

**Online Learning Packages
Guidance for Schools
June 2019**

1. What is Online Education?

For the purposes of this guidance document Online Learning is considered to be the use of commercial packages offering remote learning via an internet based company.

2. Is this form of education lawful?

There is a wide range of statute to consider when schools are planning a system for the use of online learning which can be considered to be compliant in terms of both education and safeguarding legislation. The detailed legislative links are provided in Annex A.

This guidance document aims to set out the protocols which must be considered and acted upon by schools for this form of learning to be coded as 'B' Educated off site and also to be compliant with other school requirements such as safeguarding.

Schools must be mindful of the DFE definition of the 'B' code:

Code B: Off-site educational activity

This code should be used when pupils are present at an off-site educational activity that has been approved by the school. Ultimately schools are responsible for the safeguarding and welfare of pupils educated off-site. Therefore by using code B, schools are certifying that the education is supervised and measures have been taken to safeguard pupils. This code should not be used for any unsupervised educational activity or where a pupil is at home doing school work. Schools should ensure that they have in place arrangements whereby the provider of the alternative activity notifies the school of any absences by individual pupils. The school should record the pupil's absence using the relevant absence code.

3. When is it appropriate to use Online Learning?

1. Medical cases

- When there are barriers to education associated with a health need online learning can be accessed as an interim measure pending suitable evidence from a medical professional at consultant level. The pupil **MUST** be on a waiting list for this to be appropriate. A GP note is not adequate evidence. The package must be part of a full time programme.
- A short term injury/ recuperation period where hospital education is not available. For example, bone break impacting upon mobility.

Any child accessing online learning in the above way MUST have a medical plan produced by school to show how the medical needs are being addressed (Annex B).

If there is a subsequent formal diagnosis indicating that a student is not able to attend mainstream school then further support should be accessed through the LA in the existing way rather than a continuation of the online package.

N.B. For any pupils with a diagnosed SEND need then the SEND plan should indicate how the child's specific existing needs can be met through the online learning provision.

2. For the purposes of improving behaviour:

- Schools would need to evidence how this education package supports improved behaviour rather than simply serving to isolate a pupil or prevent exclusion. This is most likely to be evidenced within the Student's individual behaviour plan.
- A direction would be required. The objectives on the direction must identify how this provision will improve the child's behaviour.

The education package must form part of a full time broad and balanced curriculum. It is only suitable to use this type of provision if it clear how this improves behaviour and is part of a wider package of support rather than as a means to replace a formal exclusion

3. Day 6 provision following a fixed term exclusion:

- A notice to attend elsewhere is required
- The provision offered must be full time (online may be simply part of a full time package)

4. How do I identify appropriate providers?

Below are key questions to consider when deciding on a suitable provider. Annex C contains a checklist format that can be completed and retained as evidence of this process.

Education

- Is the education provided of good quality? How is this assessed by the school as commissioner?
- Is the education offered full time (unless medical/ EHCP evidence otherwise)?
- Does the school receive appropriate information on progress, coverage, attainment from the provider?
- Does the provider build the education around progress, attainment and curriculum information provided by the school?
- Is the curriculum offered broad and balanced (or complementing such a package?)
- Is the curriculum fitting the needs of the student and the school offer?
- How are SEND needs supported?
- Is the standard of education and pupil progress reviewed regularly?
- How are the emotional and social needs of the student supported?
- Is the standard of education and progress and engagement reviewed regularly and altered appropriately?

Safeguarding:

- Has the school checked that the provider is registered and that appropriate safeguarding checks and policies are in place? Is the provider included in the SCR?

- Can the provider evidence that DBS checks have been undertaken as appropriate or provide an umbrella letter to cover their tutors?
- How quickly is the school alerted to a student failing to attend a session? The provider should contact school within the session that the child has not attended.
- How robust are the systems to ensure that the student is actually accessing the provision? How do we know that the child is in the agreed location and that it is that child who has logged on? E.g. IP address checks.

5. What systems and protocols are needed to be established in school?

Quality of education

- There must be an initial and subsequently periodic reviews and checks of the online provider in terms of the quality of education and safeguarding through a formal commissioning agreement.
- There needs to be a clear plan set up at the start of the provision to indicate the objectives, outcomes, review process, location etc. There should be clarity on the school staff who are responsible for checking that the IT equipment is suitable to need and the child understands how to access the online session.
- Clear responsibility is needed for regular on going reviews and checking that the provision is appropriate and the student is making progress and engaging.
- A member of staff should be responsible for providing learning information to the online provider to ensure that an appropriate curriculum is provided for each individual child.
- There must be a long term reintegration plan- who is responsible for this? This may be changed during reviews to consider if the provision remains appropriate.

Safeguarding

- School has overall responsibility for safeguarding the child during the provision not the provider – a clear programme of welfare visits are needed with frequency linking to the level of need of the child.
- Is the governing board aware that this provider is being used and the information from this provider included in safeguarding information to governors.
- Are the uses of these packages referenced in school policy? **This should be included in the school attendance policy, meeting students medical needs and also essentially in the school CP and safeguarding policy. See example in annex F**
- School should have a clear protocol of how to respond to lack of attendance and engagement. This should be a hierarchical system based on the known needs of the child, history and current plans. In cases where there is no known vulnerability an initial phone call would suffice. For students with high levels of vulnerability a home visit will be needed. School should set this expectation down in policy and procedure.
- Clear roles are needed for school staff who receive alerts regarding non-attendance and engagement. The school must have a clear policy on actions to address the concerns e.g. is there a home visit made? How does the attendance officer know when the register can be coded? Some actions will need to be immediate from a safeguarding perspective if a child is not logged on as expected. A clear procedure of the type, frequency and urgency of the response needed to non-attendance based on factors around risk and vulnerability. Lancashire CON and risk sensible toolkits can be used to ensure a consistent and appropriate response.
- Ongoing welfare checks are necessary if the student is not being seen by school staff on a regular basis.
- Will the provider be issued with the schools CP policy/ KCSIE part 1 in line with this?
- How does the school check that the provider understands the schools safeguarding requirements?

- In some cases school may need to provide IT equipment (this may include a webcam). It is essential that school ensure that the equipment is only used for the purpose of accessing the lessons. The parent should be instructed to store the camera securely when it is not in use for education
- Where other agencies are involved with a child then they should be alerted to the use of the package.

Annex D provides schools with a planning sheet for the process that need to be developed

Annex E enables a clear record of process in place for each student. This does not replace the usual logs of evidence and communication

6. What if I have a concern with provider practice?

Schools should discuss the concerns with the LADO.

For Ofsted registered provision then complaints can be made via Ofsted.

- | |
|---|
| <ul style="list-style-type: none"> • Schools should be aware that schools requesting any legal enforcement action for students with this type of provision will be required to evidence that the standards within this guidance document have been met. • Schools may be asked to evidence the appropriateness of this provision during the CMOOE tracking process (Children Missing Out On Education). |
|---|

Annex A

Relevant DFE and Ofsted guidance

Source	Advice	Implication
School Attendance Guidance September 2018	<p>Code B: Off-site educational activity This code should be used when pupils are present at an off-site educational activity that has been approved by the school. Ultimately schools are responsible for the safeguarding and welfare of pupils educated off-site. Therefore by using code B, schools are certifying that the education is supervised and measures have been taken to safeguard pupils. This code should not be used for any unsupervised educational activity or where a pupil is at home doing school work.</p> <p>Schools should ensure that they have in place arrangements whereby the provider of the alternative activity notifies the school of any absences by individual pupils. The school should record the pupil's absence using the relevant absence code.</p>	<p>Provision must be a supervised educational activity. This would preclude an online style where there is no active engagement with another professional i.e. Moodle/ VLE style approach.</p> <p>Safeguarding strategies must be robust. How soon does a school know that a student has not taken part in a session? What is the school response to this?</p>
DFE policy team response to LA query regarding ensuring that online education is compliant	<p>As you are aware, the Education (Pupil Registration) (England) Regulations 2006 define that an approved educational activity is an activity that takes place outside the school premises which is: approved by the school; of an educational nature; and supervised by someone authorised by the school.</p> <p>The Department does not prescribe which activities can be approved nor who can/cannot be authorised to supervise an educational activity. This is for the school to decide, taking into account the individual circumstances of each pupil and the particular activity involved. Ultimately schools are responsible for the safeguarding and welfare of pupils who are educated off-site.</p> <p>It is the school's responsibility to keep an accurate attendance register in accordance with the regulations as amended. It is for schools to make a judgment as to what to record for each pupil for each session, if schools are struggling to interpret regulations then they should seek their own legal advice.</p>	<p>Is the work provided in a format that can be considered good quality education?</p> <p>Who is the supervising adult? This cannot be parent</p>
Supporting pupils at school with medical conditions	In particular, long-term absences due to health problems affect children's educational attainment, impact on their ability to integrate	<p>How long is the online package in place for?</p> <p>Is it full time?</p>

	<p>with their peers and affect their general wellbeing and emotional health.</p> <p>The governing body must ensure that arrangements are in place to support pupils with medical conditions. In doing so it should ensure that such children can access and enjoy the same opportunities at school as any other child.</p> <p>Governing bodies must ensure that the arrangements they put in place are sufficient to meet their statutory responsibilities and should ensure that policies, plans, procedures and systems are properly and effectively implemented.</p> <p>Plans should include specific support for the pupil's educational, social and emotional needs.</p> <p>Inspectors must consider how well a school meets the needs of the full range of pupils, including those with medical conditions. Key judgements will be informed by the progress and achievement of these children alongside those of pupils with special educational needs and disabilities, and also by pupils' spiritual, moral, social and cultural development.</p>	<p>Is it the only provision? If so, how are the child's emotional and well-being needs met?</p> <p>How does the package enable progress to be made?</p> <p>How does the school regularly monitor the progress and the achievement of children on an online package?</p>
DFE Alternative provision guidance	<p>For the purposes of this guidance, the definition of alternative provision is as follows: 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.</p> <p>Under revised off-site regulations the governing body must:</p> <ul style="list-style-type: none"> ensure that parents (and the local authority where the pupil has a statement of special educational needs) are given clear information about the placement: why, when, where, and how it will be reviewed; keep the placement under review and involve parents in the review. The regulations specify regular reviews but do not specify how often reviews must take place (that should be decided on a case-by-case basis). Reviews should be frequent enough to provide assurance that the off-site education is achieving 	<p>Clear recording keeping and communication process needed to identify the why, when, where and review process for the provision</p> <p>Direction needed</p> <p>Regular reviews</p> <p>Does the AP enable the child to make progress and achieve?</p> <p>Is the child engaging with the AP?</p> <p>How are the students personal and social needs met by the provision?</p> <p>Is the long term plan and steps to reintegration clear to all?</p> <p>Does the provision provide full time education or is part of a package of full time education</p>

	<p>its objectives and that the pupil is benefitting from it;</p> <p>Good alternative provision is that which appropriately meets the needs of pupils which required its use and enables them to achieve good educational attainment on par with their mainstream peers. All pupils must receive a good education, regardless of their circumstances or the settings in which they find themselves. Provision will differ from pupil to pupil, but there are some common elements that alternative provision should aim to achieve, including:</p> <ul style="list-style-type: none"> • good academic attainment on par with mainstream schools – particularly in English, maths and science (including IT) – with appropriate accreditation and qualifications; • that the specific personal, social and academic needs of pupils are properly identified and met in order to help them to overcome any barriers to attainment; • improved pupil motivation and self-confidence, attendance and engagement with education; and • clearly defined objectives, including the next steps following the placement such as reintegration into mainstream education, further education, training or employment. <p>All pupils must receive full-time provision in total, whether in one setting or more, unless a pupil's medical condition makes full-time provision inappropriate – see the guidance document 'Ensuring a good education for children who cannot attend school because of health needs' for further information. A personalised plan for intervention should be prepared by the commissioner setting clear objectives for improvement and attainment, timeframes, arrangements for assessment and monitoring progress, and a baseline of the current position against which to measure progress. Plans should also be linked to other relevant information or activities such as 'Education, Health and Care Plans' for children with SEN.</p> <p>Responsibility for the alternative provision used rests with the commissioner. The nature of the intervention, its objectives and the timeline to achieve these objectives should be agreed and</p>	<p>(unless there is medical evidence supporting part time)</p> <p>Is there a formalised plan for the provision?</p> <p>Is there good quality information provided to school by the provider around engagement, progress, achievement, attendance?</p>
--	---	---

	<p>clearly defined. Progress against these objectives should be frequently monitored, appropriate reviews should be built in and continuity into the next stage in the child's life should be considered. Where reintegration to the school is an objective, there should be agreement on how to assess when the pupil is ready to return and the school should provide an appropriate package of support to assist their reintegration. These objectives and plans should be agreed with providers, set out in writing and regularly monitored, including through frequent visits to the provider.</p> <p>Commissioners should maintain on-going contact with the provider and pupil, with clear procedures in place to exchange information, monitor progress and provide pastoral support. If a pupil is on the roll of their previous or current school they should remain so and encouraged to feel part of the school. Records should be kept on a pupil's progress in the provision, appropriate staff liaison arrangements should be in place, and appropriate mechanisms of challenge should be agreed.</p> <p>Alternative provision should be good quality, registered where appropriate, and delivered by high quality staff with suitable training, experience and safeguarding checks. It should have clearly defined objectives relating to personal and academic attainment. Where an intervention is part-time or temporary, to help minimise disruption to a pupil's education, it should complement and keep up with the pupil's current curriculum, timetable and qualification route. If a pupil is referred to off-site provision on a part-time basis, they should attend school as usual on the days on which they are not in the alternative provision.</p> <p>Provision should:</p> <ul style="list-style-type: none"> • have a clear purpose with a focus on education and achievement as well as meeting the pupil's needs and rigorous assessment of progress; • offer appropriate and challenging teaching in English, mathematics and science (including IT) on par with mainstream education – unless this is being provided elsewhere within a package of provision; • be suited to the pupil's capabilities, give pupils the opportunity to take 	
--	--	--

	<p>appropriate qualifications and involve suitably qualified staff who can help pupils make excellent progress;</p> <p>The governing body of a maintained school directing a pupil off-site for education to improve behaviour should have regard to all of the statutory guidance set out in this document. This covers objectives and timeframes with appropriate monitoring of progress and reviews. These should all be agreed and set out at the time a direction is made, and include arrangements for reviews – including how often the placement will be reviewed, when the first review will be and who should be involved in the reviews. Parents and, where the pupil has a statement of special educational needs, the local authority, can request, in writing, that the governing body review the placement. When this happens, governing bodies must comply with the request as soon as reasonably practicable, unless there has already been a review in the previous 10 weeks.</p> <p>When the governing body of a school has secured alternative provision for a pupil on a fixed period exclusion, or has directed a pupil off-site to improve behaviour, it should have a plan and processes in place to reintegrate the pupil at the end of the placement when he or she returns to the school.</p>	
Ofsted 2019 Inspection Handbook	<p>Inspecting off-site provision</p> <p>229. Inspectors must evaluate how well a school continues to take responsibility for its pupils who attend alternative or off-site provision. Inspectors need to be assured that leaders have ensured that the alternative provision is a suitable and safe placement that will meet pupils’ pastoral, academic/vocational/technical and, if appropriate, SEND. Inspectors will do everything they can within reason to speak to a representative from the alternative provider(s) and to a selection of pupils who attend that provision, where available.</p> <p>230. Inspectors will consider:</p> <ul style="list-style-type: none"> • the reasons why leaders considered off-site provision to be the best option for the pupils concerned • whether leaders have made the appropriate checks on the registration status of the provision 	<p>Is evidence available to show the quality of the provision and safeguarding arrangements in place?</p>

	<ul style="list-style-type: none"> • what safeguarding checks leaders have made and continue to make to ensure that the provision is a safe place for their pupils to attend • the extent to which leaders ensure that their pupils will benefit from a well-taught, broad and balanced curriculum • the extent to which pupils make progress and attain • the attendance and behaviour of the pupils who attend the provision • how well the provision promotes the pupils' personal development 	
Keeping Children Safe in Education 2018	<p>Safeguarding and promoting the welfare of children is everyone's responsibility. Everyone who comes into contact with children and their families has a role to play. In order to fulfil this responsibility effectively, all practitioners should make sure their approach is child-centred. This means that they should consider, at all times, what is in the best interests of the child.</p>	

Annex B

Template A: individual healthcare plan

Name of school/setting

Child's name

Group/class/form

Date of birth

Child's address

Medical diagnosis or condition

Date

Review date

Family Contact Information

Name

Phone no. (work)

(home)

(mobile)

Name

Relationship to child

Phone no. (work)

(home)

(mobile)

Clinic/Hospital Contact

Name

Phone no.

G.P.

Name

Phone no.

Who is responsible for providing support in school

Describe medical needs and give details of child's symptoms, triggers, signs, treatments, facilities, equipment or devices, environmental issues etc.

Name of medication, dose, method of administration, when to be taken, side effects, contra-indications, administered by/self-administered with/without supervision

Daily care requirements

Specific support for the pupil's educational, social and emotional needs

Arrangements for school visits/trips etc.

Other information

Describe what constitutes an emergency, and the action to take if this occurs

Who is responsible in an emergency (*state if different for off-site activities*)

Plan developed with

Staff training needed/undertaken – who, what, when

Form copied to

Annex C

Choosing a provider. A checklist for schools

Provider name:

Quality of education

	Evidence
1. Is the education provided by the supplier of a good quality?	<i>E.g. students are set work based on current targets and performance, learning is interactive, work is marked each week and scores provided to school so that progress can be tracked. Are their processes in place to ensure quality teaching is good and is regularly monitored?</i>
2. Can the sessions offered be timetabled as part of a wider package of full time education? NB where education is not full time it must be evidenced through EHCP or medical evidence (consultant level)	<i>Online learning cannot offer a full time solution What aspects can be covered by the provider?</i>
3. How is information on progress, attendance and engagement provided to school?	<i>By what format and regularity?</i>
4. Does the curriculum offered meet the needs of the student?	<i>Does the curriculum cover those areas offered in school? Is the curriculum offer and learning offered tailored to the needs of the child? E.g. ability, SEND Clarification is needed rather than a simple yes response</i>
5. How are the emotional and social needs of the student met through this package of education?	<i>Some providers can offer behaviour and PSHE style interventions. It may often be the case that social needs cannot be met through the online learning but is there another intervention in place that enables these needs to be met?</i>
6. Has the provider been inspected by Ofsted?	

Safeguarding:

	Evidence
1. Has the school checked that the provider is registered and that appropriate safeguarding checks and policies are in place? Is the provider included in the SCR?	<i>Does school have a copy of this policy as with any other AP?</i>
2. Can the provider evidence that DBS checks have been undertaken as appropriate or provide an umbrella letter to cover their tutors?	
3. How quickly (and via what means) is the school alerted to a student failing to attend a session?	<i>The provider should contact school within the session that the child has not attended</i>
4. How robust are the systems to ensure that the student is actually accessing the provision? How do we know that the child is in the agreed location and that it is the child who has logged on? e.g. IP address checks	<i>Detail the system and how this complies with schools own safeguarding policy</i>

Annex D

Online learning planning checklist- school use

Required activity	Person responsible	Completed
1. Identify member of staff to receive attendance alerts		
2. Clarify responsibility for accurately coding the attendance register based on point 1		
3. Agree action on receipt of an absence notification. How is this monitored?		
4. Ensure that the student has appropriate IT equipment. If not and this is supplied by school ensure that parent allows access only during supervised online learning sessions		
5. Agree member of staff responsible for the initial induction meeting needed to demonstrate the system to the student		
6. Agree staff member responsible for the initial meeting with parent and student to agree the package (objectives etc. as in a direction process) and to review at regular intervals (in line with frequency of other AP)		
7. Agree staff member responsible for identifying when reintegration is needed and the plan for this		
8. Agree format and staff member responsible for providing the assessment and curriculum data to the online provider		
9. Agree appropriate frequency of welfare checks and staff responsible based on the known vulnerabilities of the child		
10. Agree a member of staff overall in charge of ensuring that the quality of both education and safeguarding remain appropriate and that reports to the Governing Board around AP include this provider information		
11. Supply the provider with school CP policy and KCSIE part 1 and agree a safeguarding expectation between school and provider		
12. Update school attendance and medical policy to clarify that online learning is sometimes used and when it may be used		
13. Update CP/ Safeguarding policy to indicate that the provision is used and the safeguards in place. This would relate to welfare checks undertaken and systems to chase absence		

Annex E

Student checklist for online learning

Student name:

Required activity	Person responsible	Completed by.... (date)	Completed y/n
1. Planning meeting held to consider objectives and outcomes from the provision and determine the package of full time provision available to the student			
2. Parent provided with plan for provision and timetable			
3. Review meetings calendared			
4. Plans for reintegration are discussed or if not appropriate then there is clarity that when assessment identifies a change in circumstance that reintegration will be planned for			
5. Attendance officer alerted to the new provision			
6. Provider given assessment and curriculum information			
7. Induction session undertaken to ensure that the student has IT access and understands how to use the programme			
8. Parent informed of acceptable use policy for the IT equipment if this has been provided			
9. Parent and student understand when welfare checks will occur. These are logged by school			
10. Other agencies such as CSC informed if appropriate			

Annex F

The policy additions below are provided as examples only. The detail and content should be determined by schools themselves in line with their current policy and practice.

Attendance policy example

'In certain circumstances as laid out below a student may access online learning for a short time. When this is the case the quality of education offered will be monitored closely by school. The school will always ensure that any such provider follows schools expectations around safeguarding and that clear processes are in place to safeguard any child who fails to access the provision at the agreed time. School will regularly monitor the provision and student progress and welfare. Reintegration will be planned for and will occur when it is appropriate to the needs of the student.

Situations when online learning may be appropriate are when a student is:

- awaiting a medical assessment
- undertaking a short period of recuperation
- accessing day 6 provision as part of a fixed term exclusion
- as part of a programme to support improved behaviour

Unless there is a confirmed medical need online learning will only be used be as part of a package of full time education

Safeguarding policy example

In situations when a school may use online learning as part of a wider package of provision then the school will ensure that:

- the provider is fully compliant and aware of the school safeguarding expectations
- staff working for the provider are appropriately checked
- staff in school maintain overall responsibility for a students welfare and will ensure welfare checks are carried out when a child does not access provision or has not been seen by staff directly employed by the school for... (insert timescale)