
Meeting: Executive

Date: 15 February 2011

Subject: Commissioning the Pupil Referral Unit (PRU)

Report of: Cllr Mrs Anita Lewis, Portfolio Holder for Children's Services

Summary: The report proposes options for the delivery of the Pupil Referral Unit (PRU) provision in Central Bedfordshire focused on the development of provision that can meet pupil needs in Central Bedfordshire.

Advising Officer: Edwina Grant, Deputy Chief Executive and Director of Children's Services

Contact Officer: Sylvia Gibson, Interim Assistant Director, Learning & Strategic Commissioning

Public/Exempt: Public

Wards Affected: All

Function of: Executive

Key Decision Yes

**Reason for urgency/
exemption from call-in
(if appropriate)** Not applicable

CORPORATE IMPLICATIONS

Council Priorities:

The proposal relates to the Council's Key Priority:

Educating, protecting and providing opportunities for children and young people.

The proposal also relates to the provision of effective and efficient local services and is linked to programmes for early intervention and prevention and for transforming learning and developing the Council's relationship with schools.

Financial:

The most significant financial impact will be in reducing transport and staffing costs for Central Bedfordshire.

The current budget for the PRU via Direct Schools Grant (DSG) is:

- Total Cost of provision £2.2 million (2009-10 figures);
- the Total Cost of provision 2010/2011 has yet to be settled with Bedford Borough Council;
- the average cost of provision per pupil is £13.4k per annum;
- the average cost of travel per pupil is £11k per annum; and

- the Central Bedfordshire costs, if this strategy is agreed, will be projected as £1.3m in 2011/12, dependant on pupil numbers. The PRU considerably overspent in 2009/2010 and Bedford Borough Council have indicated that the overspend will also apply in 2010/2011. These proposals seek to control costs more efficiently.

The charging for this service is on the basis of actual costs which vary from year to year, which is apportioned 53% to Central Bedfordshire Council and 47% to Bedford Borough Council subject to Service Level Agreement reviews and governance meetings.

As the PRU is funded out of the Direct School Grant (DSG), it will be necessary to put any financial proposals to the Schools Forum for the allocation of money currently allocated to the PRU.

Every pound saved will be invested back into Early Intervention and Prevention for truly vulnerable children. The Direct School Grant must be spent on school related services in consultation with the School Forum.

Legal:

Councils have a statutory duty to make arrangements for the provision of suitable education at school, (including pupil referral units), or otherwise than at school for children of compulsory school age who, by reason of illness, exclusion from school or otherwise, will not receive a suitable education without those arrangements.

Any change to the statutory operation of the school requires formal consultation on published proposals.

The current Education White Paper makes reference to PRUs and any emergent legislation in the forthcoming Education Bill will be taken account of in the development of these proposals.

Risk Management:

Vulnerable pupils are subject to personal and collective risk assessments by nature of being assessed for a provision that is different from that of their peers.

Staffing (including Trades Unions):

There will be staffing implications resulting from any changes to the way provision is made available. Any necessary consultation will take place at the appropriate time.

Disaggregation of staff will be the subject of full consultation, including with Trade Unions, and this will be undertaken in accordance with Central Bedfordshire Council procedures and best practice. Early discussions with staff and unions are on going.

Central Bedfordshire will consider the TUPE rights of permanent staff in PRU establishments.

The risk of the two stage process in supporting a year of transition arrangements followed by a further commission was balanced against the risk of a single transition. The two stage process was judged to be safer in terms of pupil outcomes.

Equalities/Human Rights:

An equality impact assessment is attached at Appendix C.

Community Safety:

None specifically.

Sustainability:

The development of local provision to meet local needs matched to analysis and understanding of the needs of our truly vulnerable pupils is the best way to ensure sustainability.

Summary of Overview and Scrutiny Comments:

- The Overview and Scrutiny Committee received reports on the proposed establishment of a PRU in Central Bedfordshire at the Children's Services Overview and Scrutiny Committee meetings on both 14 September 2010 and 23 November 2010. Members of the Committee noted the work on the development of a PRU for Central Bedfordshire. Whilst acknowledging the success of the existing PRU by way of a good Ofsted report, they raised concerns regarding the number of pupils being educated in accommodation not deemed to be fit for purpose and acknowledged the need to establish improved arrangements in Central Bedfordshire. The Committee also acknowledged that any new arrangements put in place in 2011/2012 would be interim in nature and that a final decision regarding such interim arrangements would not be made by the Executive until its meeting in February 2011. As such, the Committee asked to receive further verbal feedback at its meeting on 25 January 2011. However, advice has been given to the Committee that verbal feedback should take place after the tender has been agreed.

RECOMMENDATIONS:

1. That the Executive agrees the arrangements for the PRU to be disaggregated from Bedford Borough Council on 31 March 2011 set out in the report at Option 2.
2. That the PRU provision will include the establishment of a management committee on which both the Portfolio Holder for Children's Services and the Director of Children's Services will sit 'ex officio'.
3. That the outcome of the tender process is agreed as set out in the Exempt Appendix D.
4. That the Deputy Chief Executive/Director of Children's Services, in consultation with the Portfolio Holder for Children's Services, takes forward detailed work on the future delivery of PRU provision in Central Bedfordshire from 2012 onwards to take account of the commissioning strategy, any new and relevant legislation and any changes to school funding arrangements.

<i>Reason for Recommendations:</i>	<i>The Service Level Agreement with Bedford Borough Council for the provision of a PRU, which is led by Bedford Borough Council is due to end on 31 March 2011. In the light of this, current provision has been reviewed and options for the future delivery of PRU provision have been explored. Executive is asked to make a recommendation to implement the preferred option for future delivery of the PRU.</i>
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Executive Summary

This report sets out the current configuration of the PRU as a shared service provided by Bedford Borough Council on behalf of Central Bedfordshire Council. As this Service Level Agreement is due to come to an end on 31 March 2011 the report sets out three options that were considered for the future delivery of the PRU. These are:

- Option 1: Local Partnership model based on the Behaviour and Attendance Partnerships and Trust and Academy status;
- Option 2: Invitation to tender from local schools and colleges with a Good or above Ofsted rating, particularly in behaviour and attendance, and work with vulnerable students and where the bidder identified suitable accommodation;
- Option 3: Invitation to tender from local schools and colleges with a Good or above Ofsted rating, particularly in behaviour and attendance, and work with vulnerable students and where the Council supported accommodation needs.

Option 2 is the recommended option

Background

- 1 The Pupil Referral Unit (PRU), via Greys Education Centre, provides education for pupils of statutory school age unable to access education due to permanent exclusion, pregnancy, the difficulties of being a young mother, long term illnesses or other temporary difficulties which arrive in young people's lives and make access to school very difficult.
- 2 Current provision is through a shared agreement with Bedford Borough Council in which Bedford Borough Council is the provider. This arrangement ends in March 2011 and Central Bedfordshire Council will make its own arrangements to provide services from 1st April 2011.
- 4 Currently pupils in Years 1 to 8 and Year 11 are supported in the Kempston Unit. Pupils in Years 9 and 10 are supported at Kingsland, Houghton Regis. Manor House in Kempston offers support to pregnant school aged girls and mothers.
- 5 Statistically, the highest need in Central Bedfordshire is in Dunstable and Houghton Regis for Years 7 to 11, and Sandy/Biggleswade for Years 1 to 6.

Rationale For Change

- 6 Ofsted judged that provision in the PRU is good, but for some children the provision currently offered by the PRU for Central Bedfordshire pupils is off site in Central Bedfordshire libraries. The number of young people who do not access the PRU site directly is not sustainable in the longer term as an appropriate response to the duties on the Council to set up suitable provision. This view is endorsed by Central Bedfordshire headteachers and has been highlighted as of concern when the Children's Services Overview and Scrutiny Committee considered the PRU arrangements.
- 7 The unit costs of the present provision are high. This is largely because of the number of pupils educated in libraries and the associated travel costs. Current arrangements are not an efficient use of resources nor do they allow for a direct line of accountability regarding provision for some of our most vulnerable children.

The current spend on the PRU is:

- Total Cost of provision is £2.2million (2009-10 figures);
 - the average cost of provision per pupil is £13.4k per annum;
 - the average cost of travel per pupil is £11k per annum;
- 8 The Children's Trust Commissioning Group considered the current arrangements at its meeting on 19 July 2010 against the Council's agreed commissioning policy as approved by the Executive on 16 October 2009 and recommended that:
- (a) the PRU should be de-commissioned in its current form and provision re-commissioned from April 2012.
 - (b) interim arrangements should be made with schools for PRU provision from April 2011 until March 2012.

Principles

- 9 Any revision of the provision for excluded pupils needs to take into account the Council's statutory responsibilities for providing for children who are excluded from school.
- 10 The Council retains statutory responsibility for ensuring that this provision is fit for purpose and offers good outcomes for children and young people. Quality assurance and progress monitoring will remain a Council function for the foreseeable future.
- 11 Schools are very likely to take increased responsibility for the management of vulnerable pupils when the Education White Paper becomes an Act.
- 12 Emphasis will be placed on the "Think Family" approach, including support to parents and carers.
- 13 Children should wherever possible remain in their local community. This will support reintegration into mainstream education more effectively.

Objectives

17. The objectives for future PRU provision are to:
 - (a) reduce the numbers of permanently excluded pupils;
 - (b) reduce the length of time that pupils are excluded;
 - (c) support individual pupils to engage effectively with learning;
 - (d) increase reintegration rates;
 - (e) engage and support families;
 - (f) work with schools to manage, and be responsible for, all vulnerable children and young people in their area.

Proposals

- 18 The intention is to develop two units, one for Years 1 to 6 and one for Years 7 to 11. These would be based on a hub and spoke model, with one core base and outreach and peripatetic support services as appropriate.
- 19 Schools and other educational establishments have been invited to tender for PRU provision during 2011-2012. The specification was sent to schools, academies and colleges on 21 October 2010 (see appendices A and C attached). The possible options are given below and in Appendix B (attached).
- 20 Final arrangements for the provision will be determined following the tender process. Bidders may be schools, academies and colleges.
- 21 **Option 1:** Local Partnership model based on the Behaviour and Attendance Partnerships and Trust and Academy status
 - (a) Sandy/Biggleswade
 - (b) Leighton Buzzard/Linslade
 - (c) Chiltern – Dunstable and Houghton Regisplus
 - (d) Harlington – Trust status
 - (e) BEST Trust – Trust status
 - (f) All Saints – Academy status
- 22 Behaviour Partnerships, Trusts, and Academies are able to access resources to create their own local PRU. This offers a service for 4 to 16 year olds in a local area, potentially involving all schools.

- 23 **Option 2:** Invitation to tender from local schools and colleges with a Good or above Ofsted rating, particularly in behaviour and attendance, and work with vulnerable students.
- 24 Those establishments tendering must be able to provide evidence of good practice in working with vulnerable pupils. This approach allows practice to be developed across Central Bedfordshire. Schools and colleges would identify where the provision is offered.
- 25 **Option 3:** Invitation to tender from local schools and colleges with a Good or above Ofsted rating, particularly in behaviour and attendance, and work with vulnerable students.
- 26 Those establishments tendering must be able to provide evidence of good practice in working with vulnerable pupils. The Council would provide help with the provision of accommodation using Hub and Spoke facilities linked to localities.

Commissioning Model

- 27 The commissioning model, process and standards used for the tender process are in line with the Strategic Commissioning Framework for Children and Young People in Central Bedfordshire adopted by the Executive at its meeting on 16 October 2009.

Governance

- 28 The Apprenticeships, Skills, Children and Learning Act 2009 require PRUs to have a management committee. This would be set up in a similar way to a governing body with the Portfolio Holder Children's Services and the Director of Children's Services as members ex officio. An invitation to take the Chair (unpaid) would be extended with a view to seeking an existing or new person with experience in education who was not already a Chair of an existing Central Bedfordshire school. Headteachers can also be members of the Management Committee.

Conclusion and Next Steps

- 29 Options 1, 2 or 3 would establish the PRU in Central Bedfordshire and secure the financial arrangements and appropriate transfer of relevant staff. However, **option 2** gives the widest possible client base for securing good provision. Building on the lessons learned in 2011/12, further work will be required in consultation with Central Bedfordshire schools, the Schools Forum, and other partners to develop an evidenced based model for full commissioning in the open market from 2012 onwards. The national funding formula for vulnerable pupils, via the pupil premium and the new legislation will be embedded in this work.

Appendices:

- Appendix A: Specification
- Appendix B: SWOT Analysis PRU Options
- Appendix C: Equality Impact Assessment
- Appendix D: Exempt Report to Executive (To follow)

Background Papers:

Strategic Commissioning Framework for Children and Young People in Central Bedfordshire – 16 October 2009 Executive