

Minutes of the Special Meeting of the Children and Young People Overview and Scrutiny Committee held on 8 August 2011

Present:-

Members of the Committee	Councillor Peter Balaam “ Julie Jackson “ Mike Perry “ Clive Rickhards “ Carolyn Robbins “ John Ross “ Martin Shaw “ June Tandy (Chair) “ Sonja Wilson
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Church Representatives: Dr Rex Pogson

Invited Representatives Diana Turner (Governor Representative)

Other County Councillors Councillor Richard Chattaway
Councillor Izzi Seccombe
Councillor Bob Stevens

Officers Mark Gore, Head of Service – Learning and Achievement
Bob Hooper, Head of School Improvement
Ann Mawdsley, Senior Democratic Services Officer
Michelle McHugh, Overview and Scrutiny Manager
Simon Smith, Strategic Finance Manager

1. General

(1) Apologies for absence

Apologies for absence were received on behalf of Councillor Carol Fox, Chris Smart and Councillor Heather Timms.

(2) Members Declarations of Personal and Prejudicial Interests

Councillor Julie Jackson declared a personal interest as a former member of the PRU Management Committee.

Councillor Clive Rickhards declared a personal interest as he has former colleagues still working at the PRU.

Councillor June Tandy declared a personal interest as her daughter is a lecturer at North Warwickshire College.

The Chair noted that Bob Hooper was leaving Warwickshire after a very successful 14 years and Members thanked him for the work he had done and wished him every success in the future.

2. Call-In – Meeting the Needs of Pupils Excluded or at Risk of Exclusion from School

The Chair outlined the reason for the call-in, noting that the decision made by the Cabinet in relation to the closure of the PRU had not been considered by an Overview and Scrutiny Committee. The Chair added that Overview and Scrutiny Committees were part of the democratic process and should not be considered as “consultees”.

Councillor Izzi Seccombe, standing in for Councillor Heather Timms (Portfolio Holder for Child Safeguarding, Early Intervention and Schools), made the following points:

- i. Historically, the Warwickshire PRU had been a poorly performing organisation which had failed children. Since going into special measures progress had not been good enough, and the preferred direction of travel for the County, including Overview and Scrutiny, was to move away from a system where children were excluded and not repatriated quickly.
- ii. The changed direction of travel had given the Area Behaviour Panels (ABPs) a stronger role, and with the increase in the number of Academies, ABPs would become a valuable source of peer scrutiny with school Heads who excluded children regularly would have to be more accountable to their peer group.
- iii. The number of children in the PRU had reduced from 145 to approximately 20. The number of teaching staff was currently 45 and this would be unsustainable in the future. Alternative arrangements in the future would come from colleges and some schools, which would provide a better, normal school environment with improved facilities.

Bob Hooper, Head of School Improvement added:

- a. He was sorry that the Committee felt that they had not been properly consulted, but emphasised that the work that had been done by the Committee in scrutinising the PRU had been helpful and the recommendations implemented. This included the O&S recommendation that action should be taken to remove primary aged children. From September 2011, appropriate alternate provision would be found for all primary aged children outside the PRU.
- b. The recommendation agreed by the Cabinet that the Directorate should consider ways to further encourage the development and establishment of Learning Support Units in secondary schools, supported by a proper business case to manage the transition period and unlock and redeploy resources was also central to the new approach.
- c. Urgent action had been taken to improve provision for 15-16 year-olds and, from September 2011, places could be purchased from FE colleges for young people in KS4 who had previously not done well in either mainstream education or the PRU. This was being introduced on a pilot basis and would be monitored closely.

- d. It was noted that very few young people were excluded from a one-off incident and there were young people with special needs who had been misplaced in the PRU. Some young people were only stated with special needs when placed in the PRU and, where possible, provision had been sought that properly met the needs of these young people.
- e. The two remaining PRU sites would continue to operate for the duration of the consultation. A report would be taken to the Cabinet in December to finalise the closure of the PRU. It was noted that from 1 September, if an ABP decided to exclude a child to the PRU, they would be charged for these places from devolved funding.
- f. Funding had to be addressed to enable funding currently allocated for the PRU to be devolved to schools and ABPs to increase preventative work and to purchase alternative places for those young people who were excluded. Head teachers had been widely consulted and it was generally agreed that they could do better with increased resources.
- g. The PRU was funded through the Direct Schools Grant, allocated by the Schools Forum. This allocation had been pump primed with an additional amount of £1.5million for one year only to manage the transition. As the cost of the PRU reduced, these resources would be made available to schools and ABPs to prevent exclusions.
- h. Any provider wishing to offer places for excluded pupils would have to have successfully completed a proper due tendering process, to ensure they were quality assured. These providers would include colleges, schools and the independent sector.
- i. In line with the statutory duty that a local authority is responsible for full time educational provision from the 6th day of any permanent exclusion, the County Council would also have to purchase short stay places from this list of approved suppliers until permanent placements could be arranged.
- j. The new arrangements would provide an incentive for schools to work on inclusion and to work together collaboratively to share the burden of the management of difficult children.

During the ensuing discussion, the following points were made:

1. It was agreed that more work needed to be done to improve the statementing processes.
2. The number of PRU teaching staff had been significantly reduced since September 2010 from approximately 90 to 40, and this number would continue to be reduced. Some PRU staff were already working alongside college staff with young people from the PRU, and it was hoped that if this was successful, staff transfers could be possible.
3. The Warwickshire PRU was still in Special Measures and any providers responsible for the education of the children in the PRU or placed in alternative provision from the PRU would continue to be monitored through the Ofsted inspections. The County Council and PRU Management Team were also monitoring this provision closely.
4. The Schools Forum had considered a number of formula options for the use of devolved funding. An average of two options had been

agreed, with clear deprivation factors, and the Forum had requested an evaluation report on ABP and the PRU before a formula was agreed for the second year. Mark Gore undertook to provide a copy of the formula and outcomes to the Committee.

5. Although Government had relaxed the requirement for Academies to participate in ABPs, Warwickshire Academies had all indicated their wish to continue to be members of ABPs.
6. There was a national pilot taking place in relation to ABPs, and Warwickshire had been invited to be an associate to this pilot as they were considered to be advanced in this work.
7. Members noted their concern at the uncertainty of many of the contributing factors and Bob Hooper acknowledged that there were risks, but it was the Local Authority's role to manage these.
8. In response to a query about comparative research, Bob Hooper confirmed that this had been done, and a lot of work was being done in line with Cambridgeshire County Council, who were well developed in alternative provision.
9. The PRU's poor report from Ofsted 12 months ago and its continued rating of inadequate may well have resulted in Ofsted recommending to the Secretary of State the closure of the PRU, had the County Council not taken the direction of travel it has.
10. In terms of special needs, it was important to take a system-wide approach, and following the Sarah Teather report and Green Paper, *Support and aspiration: A new approach to special educational needs and disability*, Jessica Nash was leading a review of SEN in Warwickshire.
11. The quality assurance process involved in suppliers tendering to educate excluded children, would allow schools to be confident that these young people had the proper provision and support in all areas including curriculum, care, welfare and behaviour management.
12. Diana Turner, Governor representative, reported that there was concern amongst school governors that although the direction of travel away from exclusions was right, the decision to close the PRU was being made too fast, particularly in light of the ABPs not yet being successful in all areas. Councillor Izzi Seccombe responded that the ABPs were only a part of the solution and that prevention and early intervention would rely on other areas such as CAF (Common Assessment Framework), Family Information Service and special needs assessment and capacity to address the reasons behind challenging behaviour. It was acknowledged that the success of the CAF depended on the willingness of families to engage.
13. A request had been made to all ABPs to provide information on how their funding would be used and the effectiveness of their decisions, including Learning Support Units (LSUs). In anticipation of this, Bob Hooper undertook to provide a Briefing Note to the Committee on the current situation regarding LSUs in Warwickshire schools.
14. While Warwickshire was above the national average on most national indicators, the County had more exclusions than its statistical neighbours.
15. Every effort was being made to support ABPs, including having a linked lead officer to each panel, and relaunching the In-Year Fair

Access Protocol to ensure that no one school received a disproportionate number of excluded pupils.

16. Most exclusions were boys in Years 9 and 10, and resources needed to be allocated early to provide intervention and support to prevent long-term disruption.

Councillor Richard Chattaway stated that the question needed to be asked why the PRU had been allowed to decline to the current level of provision. He noted his concern at the uncertainties involved, particularly in light of the number of short-term exclusions that would continue to be enforced and questioned the consultation on a decision that had allegedly already been made.

Councillor John Ross, seconded by Councillor Mike Perry, moved the Recommendation at bullet point 3 of 2(c) of the report, to take no action.

An amendment was moved by Councillor June Tandy and seconded by Councillor Peter Balaam that the following recommendation be agreed:

That the Cabinet reconsider their decision:

1. to consult on the closure of the PRU for at least one year until considerable research has been undertaken to look at comparative data on the management of excluded pupils in other authorities.
2. to allow a full report to be brought to the Children and Young People Overview and Scrutiny Committee detailing the monitoring of the new arrangements and the processes in place to manage interim placements, particularly in cases where permanent placements are not available.
3. to allow a full report to the Children and Young People Overview and Scrutiny Committee setting out how the Area Behaviour Partnerships would carry out their responsibilities under the new arrangements.

The amendment was voted upon and declared defeated by 4 votes to 5.

A vote was taken on the original motion and it was resolved that no action be taken.

The Chair thanked members and officers for their contributions.

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Chair

The Committee rose at 11:50