

# APPRENTICESHIPS, SKILLS, CHILDREN AND LEARNING ACT 2009

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### **Part 11: Learners**

##### **School behaviour and attendance partnerships**

822. Since September 2007, the Government has expected that all secondary schools be members of partnerships to improve behaviour and tackle persistent absence. Currently 98% of maintained secondary schools and 94% of Academies are members voluntarily, but the extent to which existing partnerships are aligned to DCSF design principles and outcomes, as outlined in (currently non-statutory) guidance is variable.
823. Partnerships typically comprise approximately 3 to 6 members, but this varies due to local circumstance. Some partnerships have links to primary schools, special schools, pupil referral units and/or other forms of alternative provision.

##### ***Section 248: Co-operation with a view to promoting good behaviour, etc.: England***

824. This section places a duty on the governing body of a maintained secondary school in England (defined in *subsection (7)*), and the proprietor of an Academy, city technology college or city college for the technology of the arts in England (“relevant partners”), to make arrangements to co-operate with at least one other relevant partner with a view to achieving the objectives referred to in *subsection (2)*. 98% of maintained secondary schools and 94% of existing Academies are already in partnerships voluntarily.
825. *Subsection (1)* defines the bodies to which this section applies. The Government intends to apply the duty in the section to pupil referral units through regulations made under Schedule 1 to the Education Act 1996.
826. *Subsection (2)* provides that a relevant partner is required to make arrangements with at least one other such body. The Government intends to publish statutory guidance that will set out an expectation that behaviour and attendance partnerships consist of more than two members. This has not been specified in the section as in some cases bigger partnerships may prove impractical – such as in the case of rural schools.
827. To comply with the duty relevant partners must make arrangements with other such bodies within the same “area” as them (see further *subsection (4)*). In practice, partnerships will not generally cross local education authority boundaries.
828. *Subsection (2)* describes the issues schools must make arrangements to co-operate on. The arrangements are to co-operate with a view to promoting good discipline and behaviour generally on the part of pupils and reducing persistent absence on the part of pupils. DCSF considers that a pupil missing 20% or more of the sessions in a school year is persistently absent (whether the absence is authorised or unauthorised).

829. *Subsection (3)* requires a report to be prepared and submitted to the local Children's Trust Board once in each 12 month period. *Subsection (3)* does not require every relevant partner to produce a report, but rather requires each relevant partner to secure that a report is prepared and submitted, with the intention that the report will be submitted on behalf of all relevant partners that are part of arrangements under *subsection (2)*. Advice on how this can be organised practically will be given in guidance issued under *subsection (5)*. *Subsection (3)* does not place any requirements around when in the year this report should be submitted. Again, this will be covered in statutory guidance.
830. *Subsection (4)* gives details of what the report is required to cover. These are: details of the arrangements and what has been done under them (this would encompass how the partnership is composed and organised, and details of what activities it has engaged in), an assessment of the effectiveness of the arrangements (i.e. details of the impact the work of the partnership has had on promoting good behaviour and reducing persistent absence) and details of what is proposed to be done under arrangements in the future (i.e. details of what the partnership has planned for the next year).
831. *Subsection (5)* requires relevant partners to have regard to the Secretary of State's guidance in the exercise of the duty placed on the partners by *subsection (2)*.