

REQUEST

I am writing to request information under the Freedom of Information Act 2000, regarding Alternative Provision (AP) for all students within your jurisdiction.

In line with normal FOI requests I am looking for existing data - if some data is not held in an accessible form, then I would be grateful if you would provide what is convenient.

Please consider Alternative Provision as per the Department for Education's definition: "*education arranged by local authorities for pupils who, because of exclusion, illness or other reasons, would not otherwise receive suitable education; education arranged by schools for pupils on a fixed period exclusion; and pupils being directed by schools to off-site provision to improve their behaviour.*"

RESPONSE:

Please see below with our responses.

Section 12 of the Freedom of Information Act 2000 (FoIA) relieves a public authority from the obligation to comply with a request for information where the estimated time required to locate, review and extract the information exceeds a certain threshold set out in Regulations.

The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 (SI 2004/3244) set out the rules in relation to the cost limit (otherwise called the "appropriate limit"). These Regulations are published by the Office of Public Sector Information (OPSI) and are viewable on their web site from this link:

http://www.opsi.gov.uk/si/si2004/uksi_20043244_en.pdf

The Regulations set out the cost limit for Government departments and for other public authorities. For local government, Regulation 3 states that the cost limit is £450 and Regulation 4(4) states that the prescribed hourly rate is £25. Regulation 4(4) further provides that where the local authority estimates the time taken to gather the information would exceed this limit (which based on the prescribed hourly rate, equates to 18 officer hours), it may refuse the request under section 12 of FoIA.

I am satisfied the cost limit applies to your request and will explain why this is the case.

To provide all of the information requested, would require a manual review of 246 records at an estimate of 20 minutes per record this would take 82 hours – far in excess of the 18 hour officer hour stipulated in the FOI Act. The time estimate has been reached based on the assessment of some cases and ensuring data accuracy for the return.

We have therefore completed most sections of the request but are unable to provide aggregated costs for AP provision in independent AP specialist providers.

FOI 17018

This is because the LA commission places with providers for AP and SEND in these settings and would therefore require individual review as stated above.

Notes to clarify our return

- 1) For the purpose of this return we have included online tutors and settings that offer a hybrid model.
- 2) Not all students access online or in person learning, some access subcontracted AP with another provider.
- 3) These numbers are taken from the census return for the commissioned AP provider in the LA. These do not include repeat referrals or pupils who have attended and left the setting within the period. This is due to the complexity of the data and that it is not currently held in the LA in the timeframe or format requested. It therefore would add to the projected hours required above for manual collection of information.

- 1) What was the **total spend** by your local authority on alternative provision for the following years, split by the following in-person and online provision options:

<i>Financial year</i>	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25 to date
Total spend, £	2,204,332	3,096,017	3,294,288	3,380,151	3,571,729	3,030,855

Of which:

In-person learning provision						
Local authority-operated provision (i.e. pupil referral units)						
Mainstream school-operated provision (i.e. AP units within state-funded mainstream schools)						
Academy and free school provision (i.e. AP Academies and AP Free)	2,191,932	3,078,305	3,289,962	3,374,603	3,554,292	2,996,776

Schools, state-funded but independently managed)						
Independent schools (i.e. privately funded schools with AP specialism)						
Online learning provision						
Online learning providers (i.e. dedicated online schools, AP services or tutors online)	12,400	17,712	4,326	5,548	17,437	34,079

Note: if you are unable to provide the full breakdown, please provide the breakdown that you have available for in-person and online provision.

- 2) What was the **total number of students** in your local authority that were provided alternative provision for the following years, split by the following in-person and online provision options:

<i>Financial year</i>	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25 to date
Total number of students	142 (429 with AP Academy)	96 (349 with AP Academy)	98 (483 with AP Academy)	115 (410 with AP Academy)	100 (372 with AP Academy)	42 (192 with AP academy)

Of which:

In-person learning provision						
Local authority-operated provision (i.e. pupil referral units)	0	0	0	0	0	0
Mainstream school-operated provision (i.e. AP units within state-funded mainstream schools)	0	0	0	0	0	0

Academy and free school provision (i.e. AP Academies and AP Free Schools, state-funded but independently managed)	287	253	230	250	272	149
Independent schools (i.e. privately funded schools with AP specialism)	50	41	51	71	31	2
Online learning provision						
Online learning providers (i.e. dedicated online schools, AP services or tutors online)						12

Note: if you are unable to provide the full breakdown, please provide the breakdown that you have available for in-person and online provision.

- 3) Of your total number of students receiving alternative provision, for what number is alternative provision their **main source of education**?

<i>Financial year</i>	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25 to date
Number of students	164	121	103	118	152	169

- 4) Please provide a list of **online tuition providers used by your local authority for Alternative Provision**, including the number of placements and total spend for each provider in FY23/24.

Note: where the number of placements, please continue to provide a list of providers used for alternative provisions.

<i>FY23/24</i>	Number of current students placed	Total spend to date
Provider A – Ed Net	1	2,091
Provider B – Next level Learning	2	11,406
Provider C - Tute	1	3,940
Provider D – Three Towers Alternative	8	4,210

Provision Academy		
Total	12	£21,647

5) Please list all of your council's funding sources for alternative provision spend in:

- a. The current year (FY24/25 to date)
 - High needs budget
 - Council general fund
 - Generated income from services delivered to schools (i.e. AV1 robots)
 - Basic Pupil entitlement funding (AWPU)
- b. The last 3 years (FY21/22 – 23/24).
 - As above

Note: as an example, your funding streams may include the High Needs Block, Pupil Premium, Youth Justice funding, etc. Please list all of the funding streams that contribute to your alternative provision budget.