19 Education and Skills Implementation Plan
<http://www.dfes.gov.uk/14-19/documents/14-19implementationplan05.pdf>

- 11.4 This list is not exhaustive or prescriptive. Any applicable further legislation or guidance not specified above, and any legislation or guidance referred to in the contract conditions, as well as amendments, new legislation or guidance issued after the commencement of the contract will be adhered to.
- 11.5 Suppliers will comply with national guidance relating to the Personal and Social Development Curriculum.
http://www.qca.org.uk/14-19/6th-form-schools/68_1197.htm
- 11.6 Suppliers will comply with the local authority's Children Missing Education Policy
http://www.egfl.org.uk/export/sites/egfl/categories/pupils/behaviour/attendance/_docs/docs/FINALCMEPOLICY16.11.06.doc
- 11.7 Suppliers will keep accurate and comprehensive pupil records and share these with the local authority and other professional agencies, if required to do so.
- 11.8 Suppliers will make initial contact with pupils and their families within agreed time frames.
- 11.9 There is a statutory requirement that pupils must be on roll within 6 days of permanent exclusion from a mainstream school and must be on roll within 20 days if they are in public care. Suppliers will work with the local authority to meet these requirements.
- 11.10 Suppliers will ensure that programme delivery starts within a time frame to be agreed with the local authority, but will at all times endeavour to begin provision within two weeks of referral.



12. Health and safety and risk assessment

- 12.1 Suppliers will be able to show that they comply with all statutory requirements relating to health and safety.
- 12.2 Suppliers will carry out annual risk assessments in respect of the services they provide and additional risk assessments for new circumstances. The aim of risk assessment is to provide a safe environment for pupils and to demonstrate active accountability on the part of the supplier.
- 12.3 **The risk assessment procedures will:**
- Ensure all staff are aware of when risk assessments are required
 - Develop and review strategies to monitor and reduce risk
 - Identify risk issues for pupils, and hazards from each risk issue, and who is at risk and the possible harm.
 - Show what measures have been put in place to reduce the risk
 - Evaluate the remaining level of risk
 - Continue this process until the level of risk is low or non-existent
 - Be clear about responsibilities for managing risk.
- 12.4 Suppliers will adhere to the DCSF Health And Safety Of Pupils On Educational Visits guidance, ensuring insurance arrangements, staffing ratios, consents process etc are followed.
<http://publications.teachernet.gov.uk/eOrderingDownload/HSPV2.pdf>
- 12.5 Use of IT equipment will be in accordance with the Becta E-safety: Developing whole-school policies to support effective practice guidance.
<http://publications.becta.org.uk/display.cfm?resID=25934&page=1835>
- 12.6 Suppliers will ensure that appropriate firewalls, content filters, anti-virus software and malware blockers are in place and enabled on computers used by pupils.
- 12.7 Suppliers will have in place appropriate first aid provision and will have a contingency plan for major accidents and emergencies if pupils are educated anywhere other than in a local authority school or Pupil Referral Unit (PRU).

13. Consultation with service users

- 13.1 Pupils and their parents/carers' needs, requirements and views will be at the forefront of service development and delivery.
- 13.2 Suppliers will be committed to producing visible follow-up on ideas and proposals from pupil parent/carer involvement through termly review meetings and where requested by annual evaluation of provision by pupils and parents.

14. Outcomes

- 14.1 Suppliers will devise independently, or work with partners, to devise learning plans. However, all plans will be reviewed and amended in line with the 2009 DCSF guidance on individual learning plans.
- 14.2 Suppliers will define the planned outcome for pupils in each learning plan and revise this as circumstances change.
- 14.3 All pupils will show realistic progression and movement from an initial baseline position.
- 14.4 Effective provision will be in place during term times.
- 14.5 Effective communicating systems will be in place.
- 14.6 Effective record keeping will be in place.
- 14.7 Effective mechanisms for reporting back to the local authority will be in place.



15. Performance indicators and outcome measures

- 15.1 The local authority will use performance indicators to measure the quality of the provision and will judge suppliers performance against these standards.
- 15.2 Performance will be measured in two ways: through progress made by individual pupils and by the analysis of performance data.
- 15.3 The local authority reserves the right to amend or add to the existing performance indicators, which may vary slightly depending on the service offered. This will be done in consultation with suppliers.
- 15.4 Performance of suppliers may be measured against that of other suppliers if provision is similar.

15.5 Table of Performance Indicators and Methods of Measurement

Category	Performance Indicator	Method of Measurement
1. The quality of teaching and learning	Individual pupil progress against initial baseline assessments e.g. GOAL online assessment	Record of initial/follow up results
	Individual pupil progress against other assessments by local authority services e.g. the Educational Psychology Service	Record of initial/follow up results
	Individual progress against predicted outcomes before pupil is placed	Record of initial/follow up results + interim and final reports or reviews
	Levels of individual pupil attainment - SATs/GCSE/ other accreditation outcomes	Comparison with results from previous KS SATs
	Numbers/percentage of pupils gaining accreditation	Local authority monitoring form
	Number/percentage of pupils reintegrating to school or moving post-16 to employment, education or training	Local authority monitoring form
2. Personal and social development	Individual pupil attendance improved from pre-referral attendance	Attendance record
	Improvement in attendance after intervention for poor attendance	Attendance record + termly meeting with local authority
	Baseline and final standard assessment tools e.g. <i>Strengths and Difficulties Questionnaire</i>	Record of initial/follow up results
	Observed/reported changes with peers and adults	Review records
	Achievement of behaviour targets as outlined in referral plans/Statements of SEN and similar documentation	Review records
	Attendance figures for cohort of pupils	Attendance record
	Level of participation in showcases, open days etc.	Attendance figures
	Analysis of disciplinary incidents	Reports to local authority

Category	Performance Indicator	Method of Measurement
3. Overall quality of provision	Appropriate premises and staffing	Termly meetings + visits to suppliers
	Effective record and reports	Sample inspection of policies, risk assessments, planning, CRB records etc.
	Retention rates of pupils placed on the programme	Local authority monitoring form
	Number of complaints received	Local authority monitoring form
	Action taken regarding complaints received	Termly meetings
4. Effective engagement with children and young people	Attendance level	Attendance record
	Monitoring of action taken if young people fail to attend	Termly meeting with local authority
	Improvement in attendance after intervention	Attendance record
	Responses on evaluation forms from pupils	Annual report to local authority
	Responses on evaluation forms from parents/carers	Annual report to local authority
	Level of participation in showcases, open days etc.	Annual report to local authority
	Quality of pupils' relationships with staff	Observation + number of complaints received
5. Referral response time	Time between referral of each pupil and beginning of provision	Monitoring at local authority panels + local authority monitoring form
	Monitoring of effective forward planning e.g. taster sessions	Information received in advance + feedback
	Analysis of time taken for provision of external requirements e.g. installation of broadband connection	Local authority monitoring form
	Analysis of time taken to put pupils on roll	Local authority monitoring form
	Analysis of time taken for education provision to begin	Local authority monitoring form
6. Effective communication and working in partnership	Attendance at meetings with parents/carers	Suppliers record
	Level of attendance at meetings and communication with local authority officers	Local authority record
	Level of attendance at meetings and communication with other professional agencies	Suppliers record
	Quality of ongoing liaison regarding any issues which may affect service delivery	Local authority record
	Evaluation forms from pupils and families	Number of responses received + analysis of responses

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