Guidance on school behaviour and attendance partnerships

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Ministerial Foreword

Every parent wants to know that their child will be safe and happy at school, and every child has the right to learn in an orderly school, with good behaviour in every classroom. As Sir Alan Steer reported in September 2009, "behaviour standards in most of our schools are already high and we should acknowledge the good work of our school staff. Most schools and teachers are successful in maintaining good standards of behaviour."

But we cannot have the learning of any class disrupted by the bad behaviour of one or two: pupils, parents, and school staff share the responsibility for ensuring this does not happen.

Through effective local partnership working, which enables schools to learn from one another and work cooperatively in driving up standards, we can have good behaviour in every school. This guidance on Behaviour and Attendance Partnerships builds on the approach we set out in **Your Child, your schools, our future:** that schools working together can deliver better outcomes for their pupils and lead their own improvement supporting one another.

The health, happiness and success of every child is not just the responsibility of an individual school, but the collective responsibility of the whole local community, and all the children's services operating within it. Schools working in partnership with each other and with wider services can make a real difference in achieving positive outcomes for children and young people.

Behaviour and attendance partnerships are an important way for secondary schools to work together to promote good behaviour and discipline, tackle bullying and reduce persistent absence. As well as being important in its own right, good behaviour is fundamental to school standards and pupils' ability to learn.

As part of this broad vision, we announced in February 2005 that, from September 2007, we expected all secondary schools to be working in partnerships to improve behaviour and tackle persistent absence. A large majority of secondary schools are now doing so.

By working in partnership on such issues, rather than in isolation, schools could achieve the benefits of:

- shared resources – physical, financial and people;
- joint commissioning of provision from external suppliers, using existing school resources or additional resources devolved or delegated by the local authority; and
- shared expertise and knowledge of effective practice between schools, for example to help any school within the partnership which has only a 'satisfactory' or 'inadequate' behaviour judgement to achieve a 'good' one.

This guidance aims to help schools work together to achieve these benefits by setting out practical advice, based on the experience of existing behaviour and attendance partnerships and on the recommendations of Sir Alan Steer.

Behaviour and attendance partnerships are one of the main drivers for delivery of our pupil guarantee that all schools will have good behaviour, strong discipline, order and safety. Schools have made good progress to date in improving behaviour and attendance, but there is scope for further progress particularly at secondary school level. The further development of behaviour and attendance partnerships will ensure that the best of practice is shared and that where standards of behaviour have been no better than satisfactory, they can be driven higher. It will also enable schools to work as a group with their local Children's Trust Board, in the context of the Children and Young People's Plan, so that there is a shared local vision and effort to ensure the highest possible standards of pupil behaviour and learning.

Vernon Coaker
Minister of State for Children, Schools and Families

Introduction

This guidance is for schools and local authorities involved in behaviour and attendance partnerships. Secondary schools that are required to be in partnerships under the Apprenticeships, Skills, Children and Learning Act 2009 are:

- a community, foundation or voluntary school;
- a community or foundation special school;
- an Academy;
- a City Technology College; or
- a City College for the Technology of the Arts.

The Act also:

- establishes governing bodies of maintained secondary schools and sixth form colleges, and proprietors of Academies as relevant partners within the Children's Trust cooperation arrangements;
- requires partnerships to report annually to the Children's Trust Boards;
- requires the school partners to follow this guidance, unless there is good reason not to do so; and
- changes the name of pupil referral units to short stay schools.

These provisions will apply from 1 September 2010.

Regulations will also require all pupil referral units/short stay schools that provide education to secondary age pupils to form behaviour and attendance partnerships. This is intended to come into force on 1 September 2010. The regulations will also require management committees of pupil referral units/short stay schools to be a statutory 'relevant partner' in the Children's Trust cooperation arrangements.

Behaviour and attendance partnerships may include primary schools, other providers of alternative provision or further education colleges which can engage with secondary schools on a voluntary basis. This guidance is also relevant to them.

1. This guidance applies only to England.

2. The guidance updates earlier guidance on school partnerships for behaviour and attendance. It takes account of the work of Sir Alan Steer in identifying key principles of effective partnership working and other key developments, such as the publication of the White Paper on 21st Century Schools in

June 2009. It also explains what schools need to do to meet their new statutory duties.

3. Section 248 of the Apprenticeships, Skills, Children and Learning Act 2009 gives statutory force to the expectation about partnership working. It places a duty on the governing bodies of all maintained secondary schools, as well as Academies, City Technology Colleges or City Colleges for the Technology of the Arts in England to cooperate to promote good behaviour and discipline and reduce persistent absence. Partners must also have regard to this guidance when carrying out their statutory duties. This means that there is an expectation it will be followed, unless there is good reason to depart from it.

4. The duty to cooperate is to be applied to management committees of pupil referral units/short stay schools to establish behaviour and attendance partnerships through regulations, which it is intended, will come into force on 1 September 2010. Section 249 of the Apprenticeships, Skills, Children and Learning Act 2009 also changes the name of pupil referral units to short stay schools from 1 September 2010.

5. Whilst local authorities do not have, to have regard to this guidance, we expect them to take account of it when supporting schools by providing access to alternative provision and pupil referral unit/short stay school places, providing access to support services and by devolving or delegating funds to schools for behaviour and attendance provision.

6. **Chapter 1** of the guidance explains the legal duty to be in a behaviour and attendance partnership by requiring secondary schools to cooperate with at least one other school for the purposes set out in the legislation. Where it is practical, a larger membership maximises the benefits of sharing resource and expertise and commissioning support services.

7. **Chapter 2** provides further information on leadership and management of partnerships.

8. **Chapter 3** explains the benefits of effective partnership working.

9. **Chapter 4** deals with the requirement on partnerships to submit an annual report to the Children's Trust Board. It is important that this reporting process is manageable for schools in the partnership and minimises burdens.

10. **Chapter 5** is on funding arrangements for behaviour and attendance partnerships.

Chapter 1: The objectives and outcomes of behaviour and attendance partnerships

Key principles for all behaviour and attendance partnerships are:

- active engagement of all partners;
- inclusion of the local pupil referral unit/short stay school and other major providers of alternative provision;
- engagement with primary schools and further education;
- engagement of at least one Safer School Partnership officer, assuming that local police make this resource available;
- engagement with extended services;
- clear protocols for managed moves and 'hard to place' pupils;
- a focus on early intervention;
- use of pooled resources to enable buy-in of specialist support;
- transparent use of data; and
- a staff training programme.

11. The White Paper *Your child, your school, our future: building a 21st century schools system*[1] emphasised how delivery of the Pupil and Parent Guarantees will require schools to work in partnership with one another and with wider children's services, and that it is always better to prevent failure than to tackle a crisis. This is particularly important in ensuring that all schools are able to achieve high standards of pupil behaviour and attendance, with appropriate timely support for those young people who need extra help. Behaviour and attendance partnerships play a key role in ensuring that schools are able to extend the breadth and quality of their provision, ensure safe learning environments and work together to improve outcomes. As well as being important in its own right, good behaviour is fundamental to school standards and pupils' ability to learn. Good standards of teaching and clear expectations of learners will promote improved behaviour.

1 Your child, your school, our future: building a 21st century schools system http://publications.dcsf.gov.uk/default.aspx?PageFunction=productdetails&PageMode=publications&ProductId=Cm+7588

This is why we believe that schools should develop a teaching and learning policy, making clear how good teaching and classroom management promote both effective learning and positive behaviour. We will issue guidance in 2010 on this (see paragraph 68).

Expected outcomes for behaviour and attendance partnerships

12. To be effective, partnerships need to have a clear focus on the outcomes they aim to achieve. It is open to partnerships to agree whatever local outcomes they judge appropriate in order to meet local priorities. However, the Government has set certain key national priorities, which it expects partnerships to meet in order to fulfil their fundamental statutory objectives.

13. These national priorities are:

    - **Improved overall standards of behaviour**, as measured through the relevant Ofsted inspection judgement. The Government's aim is that, by 2012, all schools should achieve a 'good' or 'outstanding' rating for behaviour or be on track to do so by their next inspection. In partnerships where there are schools where behaviour is judged 'satisfactory', or 'inadequate', schools in the partnership should draw on their collective expertise and experience to support that school (or schools) to achieve a 'good' or better rating. This can also be supported by the use of the *Securing Good Behaviour Framework* produced by the National Strategies; and

    - **reduced rates of persistent absence**. Persistent absentees are defined as pupils with 20 per cent or more absence. With these very high levels of absence, pupils are most likely to suffer other negative outcomes, such as low educational attainment and involvement in harmful activity. It should be a key objective of schools – and school partnerships – to maximise all pupils' attendance.

14. Other important outcomes support and feed into these two key national priorities. They include:

    - development of more positive pupil behaviour so that behaviour can make a strong contribution to learning. Positive behaviour displayed by pupils includes where disruptive behaviour, name calling, using put downs and all types of bullying is minimal, and where it does occur, it is addressed quickly and effectively by staff;

    - reduction in the number of permanent exclusions and multiple fixed period exclusions where they are disproportionately high, either in relation to statistical neighbours (and national average) or for particular groups (see paras 49-51);

- reduction in differential rates of permanent exclusion and/or persistent absence for pupils with SEN, pupils from particular ethnic minority groups, and pupils eligible for free school meals – we expect that partnerships with high levels of exclusions of children with SEN should address this as a priority;
- reduction in all forms of prejudice related bullying, including racist incidents; bullying on grounds of gender, age, sexual orientation, SEN or disability, race, culture or religion;
- preventing physical and verbal abuse of school staff; and
- reduction in overall absence rates, where these are higher than those of statistical neighbours and/or the national average.

15. In addition to the outcomes above, partnerships will need to monitor key processes which help to deliver the outcomes, and in particular:

    - the effectiveness of managed moves arranged, in terms of improved behaviour of the pupil at the receiving school; and
    - the effectiveness of early interventions (for example where pupils are supported through pupil referral units/short stay schools or other alternative providers), in terms of the impact on their behaviour and/or attendance.

16. Guidance on improving behaviour and reducing persistent absence is available on line[2]. In addition, the National Strategies will provide universal and targeted support for local authorities and, through them, behaviour and attendance partnerships, on priority aspects of behaviour, attendance and anti bullying, until March 2011.

Case study 1: Tower Hamlets

Tower Hamlets has 15 secondary schools within a densely populated area, which work in a close behaviour and attendance partnership. In summer 2007 they agreed to:

- ensure alternative education was in place from the sixth day of any exclusion;
- develop a consistent approach to behaviour management;
- develop a fair access protocol and review the use of managed moves; and
- review the impact of pupils taking holidays in term time and develop a consistent approach to these across the borough.

2 http://www.dcsf.gov.uk/everychildmatters/ete/behaviourinschools/behaviour/ http://nationalstrategies.standards.dcsf.gov.uk/secondary/behaviourattendanceandseal

Priority was given to providing day six exclusion provision which was put in place at the start of autumn term with a commitment to review it annually. Because of the high levels of deprivation in the borough, head teachers committed to using internal exclusion wherever possible. They also agreed a model for a one year trial whereby, in the case of either permanent exclusion or a managed move, the pupil should attend a period of provision in a pupil referral unit prior to entry to their new school to address the issues that led to the exclusion or managed move and prepare pupil for re-entry. Where parents and pupils agree, managed moves are always substituted for permanent exclusion.

The impact of this joint working can be seen in improved outcomes. The latest available data in 2007/2008 show permanent exclusions dropped by 26%, fixed term exclusions dropped by 13%, and the number of days of exclusion dropped by 41%.

Key characteristics of effective partnerships

17. In his final report on pupil behaviour Sir Alan Steer[3] set out the key characteristics one would expect to find in all partnership arrangements. These were drawn up following Sir Alan's consultations with other practitioners and stakeholders, including the teacher professional associations.

18. He recommended that effective partnerships require:

    - the active engagement of all member schools and other bodies within the partnership reflecting their ownership of the partnership and their commitment to all local children;
    - the inclusion within the partnership of the local pupil referral unit/short stay school, if any, together with other major providers of alternative provision;
    - engagement of the partnership with primary schools and further education;
    - alignment of the behaviour and attendance partnership with the local Safer School Partnership. There should be full engagement with the police so that each partnership has at least one allocated SSP officer. Sir Alan suggested it is crucial that police forces make this support available;
    - engagement with extended services to improve support to pupils and parents in the partnership and to facilitate reintegration into mainstream provisions as required;

3 Sir Alan Steer report, April 2009 http://www.teachernet.gov.uk/wholeschool/behaviour/steer/

- clear protocols for pupil managed moves and for the placement of 'hard to place' pupils. These protocols to be operated by all members of the partnership. Guidance to schools should detail the legal rights of parents;
- a focus on behaviour and attendance and on effective early intervention;
- the use of pooled resources to enable the partnership to buy in specialist support;
- the transparent use of data so that the partnership can monitor its performance and identify strategic objectives; and
- a staff training programme related to behaviour and attendance to provide opportunities for ongoing continuous professional development (CPD) and joint networking.

These characteristics are captured in the partnerships self evaluation framework produced by National Strategies at Annex A. Partnerships should review their effectiveness based on their performance in achieving priority outcomes and their adherence to the principles of effective practice using the evaluation framework. This review should in turn inform the way partnerships report to the Children's Trust Board. Further information on reporting is provided in chapter 4 of this guidance.

Chapter 2: Developing effective partnerships

Setting up partnerships

19. The way a partnership is constituted, operates and is managed will be the key to its success and the governing body/management committee must agree how this is done, working with the head teacher/teacher in charge, school staff and other local partner(s). The partnership will need to have a shared vision and a clear focus on outcomes. One of its most powerful tools will be peer challenge. Head teachers and other school staff working together will enable schools to support and challenge each other on their practice.

20. **Governing bodies** must decide on the membership of the partnership. In doing so it is expected that they will consult and seek advice from the **head teacher** and other members of the school **staff**. In deciding on membership they will need to look at the geography of the area and also at what each school or alternative provider can bring to the partnership. Some schools may already be involved in other joint working arrangements (for example on 14-19 provision). The Department expects that over time, school leaders will bring together a number of local partnerships where that makes sense for them. For example, behaviour and attendance partnerships might come together with extended service clusters and 14-19 partnerships. In addition, sometimes disengagement from the curriculum contributes to behavioural problems so in many circumstances it would make sense for work on widening curriculum opportunities and on improving behaviour and attendance to be brought together.

21. Regulations will require pupil referral units/short stay schools to form behaviour and attendance partnerships and management committees will consider which secondary schools in its area that they wish to work with and to share their expertise in behaviour management. They should consult the teacher in charge and staff. Pupil referral units/short stay schools will be expected to work with maintained secondary schools and Academies in their area and to agree on how 'hard to place' pupils will be managed. They can also contribute to more than one partnership in their area.

22. The Department does not wish to prescribe the **size of partnerships**. Legislation only places a duty on schools to cooperate with at least one other school. Schools should work with a range of other schools that enable them all to benefit. With more schools as members, a partnership is better able to maximise the benefits of partnership working and to benefit from economies of scale and the ability to draw on an increased range of specialist expertise.

23. **Membership**. The Department expects partnerships to be comprised of a variety of members, including maintained secondary schools (including special schools), Academies, City Technology Colleges and City Technology Colleges of the Arts. We would not normally expect to see partnerships comprising solely of Academies, pupil referral units/short stay schools or faith schools (although it may be appropriate for them to work in partnership on other issues depending on local environment).

24. Wherever possible, at least one secondary school in the partnership should have a "good" or "outstanding" Ofsted rating for behaviour. This would enable all of the schools in the partnership to learn from the effective practice in the **good behaviour schools**. Local authorities can play a valuable role in brokering partnerships (see paragraphs 77-80). They can also promote the engagement and inclusion of schools in challenging circumstances with other schools. It is expected that partnerships will be able to support such schools using their pooled resources.

25. **Additional membership**. Partnerships should also engage with local primary schools, Further Education institutions and other local agencies. Partnerships may want to engage with local primary schools on relevant issues, such as tracking pupils through Key Stage 2 in order to ease transition to Year 7, by providing targeted support. Similar engagement may be needed with local FE establishments, especially where there is significant movement of pupils between establishments for extended curriculum and other provision. In some cases, partnerships may wish to invite primary schools, Further Education establishments and other key partners to be full members of the partnership, depending on the scope and extent of the engagement needed.

26. **Agreeing principles, values and benefits**. Partnership practice should be based on a set of agreed principles and benefits, leading to defined outcomes for both the partnership and for individual schools. The principles, values and benefits should draw on participant schools' own learning and teaching, behaviour, anti bullying and attendance policies and reflect the expected outcomes of behaviour and attendance partnerships (see paras 12-15 and 68). Partnerships may find it useful – for stakeholder engagement and for subsequent monitoring – to set out their agreed principles, values and benefits as a brief written document.

27. **Consult and inform all stakeholders**. It is important that school governors, management committee members and proprietors from all partnership schools in the group are aware of, and are committed to, working with other schools and that they receive regular information about progress within the partnership. Partnerships should also consult widely regarding all aspects of their development and involve all stakeholders so that the working arrangements enjoy full support. This includes parents, governors, alternative providers, local agencies, the police, other relevant local partners and the local authority (see below).

28. **Engage elected members and senior officers in the local authority**. Directors of Children's Services, Leaders of the Council and senior LA officers have a valuable role to play in promoting partnership working among schools, and providing high level backing to enable the partnership to operate effectively.

29. **Needs assessment**. In order to ascertain the needs for pupils with behaviour difficulties, those at risk of permanent exclusion, those vulnerable to bullying or those becoming persistent absentees, each partnership should carry out a self assessment. A tool to support schools in doing this can be found at Annex A. By carrying out a self assessment, the partnership will be able to determine what resources it needs to call on, from within the partnership or externally, in order to achieve its outcomes. Once the needs and gaps are identified, the partnership can commission or procure the support it needs.

30. **Funding**. Local authorities will decide whether to delegate or devolve funding to the partnership, usually through discussion between the authority and the schools forum. In principle, schools working in partnership should obtain better outcomes by commissioning alternative provision and other support directly, rather than through the local authority, since the provision is then more likely to be tailored to their needs and they will be better placed to monitor and influence its quality. Further guidance on commissioning alternative provision is set out in chapter 3 and further guidance on funding in chapter 5.

Management of partnerships

31. Various types of management arrangements are possible for effective behaviour and attendance partnership operation, and partnerships should agree on the most appropriate arrangement. In considering the arrangements which are likely to suit them best, partnerships may wish to consider the following issues:

    - **Governance**: Partnerships may wish to set up a 'partnership board', consisting of an executive group of governors, management committee members, proprietors, head teachers, teachers in charge, other school leaders and LA officers. It is important that head teachers feedback to their staff on the work of the partnership and also represent the views of staff during partnership meetings. Teachers in charge of pupil referral units/short stay schools should consult and feedback to their staff.

    - **Executive arrangements**: The board may decide to elect a chair or appoint a coordinator to carry out certain agreed tasks on behalf of the partnership, such as:

        i. developing the partnership principles and values (see para 26);

ii. monitoring performance against agreed priority outcomes (see paras 12-15);

iii. monitoring the progress of individual pupils requiring additional support;

iv. commissioning alternative provision and other external support (see paras 64-67);

v. reporting annually to the Children's Trust Board (see chapter 4); and

vi. convening meetings to review partnership progress or discuss specific cases and/or managed move arrangements.

- **Delegation**: Where head teachers decide to delegate responsibility for the partnership to another member of the leadership team, it is important to ensure that the person to whom this responsibility has been delegated is empowered to make strategic decisions and is able to deal on equal terms with other members of the partnership. In the case of pupil referral units/short stay schools it may be necessary to involve some personnel in more than one partnership so that partnerships can benefit from their expertise in behaviour management.

32. **Managing performance**. Partnerships should establish systems to track their performance against the agreed partnership outcomes, using 'real time' data wherever possible, in order to identify what is going well and areas for improvement. They should also agree appropriate monitoring arrangements for individual pupils who have been identified as requiring additional support, whether because of behaviour problems, issues relating to bullying or high rates of absence. The partnership self evaluation framework sets out the key areas that are informed by this more rigorous level of monitoring (see Annex A). It is a supportive tool which partnerships may choose to use to structure their development in line with the ten key characteristics of effective practice as set out in paragraph 18 above. The framework can also act as a useful guide to structure the annual report to the Children's Trust Board (see para 72).

33. It is for each partnership to decide if it wishes to set specific targets, which may involve exclusion and attendance data and take account of individual school's behaviour management work. For example, a set of locally agreed outcomes to which all schools within a partnership would contribute might be:

- to reduce overall absence rate by x percentage points;
- to reduce the percentage of pupils who are persistent absentees by x percentage points;
- to reduce the number of permanent exclusions by x%;

- to reduce the number of repeat fixed period exclusions by x%;
- to reduce the number of permanent and fixed period exclusions for specific pupil groups (including of SEN pupils) where they are disproportionately high by x%. Partnerships with high levels of exclusions should address this as a priority;
- to increase the confidence levels of pupils reporting that schools deal with bullying effectively; and
- to reduce the number of reported incidents of all forms of bullying.

Such outcomes would apply to schools across the partnership.

34. In order to achieve these outcomes, individual schools might have their own set of outcomes, which together make up the partnership outcome. The contribution made by each school to the partnership outcomes will be determined with reference to its own contextual and trend data and will not necessarily be common to all schools. If all schools set themselves challenging but achievable outcomes based on accurate data, the partnership outcomes will be arrived at by a bottom up rather than by a top down process.

35. **Reviewing partnership arrangements**. As recommended by Sir Alan Steer[4], the members of behaviour and attendance partnerships should review their partnership arrangements from time to time. This enables partnerships to share what is working well, review the impact of implemented interventions and develop plans to further strengthen the partnership. To inform the review, partnerships should use performance monitoring data, the results of the self evaluation and feedback from key stakeholders, including the local authority and Children's Trust Board.

36. **Self and peer review**. One of the great potential strengths of partnership working is the opportunity it provides for peer review. The partnerships provide a forum for head teachers to question and challenge other head teachers in the partnership, for example on the support provided for vulnerable pupils, or on the threshold for decisions to exclude pupils permanently. This process can help with the spreading of effective practice, as well as helping to ensure that all schools in the partnership engage fully and fairly. It is often important to support this level of challenge by members of the partnership agreeing to be transparent about their individual school data.

4 Sir Alan Steer report, April 2009 http://www.teachernet.gov.uk/wholeschool/behaviour/steer/

Chapter 3: Partnership working – the benefits for schools

Shared school ethos

37. To promote good behaviour and regular attendance, there needs to be a positive climate for learning in a safe and secure environment, with an ethos of inclusion, within and across schools and local authorities. Partnerships have an important role in recognising the impact of school culture and promoting a strong focus on learning approaches which enhance social and emotional skills. They can work together to agree the underlying principles which drive their work, for example principles which:

- focus on the needs of the whole child and decides on the provision necessary to meet those needs;
- support staff in setting high expectations for all pupils;
- enables and encourages staff to engage all pupils in a wide range of school activities;
- encourage and empower staff at all levels of seniority to be confident leaders in improving behaviour and attendance;
- provide planned opportunities to develop social and emotional skills in both staff and pupils to support engagement in teaching and learning, including additional support for those who need it;
- promote pupil participation in all aspects of school life;
- focus on early intervention (in school and out of school); and
- actively engage parents at all times, enabling them both to support the development of their child and be supported by school and external services.

Partnership commitment to early intervention and pastoral support

38. It is clearly important to get the right interventions in place in a timely way, particularly for those pupils with behaviour difficulties and/or those with SEN. The needs of the individual child should be looked at as a whole, so that additional support and provision is tailored to those needs. In work with disengaged young people, different pupil groups may require different approaches. This should include proactive interventions to prevent bullying and effective strategies to deal with bullying when it occurs.

39. Partnerships can develop a shared approach to effective early intervention practices, for example by:

- ensuring that all schools can identify underlying causes that might underpin poor behaviour including bullying behaviour and taking steps to address these, e.g. barriers to learning such as poor literacy skills;
- ensuring that all schools have a named member of staff who is responsible for identifying intervention routes, sharing key information (using the Common Assessment Form[5]) and brokering access to fast track services for pupils requiring urgent support;
- strengthening the quality and capacity of leadership for behaviour and attendance across all levels of seniority;
- developing an agreed set of trigger points for accessing additional support, with clear protocols for specialist assessment, for example by using assessment panels;
- using additional materials such as the *Progression Guidance 2009-10*[6] to inform an understanding of the progress of pupils working below age related expectations, to identify barriers to learning and to set appropriate expectations;
- implementing pooled arrangements for the professional development of staff with pastoral responsibilities and/or sharing such staff between schools in the partnership;
- using nurture groups to help develop children in a supportive classroom environment;
- defining, with the local authority, the criteria for attending pupil referral units/short stay schools, for example for short programmes to re-engage or develop and support pupils in areas such as anger management or resilience, so that they can be reintegrated into the mainstream classroom;
- agreeing an 'information protocol' with the local authority in relation to pupil referral units/short stay schools and alternative providers by ensuring an 'Information Passport' and an appropriate 'Personalised Learning Plan' for all pupils receiving support and provision is available, regularly reviewed and ensures the responsibilities of the school and providers are clearly identified. It is intended that these provisions will be contained in new guidance to be published in due course;

5 Common Assessment Framework: Managers' and Practitioners' Guides http://www.everychildmatters.gov.uk/resources-and-practice/IG00063/

6 Progression Guidance 2009-10 (Improving data to raise attainment and maximise the progress of learners with special educational needs, learning difficulties and disabilities) – http://publications.teachernet.gov.uk/default.aspx?PageFunction=productdetails&PageMode=publications&ProductId=DCSF-00553-2009&

- providing access to specialist support from external services, such as educational psychologists, Education Welfare Officers, Child and Adolescent Mental Health Services and Speech and Language Specialists – increasingly brigaded together as Targeted Youth Support Teams[7]; and
- developing shared provision to enhance pupils' mental health and well being through targeted provision on social and emotional skills.

40. Further information about early intervention approaches towards behaviour management can be found in the Department's exclusions guidance[8] and the National Strategies core day training materials and Toolkit. The Programme for Specialist Leaders in Behaviour and Attendance (NPSLBA) is a supportive CPD model that helps to build leadership capacity. It has been shown to enable and empower participants to manage change effectively to improve practice with children and young people, staff and organisations[9] (see also para 48 below). The Department expects each partnership to ensure it has one or more lead behaviour professionals with NPSLBA accreditation.

Securing and maintaining good behaviour

41. The Government has set an expectation that by 2012 all schools should obtain an Ofsted inspection judgement of 'good' or better for their overall standards of behaviour or be on track to obtain this by their next inspection. Positive behaviour is a fundamental aspect of good learning and has a significant effect on standards, and that is why the new Ofsted inspection framework makes clear the strong contribution that behaviour standards will make towards the final judgement on a school's overall effectiveness. Although behaviour is not a limiting judgement, a school is unlikely to be rated good overall if behaviour is graded as satisfactory. Partnerships should view it as a priority to draw on their collective expertise and experience to support any school within the partnership which has a 'satisfactory' or 'inadequate' behaviour judgement to lift the school's judgement to 'good'. Wherever possible, every partnership should include at least one school judged by Ofsted to have 'good' or better behaviour.

42. The National Strategies will work with local authorities over the next year to pilot the use of the *Securing Good Behaviour Framework* in behaviour and attendance partnerships with a higher proportion of schools where behaviour is judged satisfactory. They will also look to work with a group of partnerships to see how behaviour improvement work can best link with partnership work on wider school improvement issues. The focus in some partnerships may need to be in schools supporting each other to offer a higher quality of teaching, including a focus on developing positive attitudes to learning and the positive behaviour which support this. The *Securing Good Behaviour Framework* can be used across all schools in the partnership to

7 Targeted Youth Support toolkit http://www.everychildmatters.gov.uk/deliveringservices/targetedyouthsupport/.
8 DCSF exclusions guidance http://www.teachernet.gov.uk/wholeschool/behaviour/exclusion/2008guidance/
9 www.standards.dcsf.gov.uk/nationalstrategies (select inclusion tab and then NPSLBA in the behaviour and attendance and SEAL section

focus on key actions for improvement and where good practice emerges, strategies and solutions can be shared to address similar priorities across the schools in the partnership.

43. **Lead Behaviour Schools**. The Department will also establish a national network of Lead Behaviour Schools (LBS) under the Great and the Good strategy. This will enable head teachers who have a good track record of improving behaviour and dealing with bullying to provide expert support and advice for schools and teachers in their own and other behaviour and attendance partnerships. LBS will play a key role in modelling effective practice and will provide support within and across behaviour and attendance partnerships to support those schools that need to improve their behaviour standards. There will be opportunities to share staff skills and expertise, and to engage in coaching programmes where schools learn from best practice in promoting positive behaviour. Partnerships will also be able to look for additional expert support from schools in other areas, nominated as having particular expertise on behaviour. This will be particularly important for those partnerships that currently lack a school with good or outstanding behaviour.

44. **Anti bullying work**. In developing their policies and measures to tackle bullying, in accordance with statutory requirements and with the principles set out in the document *Bullying – A Charter for Action*[10], schools may find it helpful to work with other schools in their partnership, to develop a coordinated approach across the local area. By monitoring the type of bullying and the children this is targeted at, partnerships will be able to tailor their approaches to address this accordingly. They may also wish to use the partnership as a platform to engage with other agencies that can support cross area anti bullying work, such as local mediation services and parent support teams. The involvement of Safer School Partnership lead officers in behaviour and attendance partnerships will enable police to contribute as appropriate to anti bullying work.

45. **Withdrawal facilities**. There is a range of provision that schools can use outside the ordinary classroom that can help young people whose behaviour is presenting difficulties to get back on track, reducing the need for exclusion. Such provision may be, for example, through an internal Learning Support Unit or withdrawal/remove room within the school or in an offsite unit. Internal exclusions can be used as an early intervention to defuse situations that require a pupil to be removed from class, but may not require removal from the school premises. However, their use must be balanced and proportionate: withdrawal should not be used as a substitute for effective behaviour management systems (see DCSF guidance[11]).

10 http://publications.teachernet.gov.uk/default.aspx?PageFunction=productdetails&PageMode=publications&ProductId=DCSF-00657-2007&

11 Internal Exclusion Guidance, DCSF, March 2008, http://www.teachernet.gov.uk/docbank/index.cfm?id=12506

46. Partnerships will want to monitor the use of withdrawal facilities within each school to ensure there is not a disproportionate use for particular groups of pupils. They will also want to examine the impact of such early interventions in order to shape future support, strategies and provision. Partnerships are a useful basis for joint staff training and sharing skills and experiences in order to improve behaviour.

47. **Professional development**. Staff training can support a whole school approach to attendance, dealing with bullying and an improvement in pupil behaviour when continuing professional development is seen to be part of the cycle of school improvement and includes coaching and classroom based observation and feedback. Partnerships may want to develop opportunities for staff to shadow and support specialist services in other schools and to share strategies for effective behaviour management and improvements in attendance. They are ideally placed to ensure that new and emerging needs are reflected in training plans and in improvement priorities for individual schools and the partnership as a whole. Partnerships should aim to offer and commission high quality professional training and development on pupil behaviour and classroom organisation, and pool their resources in order to achieve this, where there is a lack of expertise amongst schools.

48. **National Programme for Specialist Leaders in Behaviour and Attendance (NPSLBA)**. This programme, currently operated through the National Strategies supports staff with responsibility for behaviour and attendance issues to develop their professional skills. The National Strategies are working with local authorities and schools to strengthen the contribution of NPSLBA as part of their core CPD offer to staff. This builds upon and disseminates the experience of school partnerships that are using NPSLBA to develop a culture in which effective leadership for behaviour and attendance is distributed throughout their workforce. An important aspect of this work is to support the increasing use of NPSLBA by pupil referral units/short stay schools to develop their own staff and staff in their partnership schools. The Department expects each partnership to ensure it has one or more lead behaviour professionals with NPSLBA accreditation.

A focus on disproportionality

49. Partnerships should monitor disproportionality of exclusions and absence, and where this is a local problem, develop effective early intervention strategies and commission services to address these issues. Pupils with SEN and those from a Black Caribbean/Mixed White Black Caribbean (BW/MWBC) background are disproportionately represented in exclusions data. Gypsy, Roma and Traveller children are also disproportionately excluded.

50. We expect that partnerships with high levels of exclusions of children with SEN should address this as a particular priority, bearing in mind the significant variation between different local authority areas. Research evidence on the characteristics of effective practice used by schools and local

authorities to address this has been published. The characteristics include school cooperation through partnerships to staff continuing professional development, a school ethos of inclusion and early intervention through personalised learning. This evidence has been used by National Strategies in the development of the self assessment framework (Annex A) and to inform their challenge and support programme since summer 2009.

51. Partnerships should bear in mind that many pupils with SEN will also count as disabled under the Disability Discrimination Act (DDA) and schools are required to promote equality and make reasonable adjustments for disabled children. Guidance on the disability equality duty is provided in *Promoting disability equality in schools*[12]. Partnerships should also have regard for the legal responsibilities that all schools have in relation to children with SEN and disabilities who are being bullied. This is clearly set out in the relevant guidance[13].

Unofficial exclusions

52. Unofficial or informal exclusions occur when head teachers, or other staff, send pupils home for disciplinary reasons without following the procedures for formal exclusion. **This practice is unlawful**. Robust partnerships with strong peer challenge could be an effective tool to support other schools to strengthen their early intervention, enabling them to eliminate unofficial exclusions and reduce the need to exclude pupils altogether. The partnership should also ensure that unlawful exclusions do not arise due to the time lag between a pupil being identified for a fixed period exclusion of six or more days and the placement of that pupil in provision that is suitable to meet their needs. Guidance on preventing unofficial exclusions is included in the DCSF exclusions guidance[14].

Absence and persistent absence

53. Partnerships should work together to improve overall levels of attendance and reduce persistent absence using agreed strategies that promote school attendance and meet the teaching and learning needs of all pupils. Partnerships are well placed to commission support for pupils with persistent absence who may have specific medical needs, issues which prevent them accessing the curriculum or would benefit from a flexible curriculum.

54. Partnerships should work together to provide parental support and address parental responsibility for attendance, through the use of joint attendance strategies such as joint policies and practice, attendance panels and parenting support groups.

12 DfES (2007) Promoting disability equality in schools http://www.teachernet.gov.uk/wholeschool/disability/disabilityandthedda/guidancedisabilityequalityinschools/
13 Anti Bullying guidance http://www.teachernet.gov.uk/wholeschool/behaviour/tacklingbullying/safetolearn/
14 Good practice in preventing unofficial exclusions which is available at: http:/www.teachernet.gov.uk/wholeschool/behaviour/exclusion/

55. Partnerships are encouraged to agree targets to reduce persistent absence and use collective data to identify the attendance profile of the partnership and areas for development.

Working with other types of partnerships

56. As made clear in the White Paper on 21st Century Schools, the Department expects over time that schools will seek to bring together a number of local partnerships where that makes sense. In particular, the Department expects behaviour and attendance partnerships to align themselves to Safer School Partnerships with the police (see further paragraphs 58-59 below). Behaviour and attendance partnerships should also consider how they will engage and interact with other types of partnerships working on behaviour and related issues. These might include partnerships relating to the curriculum, 14-19 provision, extended services, special educational needs issues or Targeted Mental Health in Schools (TaMHS) where this is available.

57. The extent to which different partnership arrangements are drawn together will obviously depend, in large part, on the extent to which there is an overlapping membership. Where the membership of two or more partnerships is identical – i.e. where schools in a particular area cooperate together on a range of issues – it may make sense to draw these together in a single set of meetings. Where however there is only a partial overlap, scope for some joint meetings might be explored; or papers on a particular issue in which there is a shared interest might go to two different partnership meetings. Such decisions will best be made locally. It is important that behaviour and attendance partnerships ensure that improvements in behaviour and attendance are aligned to whole school improvement agendas.

Case Study 2: Cornwall

All schools are actively engaged with their local behaviour and attendance partnership.

These partnerships include a broader range of partners from children and young people and families services. That includes education welfare officers, reintegration officers, behaviour support services, educational psychology service, CAF co-ordinators, local colleges, social/family services and Integrated Youth Support Services/targeted youth team.

Effective strategic links have been established between Partnerships and PRU management committees at LA and local level. Comparative behaviour and attendance data at school and partnership level is used to inform discussions and target setting for partnerships. Headline data for key outcomes is strong. The latest available data in 2007/08 show that both fixed period exclusions and permanent exclusions have continued to fall. Data for persistent absence and overall attendance continues to improve for secondary schools.

Engagement with the police

58. **Safer School Partnerships**: As recommended by Sir Alan Steer, behaviour and attendance partnerships should align themselves with Safer School Partnerships (SSPs).

59. Behaviour and attendance partnerships are ideally placed to secure the maximum benefit from a formal arrangement with the police through an SSP. SSPs involve police officers working with a school or schools, bringing a consistent approach to pupil safety and the behaviour of young people both inside and outside the school gates. Safer School Partnerships can include a variety of other local services, for example health and social services. Fuller information about Safer School Partnerships is available on Teachernet[15].

Parental Engagement

60. Partnerships may want to consider the appointment of Parent Support Advisers (PSAs) as a shared resource for the partnership, as recommended by Sir Alan Steer[16] – "Parent Support Advisers can enable the school-home relationship to grow and flourish. Schools and local authorities should give priority to their training so as to maximise the potential of this important school resource". Apart from the main benefit of shared cost, the PSA could promote partnership behaviour policies across schools ensuring consistency. This could be especially useful in managed move situations, where young people would see that there are consistent expectations of them.

61. Partnerships can also promote the use of parental responsibility measures[17] amongst schools. Where schools working in partnerships all agree to use parenting measures (parenting contracts and parenting orders) to address pupils' poor behaviour/attendance the partnership can promote this by ensuring that the measures are used consistently. Also by pooling funds across a partnership the support to parents, including provision of free local parenting classes, can be improved. Where schools want to use penalty notices the local authority must have established a local code of conduct for all maintained schools/Academies in its area setting out when and who can issue notices. All monies must be paid directly to the local authority.

'Hard to place' pupils

62. Each local authority must have a "fair access protocol", which includes provision for the admission of "hard to place" pupils. Partnerships provide an excellent basis for the operation of such protocols and for the agreement of specific processes to underpin them. Fair access protocols operate according to locally agreed criteria. Some operate on a reciprocal approach and others take account of particular circumstances such as whether a school is in special measures, parental preference and local geography.

15 Safer School Partnerships Guidance at www.teachernet.gov.uk/publication
16 Sir Alan Steer report para 5.22, p52-3 http://www.teachernet.gov.uk/_doc/13514/8208-DCSF-Learning%20Behaviour.pdf
17 Guidance on Education-related parenting contracts, orders and penalty notices 2007 at www.teachernet.gov.uk/publication

Managed moves

63. Managed moves are processes which allow pupils to move between schools without the stigma of exclusion. Many schools already work collaboratively on managed moves as an alternative to exclusion, or as an opportunity to provide a pupil with a "fresh start" when the relationship between the pupil and the school has in effect broken down. Again, the partnership can provide an ideal framework for the agreement and operation of such managed move arrangements. Further information about managed moves can be found in the Department's exclusions guidance[18]. As with other aspects of provision, any disproportionate use of managed moves for particular groups should be monitored and addressed.

Pupil referral units/short stay schools and alternative provision

64. Schools need to be able to access high-quality support and provision from the local authority, pupil referral units/short stay schools and the private and voluntary sector which meets the needs of pupils at risk of exclusion, fixed period excluded pupils and persistent absentees. This will usually be using resources devolved by the local authority where this is agreed between the local authority and schools (see chapter 5).

65. A key benefit for partnerships is that they can commission alternative provision themselves or request local authorities to arrange it on their behalf. This may enable them to provide a wider choice for their schools depending on economies of scale or local funding arrangements. There will be local agreement on how funding for alternative provision will be devolved to partnerships (see chapter 5).

66. It is important that any alternative provision commissioned by the partnership is of good quality, effective and represents value for money[19]. Schools/partnerships may already have the expertise to make these judgements but in some areas they may need to rely on local authority expertise. Nothing here will detract from the local authority overarching duty under section 19 of the Education Act 1996 to make arrangements for the provision of suitable alternative provision for those children who (for whatever reason) cannot attend mainstream school.

67. Partnerships need to put in place systems for a pupil's transition/reintegration between schools and alternative provision which review the pupil's needs at these crucial points.

18 http://www.teachernet.gov.uk/wholeschool/behaviour/exclusion/2008guidance/

19 Detailed commissioning alternative provision guidance can be found at http://publications.teachernet.gov.uk/default.aspx?PageFunction=productdetails&PageMode=publications&ProductId=DCSF-00758-2008

Can a group of schools arrange external provision for pupils at risk of exclusion?

Yes. Many schools already contract individually with external providers and this provision could be extended to cover all the schools working together. The Apprenticeships, Skills, Children and Learning Act 2009 require schools to enter into partnerships to improve behaviour and attendance, but behaviour and attendance partnerships have no formal legal entity. This means that to contract with an external provider, all schools would have to join the contract but could appoint one partner to act as Lead School for the purpose of working with the external provider. The Pupil Registration Regulations govern the admissions and attendance registers that schools must keep. Any shared provision needs to meet the requirements set out in Departmental registration guidelines[20]. In summary these are that:

- schools should not take pupils off roll when they refer them to any alternative provision (AP) (in the case of permanent exclusions the pupil's name will be removed from the school roll and they become the responsibility of the local authority to make suitable provision for them once any appeal is determined);
- pupils should only be placed in AP on a temporary basis – we would normally expect them to be reintegrated back into the mainstream school as soon as possible;
- any referral to AP should only be done with the full agreement of the pupil and their parents. However a new legal provision due to come into force on 1 September 2010 will give governing bodies the power to direct a registered pupil to attend off site provision that is intended to improve their behaviour. This means that governing bodies will not have to have the consent of parents before requiring their pupils under 16 to attend such provision but they will have to notify them. Pupils age 16+ can give their consent;
- any pupil placed in AP should have an appropriate curriculum (including the pupil's Personalised Learning Plan) and the placement must provide full-time education – if it is not full-time, the pupil should attend the mainstream school as normal when they are not in the placement;
- the mainstream school should ensure that they have in place arrangements whereby the AP can notify them of any absences; and
- if a placement breaks down the pupil should attend the mainstream school as normal.

20 http://www.teachernet.gov.uk/wholeschool/behaviour/attendance/pupilregis/

Can a group of schools own and run a pupil referral unit/short stay school?

Only a local authority can set up and run a pupil referral unit/short stay school. A group of schools cannot do this and the local authority cannot delegate its responsibilities in this area to a group of head teachers. Local authorities have a duty[21] to provide appropriate suitable provision for pupils being educated other than at school and they can discharge this duty through establishing pupil referral units/short stay schools or commissioning alternative providers.

Can a group of schools set up a jointly owned unit which is not a pupil referral unit/short stay school?

Yes, this can be done in several ways, see Annex C for more detail:

- School company (section 11 of EA 2002);
- Power to innovate (sections 1 – 5 of EA 2002); and
- Charitable purpose (sections 27 – 28 EA 2002).

Partnerships: teaching and learning policies

68. Most schools will have a teaching and learning policy for all pupils, making clear how good teaching and classroom management promote both effective learning and positive behaviour. Schools without a teaching and learning policy should consider adopting them as the evidence shows that they can be very helpful in taking a consistent approach towards achieving positive behaviour. The Department will produce new guidance on how to do this. Schools working in partnerships could develop close links between teaching and learning policies and shared behaviour improvement plans.

21 Section 19 of the Education Act 1996

Chapter 4: Annual reporting to the Children's Trust Board

69. The local Children's Trusts Board is responsible for developing, publishing, monitoring and reviewing the local Children and Young People's Plan (CYPP), which is a joint strategy setting out how the Children's Trust partners will cooperate to improve the wellbeing of children and young people in the local area. These Boards will become statutory bodies from 1 April 2010 through the Apprenticeships, Skills, Children and Learning Act 2009. The Act has also extended the range of statutory 'relevant partners' under a 'duty to cooperate' and with a right to be represented on the Children's Trust Board to include, amongst others, governing bodies of all maintained schools and proprietors of Academies. Regulations will allow management committees of pupil referral units/short stay schools to be included as a 'relevant partner' in a way that reflects the more limited extent of their functions.

70. The Children's Trust Board (Children and Young People's Plan) Regulations 2010, which come into force on 1 April 2010, state that each CYPP must set out the arrangements made by the Children's Trust Board partners for cooperating to improve the behaviour and attendance of pupils in the local area. It also specifies that the CYPP must take account of the reports submitted by the behaviour and attendance partnerships. The Children's Trust Board will produce an annual public report on the extent to which each partner is acting in accordance with what is set out in the CYPP.

71. There are clear benefits in strengthening the relationship between behaviour and attendance partnerships and their local Children's Trust Board. The Children's Trust Board is the governance body of the wider Children's Trust cooperation arrangements which brings together all the partners that collectively have responsibility for or contribute to improving children's outcomes in a local area. The behaviour and attendance partnership is also founded on the principle that all schools in a local community have collective responsibility for the outcomes of pupils within that community. Both of these bodies are partnerships, engaged in multi agency working across children's services to support vulnerable children and young people, and as such it is important that they communicate effectively and provide mutual support and challenge.

The purpose of the partnership's annual report

72. The Children's Trust Board is not responsible for the performance of the day to day support and challenge for schools and partnerships. Behaviour and attendance partnerships are required to submit an annual report to their local Children's Trust Board to inform their work on the preparing and monitoring the Children and Young People's Plan. The aim of the reporting requirement is to:

    - facilitate joined up working across relevant agencies;
    - provide the Children's Trust Board with information to assess the level of need to inform the development of its CYPP;
    - enable the behaviour and attendance partnership to demonstrate the contribution it is making to the wider local agenda for children and young people and allow the Children's Trust Board to assess the extent to which the partners are acting in accordance with the local strategy for behaviour and attendance as set out in the CYPP;
    - provide behaviour and attendance partnerships with an opportunity to feedback on how effective the contributions of other partners have been in supporting improvements in behaviour and attendance and maximising positive outcomes for children and young people;
    - give partnerships an opportunity to influence the decisions made by the Children's Trust Board in relation to joint strategic planning and commissioning resource; and
    - give partnerships a platform to raise any concerns, including any about the level of support they need from Children's Trust partners.

73. Mechanisms for making the report to the Children's Trust Board are set out below.

The content and timing of the annual report

74. Partnerships must prepare an annual report to their local Children's Trust Board. This should be done by December of each year, starting December 2011, and relate to the previous academic year. This will inform priorities for the CYPP for the following year. Partnerships may decide to ask the chair or appointed coordinator to prepare the report or they may choose to rotate responsibility; this is for local determination. It is important that the reporting process is manageable for schools in the partnership and minimises burdens.

75. Key areas that must be covered in the report by the partnership are set out in legislation and detailed below. Key areas to be covered include:

    (a) details of the arrangements(i.e to promote good behaviour and reduce persistent absence among pupils) and what has been done during the period to which the report relates;

    (b) assesses the effectiveness of the arrangements during that period; and

    (c) give details of what is proposed to be done under the arrangements in the future.

    The Department recommends that to enable these requirements to be met that:

- An analysis of overall partnership performance on how effective they have been is undertaken, based on data gathered by them in relation to the following, including a comparison with the data for the previous year:
  - behaviour – the previous and latest Ofsted inspection judgement for each school in the partnership;
  - the rate of persistent absence across the partnership;
  - the rate of overall absence across the partnership;
  - the number of permanent and multiple fixed period exclusions;
  - a comparison of exclusion rates for particular pupil groups and for children with SEN across the partnership;
  - reduction in all forms of bullying incidents reported by pupils;
  - effectiveness of managed moves arranged, in terms of improved behaviour of the pupil at the receiving school;
  - effectiveness of early interventions made (eg pupils accessing early intervention support through pupil referral units/short stay schools or other providers) in terms of the impact on behaviour, exclusions and attendance; and
  - other locally agreed aims and outcomes of the partnership.
- Provide a short review of the overall progress of the partnership, including:
  - accessibility/quality of alternative provision;
  - links with primary schools, FE establishments, police and other local agencies; and

  - the locally agreed aims and outcomes the partnership has set for the following year.

- Provide feedback on how the designated Lead Behaviour School has contributed to improving behaviour in the schools in the partnership.

- Provide feedback on how effectively the support provided by other Children's Trust partners worked in the preceding year, and suggestions as to how this could be changed in the coming year to optimise delivery of behaviour and attendance outcomes.

76. As set out in the White Paper, *Your child, your schools, our future: building a 21st century schools system* (June 2009), in order to recognise the importance of partnership working, Ofsted has introduced a revised partnership grade. This was introduced from September 2009. Information about partnership working will be included on the new School Report Card. The report could be a useful source of information for schools to share with Ofsted and School Improvement Partners (SIPs) as evidence of their commitment to partnership working.

Local authority role

77. SIPs have a key role to play in challenging schools on the breadth of their provision and their involvement in partnerships, as well as supporting schools in brokering and accessing support where they need it. SIPs should be challenging and supporting schools where behaviour standards have not improved over time from satisfactory. It should be possible for those schools with a good or outstanding behaviour rating to provide support and training to those schools identified as low performing (see paras 24 and 43). Local authorities will be able to withhold part of the school's improvement funding. The partnership should also do what it can to help low performing schools, including helping to prioritise and to draft a good improvement plan.

"We will reform the role of 'School Improvement Partner' (SIP) so that SIPs are responsible not only for monitoring and challenge, but have a wider role of brokering support, based on a deep understanding of a school, its challenges and what will be effective in generating improvement. SIPs will work with school leaders to identify what support is needed to generate improvement. Support will come from a wider range of providers, including high performing schools, Lead Behaviour Schools and nationally accredited providers. DCSF will ensure there is sufficient supply of high quality support across the country, differentiated to meet schools' specific needs. We will expect local authorities to work through SIPs to support schools".

Your child, your schools, our future: building a 21st century schools system, June 2009

78. Alongside this the Department will look to ensure that, wherever possible, partnerships have single or common SIPs and will make this clear through new guidance to be published. Where there are different SIPs within a partnership then the expectation will be that they will cooperate and work together for the benefit of the partnership.

79. In working to get all secondary schools into partnerships to improve behaviour, deal effectively with bullying and tackle persistent absence, the local authority has a vital role in ensuring that partnerships work towards the outcomes set out in chapter 1 and support for this should be provided by a local authority partnership lead.

80. Although not a statutory requirement, in practice local authorities should oversee partnerships' own performance management arrangements. Minimal monitoring will be necessary for strong performers, but where performance management capacity is weak, the local authority will need to offer support. For instance, where the authority has significantly higher rates of exclusion, including disproportionate exclusions for particular groups, than comparable authorities. Local authorities also need to ensure that funding is used appropriately and economically in support of achieving outcomes. If there are serious concerns about this, then the resources earmarked for devolution to schools should be retained by the local authority until improvements are made.

Chapter 5: Funding

81. Funding for schools to form behaviour and attendance partnerships will come from existing budgets. It is expected that local authorities will devolve funding to the partnership (however, they can hold back funding temporarily, in the circumstances described in paragraph 77 above). Funding cannot be provided to partnerships but must be given by local authorities to the governing bodies of individual schools. The Department therefore recommends that funding is devolved, rather than delegated, to schools in a partnership, at least in the early stages of partnership working. Funding passed across from the local authority's centrally retained schools budget for improving behaviour and tackling persistent absence is used for this express purpose. If funding is devolved to schools, conditions may be placed by the local authority on how it may be used, i.e. that it may be used only to fund behaviour and attendance support. If funding is delegated to schools, there is nothing to make a school use delegated funding in a particular way.

82. Whichever approach is agreed locally, it is advised that the schools working in collaboration should agree how funding is to be used between themselves. The governing bodies of groups of schools in a partnership can agree to pool part of their funding, and there is the possibility of them adding more to the common pot than the amount delegated for "behaviour support" (or however it is described). Equally, individual schools may choose not to add any funds to the pot. Partnerships may choose to appoint someone from one school to manage pooled funding for the partnership.

83. Where resources are being pooled together it is vital that the appointed manager of the pooled funds is accountable to the other schools in the partnership for all expenditure. The partnership should ensure that there are proper accounting systems in place. Partnerships should have a clear and accessible plan regarding the use of pooled funds. The priorities for budget pooling and the use of pooled budgets should be a matter for governing bodies to agree, following consultation with their head teachers.

84. Some local authorities have already delegated most of their behaviour support budget to schools but schools may have other priorities. In such circumstances budget commitments will already have been made for a particular year and schools should be encouraged to discuss with each other their priorities around behaviour and attendance and what they could do differently in future.

85. Even though the local authority devolves or delegates funding to schools, it still retains the legal responsibility for pupils who are out of school because of exclusion, illness or for some other reason and will need to retain some funding in respect of these pupils.

86. The average annual cost of providing full time education for permanently excluded pupils is around £15,000 each. As this is around £11,000 more than the average weighted pupil unit (AWPU) of £4,000 this needs to be factored into the local funding arrangement. Local arrangements need to be brokered that ensure that the local authority has enough funding to cover the costs of permanent exclusions. If schools are to contribute they need to have the means to pay, whether held individually or within a partnership.

87. **SEN expenditure**. In May 2004 DfES published guidance on the management of SEN expenditure[22]. Most local authorities are delegating considerable resources to support children with Additional Educational Needs (AEN), including children with SEN, both with and without statements. The key to introducing greater flexibility, transparency and simplicity into the funding arrangements is to make funding available to support the progress of children at earlier stages to address needs as soon as they occur. Local authorities are required to publish an explanation of what provision for children with special educational needs will normally be met by schools and what will be met by the authority. Schools should consider the pooling of funding between services, including as part of school clusters, in order to secure specialist support and value for money.

88. Through changes made to legislation through the Apprenticeships, Skills, Children and Learning Act 2009 and the School Budget Shares (Prescribed Purposes) (England) Regulations 2010, school governing bodies and Academies are now 'relevant partners' who are under a duty to cooperate with the local authority and the other relevant partners through the Children's Trust cooperation arrangements. Schools and Academies can make contributions from their delegated budget to pooled budgets for improving children's wellbeing to which other Children's Trust 'relevant partners' may also contribute.

89. An individual school, including an Academy can now operate a joint budget with another service (eg health) or another school where that would be beneficial for their pupils, or to contribute staff, goods, services, accommodation or other resources to such an arrangement. Where this power is used, maintained schools must work with the local authority to ensure that the correct arrangements are followed, as formal pooling has specific legal, accounting and audit requirements.

22 SEN expenditure guidance

Annex A: Self-evaluation framework for B&A partnerships (this is voluntary – partnerships may wish to use)

Membership of partnership
Secondary schools:
Primary schools:
Special schools:
SSSs (PRUs) and alternative provision:
FE
SSP

		Baseline data	Term 1 progress	Term 2 progress	Term 3 progress
Key Outcomes for Partnership	To improve the number of schools judged as good or better for behaviour by Ofsted				
	To reduce overall absence across the partnership by x%				
	To reduce the percentage of pupils with PA across the partnership by x%				
	To reduce the number of permanent exclusions across the partnership by x%				

	To reduce the number of multiple fixed-term exclusions across the partnership by x%				
	To reduce the disproportionality of exclusions across specific pupil groups (inc SEN)				
	To improve parental perceptions of the schools in the partnership				
	To improve pupils perceptions of the schools in the partnership				
Local Outcomes	*The Partnership should define an area of work that reflects local needs and priorities, for example:*				
	To reduce the number of incidents occurring during breaktimes by x%.				
	To reduce the percentage of time lost to term-time holidays by x%				
	To reduce incidents of racist bullying				

Overview	Current rating	Development focus
1. Leadership and management of partnerships		
1.1 Engagement of all schools		
1.2 Transparent use of data		
1.3 Annual report requirement		
1.4 Agreement on fair access protocols		
1.5 Guidance on use of managed moves and the involvement of parents		
1.6 Day 6 provision		
2. Quality first provision in schools		
2.1 Development of teaching and learning policies		
2.2 Use of Securing Good framework		
2.3 Use of Home School Agreement		
2.4 Strategies for early intervention		
2.5 Use of Extended Schools provision		
2.6 Liaison with officer from Safer School Partnerships		
2.7 Links to primary schools		
2.8 Links to FE		

3. Access to additional or alternative provision		
3.1 Use and impact of managed moves		
3.2 Quality of pupil referral units/short stay schools and alternative provision		
3.3 Swift and easy access to support services		
4. Opportunities to share skills and expertise and the provision of ongoing CPD		
4.1 Joint appointments		
4.2 Shared resources		
4.3 Networked training opportunities		
4.4 Sharing what works		

	Current judgement	Developing	Developed	Established	Enhancing
1. Leadership and management of partnerships					
1.1 Engagement of all schools		Partnership details are publicised and basic targets are identified. No partner is absent for more than one meeting in an annual cycle. Governors and Proprietors are aware of their responsibilities. Pupil referral units/ short stay schools and special schools are members of the partnership. There are links with primary schools and FE providers.	Collaborative leadership forum established. The Partnership has an agreed vision for the learning community. Working protocols are in place and adhered to by all partners. Representatives are head teachers or empowered deputies. Targets are agreed by the partnership. FE and primary representatives are members of the partnership on relevant occasions. All partners are present or represented at all meetings.	Targets are set by the partnership for each constituent school or local service to meet in order to contribute to the community achievement. FE and primary representatives are active members of the partnership. There is a clear action plan with measurable steps identified to meet targets – roles and responsibilities agreed by partnership.	The partnership of schools works to enable full and sustainable engagement of all pupils supported by partners. Practice informs and supports other partnerships and is recognised in Ofsted reports. Schools and services within the partnership provide evaluative statements on their contribution to meeting the agreed targets.

1.2 Transparent use of data		The Partnership has timely access to LA provided data sets to establish targets.	The Partnership uses LA, school and agency provided data to set and monitor targets Outcome of data analysis is being used to develop strategies to promote early interventions and identify successful strategies that will be shared across the partnership. Progress to targets is evaluated. • reduction in the need for exclusion either permanent or repeat fixed term, • improved level of attendance and reduced PA • impact of early interventions – around attendance/behaviour • success of managed moves.	Accurate and current data is used which enables the partnership to set local targets and demonstrate improvements in outcomes and areas for development. This must include identification of vulnerable groups. There is evidence that the process informs actions linked to maintaining progress for all and also narrowing the gap for vulnerable groups.	Accurate and up to date data is used on a term on term basis demonstrating improvements in partnership outcomes and actions are quickly taken to address any slippage. Consistent key outcome measurements: • improvement in teaching and learning, • student engagement and attainment, • reduction in the need for exclusion either permanent or repeat fixed term, • improved level of attendance and reduced PA • impact of early interventions • success of managed moves and FIP. • Addressing issues particular to specific groups of pupils • Ofsted behaviour, attendance and PSD grades .

	Current judgement	Developing	Developed	Established	Enhancing
1. Leadership and management of partnerships *(cont'd…)*					
1.3 Annual report requirement		The annual report provides a descriptive account of the work of the partnership.	The annual report contains data to demonstrate partnership development and activity with analysis demonstrating progress.	The report uses qualitative and quantitative data to show the success in key outcomes and highlights areas for development. The report also demonstrates how the partnership meets its equalities duties which are evidenced back to the data to demonstrate impact.	The report demonstrates progress in meeting targets and key outcomes. The analysis and recommendations are used to inform the Children and Young people's Plan and provision of services by the Children's Trust partners
1.4 Agreement on fair access protocols		Pupils have access to quick admissions and movement but there is, on a number of occasions, a delay in implementation that leads to some pupils having access to less than 350 sessions of education or proportionate number given date of transfer in to the Partnership.	All partners work within the agreed fair access protocol. 75% to 89% of pupils who need support from the protocol have access to 380 sessions, or the proportionate number, of education. 11% to 15% of pupils who need support from the Fair Access Protocol have access to 360 sessions, or the proportionate number, of education. 1% to 10% of pupils who need support from the Fair Access Protocol have access to 350 sessions, or the proportionate number, of education.	90% to 95% of pupils who need support from the fair access protocol receive 380 sessions, or the proportionate number, of education. 5% of pupils who need support from the Fair Access Protocol have access to 360 sessions, or the proportionate number, of education.	All pupils in the partnership have access to 380 sessions of educational provision. The system ensures that parents are never asked to remove their children from the partnership.

1.5 Guidance on use of managed moves and the involvement of parents		Guidance is in place including risk assessment and support procedures for the child. Timelines and expectations on stakeholders are in place. There is an expectation that all schools in the Partnership will have a defined role contributing to the process.	All partners adhere to the processes and procedures in the guidance. All pupils and parents in the managed move process have access to an enhanced level of support from within the partnership while the move is being negotiated, during the process and for at least six weeks in to the trial period. There is an annual review of progress and function which seeks to assess the views of parents, pupils, schools and services.	Parental Contracts or equivalent parenting classes are utilised as part of a supportive structure within the process. The Partnership can clearly demonstrate that it is taking action on any points for development from the annual review.	There is a termly monitoring of the success of the Managed Move process and success of placements. The Partnership acts to challenge and address any shortcomings. The Partnership can clearly demonstrate that it is taking action on any points for development from the termly monitoring and the annual review.
1.6 Day 6 provision		Between the schools in the partnership a range of provision is in place to meet the needs of the majority of pupils who are excluded for a fixed period of more than six days. All of this provision provides a safe environment for pupils.	The partnership provides safe learning environments supported by teachers to meet the needs of all pupils who are excluded from school for a fixed period of more than six days. This learning environment enables the pupil to continue to make progress with their learning during this period of exclusion.	The partnership provides quality staff, curriculum and local learning environments for any pupils who on rare occasions have a fixed period exclusion of more than six days. This provision allows for the continuation of learning and the swift and successful re-introduction to school with a result that no further exclusions are required for the pupil.	The partnership works closely together to develop early intervention strategies which result in very few exclusions of longer than two days. The provision for these pupils if required is available from day one and pupils are then successfully supported back in a partnership school.

	Current judgement	Developing	Developed	Established	Enhancing
2. Quality first provision in schools					
2.1 Development of teaching and learning policies		The partnership has clear and consistent teaching and learning aims, but has not yet established a wide range of additional educational opportunities. Some of the partners may have established such opportunities but they are not yet available to all partners.	Personalised learning pathways are being developed to enhance consistently high quality teaching and learning policies that are already enabling pupils to make systematic progress. Learning pathways within each of the schools and settings provide an extensive menu to meet the needs of all pupils within the partnership of schools.	A wide range of high quality educational opportunities exist within the Partnership for personalised learning which enables all pupils to achieve positive outcomes and personal targets. Teaching and learning policy and practice has resulted in increased levels of progress for pupils in attainment, functional skills, behaviour and attendance, There is a reducing gap in achievement of vulnerable groups.	The number of pupils accessing education, training and employment post 16 is high with no pupils on the NEET list 12 months after leaving school. All schools in the partnership are reported as demonstrating good practice and there are partnership principles in place to ensure sustainability. There is no statistical gap in achievement of vulnerable groups.
2.2 Use of securing Good behaviour framework		The partnership of schools has agreed to use the framework to structure improvement in behaviour.	The securing good framework is used to support behaviour improvement. There is evidence that the framework has supported the improvement of behaviour in some schools in the partnership.	The securing good framework is used consistently to address behaviour issues that arise within all schools in the partnership. The development of specific improvement plans is based on the interventions outlined in the framework and progress is evidenced during regular reviews.	The securing good framework is an integral part of school improvement in the partnership schools. It is used by all schools and services to inform interventions and is used to maintain good and outstanding behaviour in all schools in the partnership.

2.3 Use of Home school Agreements		All schools in the partnerships have Home School Agreements in place	Schools in the partnership support each other in developing their approaches to include parents and carers in taking joint responsibility for pupil behaviour.	The partnership uses feedback from parents on the Home School Agreements to inform future practice.	Home school agreements are positively impacting on parental support and the improved behaviour of pupils within all schools in the partnership
2.4 Strategies for early intervention		The partnership has an agreed process for identification of vulnerability. The CAF is used as a reporting mechanism by all partners. Progression Guidance 2009/10 is used to support pupils to access appropriate learning and assess progress	All partners are aware of the pathways and early intervention strategies available within the partnership. The partnership has commissioned additional early intervention support if necessary. All partners are aware of their role in early intervention. The partnership can clearly demonstrate that early intervention is reducing or maintaining low rates in at least 50 % of the following: • Absence from school • The percentage of partnership pupils that have 20% absence • The need for exclusion	The partnership has developed a wide range of provision and strategies that are available to all partners and young people and families in the learning community. The partnership can clearly demonstrate that early intervention is reducing or maintaining low rates in at least 75% of the following: • Absence from school • The percentage of partnership pupils that have 20% absence • The need for exclusion • The need for repeat exclusions • Post 16 NEETs	The partnership can clearly demonstrate that early intervention is reducing or maintaining low rates in all of the following: • Absence from school • The percentage of partnership pupils that have 20% absence • The need for exclusion • The need for repeat exclusions • Post 16 NEETs • Schools in the partnership judged by Ofsted as being only satisfactory or less for behaviour • Incidents of bullying

	Current judgement	Developing	Developed	Established	Enhancing
2. Quality first provision in schools *(cont'd…)*					
2.4 Strategies for early intervention *(Cont'd…)*			• The need for repeat exclusions • Post 16 NEETs • Schools in the partnership judged by Ofsted as being only satisfactory or less for behaviour • Incidents of bullying • Youth crime in the physical area of the partnership • Vandalism	• Schools in the partnership judged by Ofsted as being only satisfactory or less for behaviour • Incidents of bullying • Youth crime in the physical area of the partnership • Vandalism	• Youth crime in the physical area of the partnership • Vandalism
2.5 Use of Extended Schools provision		Some of the schools in the partnership facilitate delivery of the core offer but this is less than 50%.	Through collaboration and coordination by the partnership the core offer is available in up to 75% of the schools.	The Partnership through collaboration provides the core offer for all young people	Outcomes demonstrate the impact of extended services to promote early intervention and reduce levels of exclusion and persistent absence.

2.6 Liaison with officer from Safer School Partnerships		The liaison officer visits the schools and supports the partnership on an ad hoc basis.	All schools within the partnership are fully engaged in the development of the Safer School Partnership. Protocols for prioritising interventions and targeted resources are being developed. Local schools, special schools and PRUs have an opportunity to engage fully in the relationship with the Safer School Officer. Pupil, parents, staff and community have active participation	The Safer School Partnership uses data and activities to promote early intervention and reduce disruptive behaviours in the localities. Links with YOS and other relevant providers ensure appropriate communication, referral and support proving a holistically and targeted approach	Feedback from pupils, parents, carers, staff and the community demonstrate the schools within the partnership offer a secure, safe and nurturing learning environment.
2.7 Links to primary schools		Engagement of the partnership with primary schools exists but is limited to individual initiatives and focus i.e, Transition days and term time holidays.	Primary schools are represented in the partnership. Representatives contribute to discussion as appropriate.	Primary schools are seen as full members of B&A Partnership. They contribute routinely by sharing good practice and CPD opportunities on a cross phase basis. There is at least one meeting per year where representatives from the primary sector and the Partnership meet to address shared priorities.	There is an improvement in the success indicators for all schools in the partnership or liaising with it, through collaborative work. Flexible movement e.g. personalised support packages operate within the partnership, informed by the collaborative work with primary link schools. Primary schools can demonstrate their contribution to supporting the behaviour and attendance of vulnerable groups within the partnership.

	Current judgement	Developing	Developed	Established	Enhancing
2. Quality first provision in schools *(cont'd…)*					
2.8 Links to FE		Engagement of the partnership with FE exists but is limited to individual initiatives and focus on an individual school basis	FE is represented in the partnership.	FE representatives are seen as full members of B&A Partnership. They contribute by sharing good practice and CPD opportunities on a cross phase basis. There is at least one meeting per year where representatives from the FE and the Partnership meet to address shared priorities.	There is an improvement in the success indicators for all schools and FE institutions in the partnership or liaising with it, through collaborative work. Flexible movement e.g. personalised support packages operate within the partnership. FE placements can demonstrate how the partnership information has contributed to the progress of vulnerable groups of pupils in their settings.
3. Access to additional or alternative provision					
3.1 Use and impact of managed moves.		There is an understanding in the partnership of the criteria indicating when a managed move should be instigated.	There is an understanding in the partnership of the criteria indicating when a managed move should be instigated. All partners are clear in their role in supporting a managed move.	All pupils and parents are fully informed and engaged in the process as a preventative measure. There is open and transparent use of managed moves in keeping with the Fair Access Protocol that is consulted upon and agreed by the Partnership.	All schools who accept pupils on a managed move demonstrate they can adapt the curriculum and challenge and support to enhance attendance and improve behaviour.

3.1 Use and impact of managed moves. (*Cont'd…*)		Between 50% and 84% of managed moves are successful i.e. the child remains within the placement school after any trial period and remains on the role of the new school for a period of at least one year from time of transfer being finalised.	85% to 90% of managed moves are successful i.e. the child remains within the placement school after any trial period and remains on the role of the new school for a period of at least one year from time of transfer being finalised. The subsequent attendance and fixed term exclusion of a pupil after a managed move is tracked over a year and demonstrates an improving trend from the previous placement.	91% to 95% of managed moves are successful i.e. the child remains within the placement school after any trial period and remains on the role of the new school for a period of at least one year from time of transfer being finalised. The subsequent attendance and fixed term exclusion of a pupil after a managed move is tracked over a year and demonstrates an improving trend from the previous placement.	96% to 100% of managed moves are successful i.e. the child remains within the placement school after any trial period and remains on the role of the new school for a period of at least one year from time of transfer being finalised. The subsequent attendance and fixed term exclusion of a pupil after a managed move is tracked over a year and demonstrates an improving trend from the previous placement.
3.2 Quality of pupil referral units/ short stay schools and alternative provision		Pupil referral units/ short stay schools are represented in the partnership. Members of the partnership form part of the Management Group of the pupil referral unit/ short stay school. The pupil referral unit/ short stay school has a clear, defined and agreed focus.	Pupil referral units/short stay schools are full members of the partnership with other alternative providers also represented. The pupil referral unit/short stay school and alternative providers (AP) have agreed with the partnership their role and programmes of intervention and study.	The pupil referral unit/short stay school exists together with other major providers of AP and is commissioned by the partnership to offer additional and targeted support and challenge. The partnership takes a responsibility for the training and support of staff working in the pupil referral unit/short stay school and alternative provision.	Partnerships commission quality AP in cooperation with the LA/CS. Pupil referral unit/short stay school and AP represent clear value for money. Pupil referral unit/short stay school undertake preventative work. This is enabled by the reduction in PEX.

	Current judgement	Developing	Developed	Established	Enhancing
3. Access to additional or alternative provision *(cont'd…)*					
3.2 Quality of pupil referral units/ short stay schools and alternative provision (*Cont'd…)*			A CAF and a learning passport are completed by the pupil referral unit/short stay school for all pupils and alternative education referrals. The partnership have in place an 'Information Protocol' for 100% of all pupils accessing pupil referral units/ short stay schools and alternative provision and an Information Passport has been provided and Personalised Learning Plan (PLP) is in place within the timescales recommended. Partnerships have a directory of quality assured provision that has been monitored and evaluated against proven outcomes for C&YP.	Pupil referral units/short stay schools and alternative providers are used by the partnership in preventative as well as reactive work. Partnerships are proficient in identifying a match between provision & alternative need.	School partnership has agreed funding mechanism to enable pupil referral unit/short stay school to undertake preventative / short term work with pupils.
3.3 Swift and easy access to support services		Support services work with the partnership to provide support for tier 2 interventions at a school level. Completed CAF's are responded to and the level of support acknowledged.	Support to the partnership is available for pupils as they move toward tier 3 intervention. The partnership is beginning to coordinate and prioritise services for pupils in conjunction with support services.	The partnership has a consistent coordinated agreement with a range of support services which ensures early intervention for pupils	The partnership agrees the nature, type and funding of support services as part of their contribution to Children's Trust Board's work on the Children and Young people's Plan. Impact of the support services is evaluated with them termly

3.3 Swift and easy access to support services (*Cont'd…)*					and supportive challenge offered as appropriate. Feedback from services users recognises the positive and timely support available.
4. Opportunities to share skills and expertise and the provision of ongoing CPD					
4.1 Joint appointments		Individual partners have a system to identify needs and make appointments to meet their need. Agreement has been reached to share, with the permission of applicants, information to other partners. The partnership has begun work to develop alignment of timetables.	The partnership has aligned timetables and is able to offer a broad and relevant curriculum provision. The role of partners in performance management of joint appointments is clearly defined.	Staff are shared in the partnership to meet the needs of young people. The partnership has pooled funding for the use of the partnership.	Key personnel are appointed Job descriptions are produced in collaboration between partner schools. Collaborative staffing structures and funding streams are in place and relate to partnership targets.
4.2 Shared resources		The partnership is identifying current provision and is/has carried out a needs and skills analysis. It is in the process of resource mapping.	Based on the analysis and resource map the partnership has developed a pool of resources. The partnership is monitoring the effectiveness of the pooled resources.	The partnership has established a pool of shared resources that have demonstrated effectiveness in promoting attendance and reducing the need for exclusions. The needs of vulnerable groups are being met by the use of appropriate resources.	All schools plan and promote the use of shared resources. Timetable, staffing and resources are suitably structured to ensure effective practice. Access to training across a range of stakeholders – including community and voluntary services

	Current judgement	Developing	Developed	Established	Enhancing
4. Opportunities to share skills and expertise and the provision of ongoing CPD *(cont'd…)*					
4.3 Networked training opportunities		The needs of the partners are being identified to focus on achieving the key outcomes of partnership work.	Network group effectively promotes, identifies, and delivers on appropriate CPD to ensure sustainability of partnership working. A wide range of opportunities are recognised and utilised. A range of activity gives staff opportunities to work cross phase and cross partnership. CPD is available to head teachers, deputy head teachers and behaviour professionals. All services are involved in planning and delivery of CPD including NPSLBA.	There is an established training entitlement available to all members of the partnership. The impact of training is monitored against behaviour and attendance outcomes for young people. All services are involved in planning and delivery of CPD	Partnership has a clear plan of CPD which reflects the priorities of the partnership, provides motivation and impacts on staff retention. The partnership is recognised as a key training provider and is a leader in developmental activity.
4.4 Sharing what works		The partnership is beginning to establish effective practice in sharing what works.	The partnership as part of the meeting structure has developed a system for practitioners to celebrate and demonstrate successful practice.	There are opportunities for parents and pupils to report to the partnership effective practice	Partnerships share effective practice in regions.

Annex B: Legislation: The Apprenticeship, Skills, Children and Learning Act 2009

School behaviour and attendance partnerships

Section 248 Cooperation with a view to promoting good behaviour, etc.: England

(1) A "relevant partner" for the purposes of this section is–

(a) the governing body of a maintained secondary school in England;

(b) the proprietor of an Academy, city technology college or city college for the technology of the arts in England.

(2) A relevant partner must make arrangements with at least one other relevant partner in their area to cooperate with each other with a view to–

(a) promoting good behaviour and discipline on the part of pupils;

(b) reducing persistent absence by pupils.

(3) A relevant partner must secure that, at least once in every 12 month period, a partnership report is prepared and submitted to the local Children's Trust Board in relation to each of the arrangements under subsection (2) to which the relevant partner has been a party at any time during the period to which the report relates.

(4) A partnership report, in relation to arrangements under subsection (2), is a report that–

(a) gives details of the arrangements and what has been done under them during the period to which the report relates;

(b) assesses the effectiveness of the arrangements during that period;

(c) gives details of what is proposed to be done under the arrangements in the future.

(5) In performing their duties under this section, relevant partners must have regard to any guidance given by the Secretary of State.

(6) For the purposes of this section—

(a) the area of a governing body of a maintained secondary school is the area of the local education authority by which the school is maintained;

(b) the area of a proprietor of an Academy, city technology college or city college for the technology of the arts is the area of the local education authority in whose area the school is situated;

(c) the local Children's Trust Board, in relation to a relevant partner, is the Children's Trust Board established for their area by virtue of section 12A of the Children Act 2004 (c. 31).

(7) In this section "maintained secondary school" means—

(a) a community, foundation or voluntary school that provides secondary education;

(b) a community or foundation special school that provides secondary education.

Annex C: Supporting materials: examples of how a group of schools set up a jointly-owned unit which is not a pupil referral unit/short stay school

- **School company (section 11 of EA 2002)**

One option would be for the group of schools to set up a school company and the governors of the schools would become the members and directors of the company. Schools can set up companies to provide facilities and premises, but this excludes setting up pupil referral units/short stay schools. A school could set up an Outward Bound facility, for example, under this legislation. The legislation would enable them to set up a facility for non-excluded pupils (as provision primarily for excluded pupils and others outside school would be a LA function). This could, arguably, include provision for the occasional excluded pupil, provision for fixed-period excluded pupils and provision for others provided it was "incidental", i.e. no additional costs such as extra staffing or equipment were needed for the others.

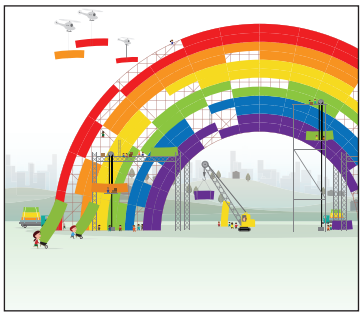
- **Power to innovate (sections 1 – 5 of EA 2002)**

Another option would be to use a power to innovate (PTI) order which would allow the governing body to exercise any function conferred on a LA. A PTI must be approved by the Secretary of State[23]. It might be possible under a PTI for a group of governing bodies to be given the power to exercise the LA function under section 19 of the 1996 Act so that they could then establish a pupil referral unit/ short stay school. The governing bodies could also collaborate by establishing a joint committee to exercise the power to provide the necessary education. For a power to innovate order to be made the Secretary of State must be satisfied that the project is a genuinely innovative one which may contribute to the raising of educational standards. A PTI Order has a limited life of three years.

23 Power to Innovate guidance: http://www.teachernet.gov.uk/management/pti/

- **Charitable purpose (sections 27 – 28 EA 2002)**

A further option would be to use powers under section 27 of the Education Act 2002 which gives governing bodies a power to provide facilities or services whose provision "furthers any charitable purpose for the benefit of pupils at the school or people who live or work in the locality in which the school is situated". Making provision for pupils at risk of exclusion would further a charitable purpose (i.e. education for pupils with a view to their being readmitted to a maintained school) of people who live in the locality. There are then wide subsidiary powers to enter into arrangements with any person and cooperate with any person and also the powers in section 20 for governing bodies to collaborate and form joint committees. However, if the "charitable unit" becomes an educational institution providing full time education to more than five pupils (or more than one with a SEN statement) it will become an independent school and will need to register as such (section 463 of Education Act 1996). DCSF do not think that maintained schools governing bodies could participate in the establishment of an independent school; to do so would be to act in manner contrary to the general purposes of the Education Acts.



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