

AGENDA MANAGEMENT SHEET

Decision making session Portfolio Holder (Customers, Workforce & Partnerships) and Portfolio Holder (Children, Young People and Families) Decision Making Session

Date of Decision 20 August 2010

Report Title Warwickshire Pupil Referral Unit – Reconstitution of the Management Committee

Summary This report gives an outline of the findings of a recent Ofsted inspections and approval of changes to the constitution of the Management Committee of the Warwickshire Pupil Referral Unit.

For further information please contact:

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Would the recommended decision be contrary to the Budget and Policy Framework? No

Background papers

CONSULTATION ALREADY UNDERTAKEN:-

Details to be specified

Other Committees

Local Member(s)

Other Elected Members CYP&F O&S Chair for information:
Cllr June Tandy

CYP&F O&S Spokespersons for information:
Cllr Peter Balaam *"I strongly support the proposed inclusion of a Virtual School for Children-in-Care representative on the management committee"*
Cllr Carolyn Robbins

- | | | |
|--------------------------|-------------------------------------|--|
| Cabinet Member | <input checked="" type="checkbox"/> | Cllr Heather Timms (Decision Maker)
Cllr Colin Hayfield (Decision Maker) |
| Chief Executive | <input type="checkbox"/> | |
| Legal | <input checked="" type="checkbox"/> | Fay Ford <i>“overall the draft instrument complies with all applicable statutory provisions”</i> |
| Finance | <input type="checkbox"/> | David Clarke, Strategic Director of Resources |
| Other Chief Officers | <input type="checkbox"/> | |
| District Councils | <input type="checkbox"/> | |
| Health Authority | <input type="checkbox"/> | |
| Police | <input type="checkbox"/> | |
| Other Bodies/Individuals | <input type="checkbox"/> | |

FINAL DECISION YES

SUGGESTED NEXT STEPS:

Details to be specified

- | | |
|---|--------------------------|
| Further consideration by this Committee | <input type="checkbox"/> |
| To Council | <input type="checkbox"/> |
| To Cabinet | |
| To an O & S Committee | <input type="checkbox"/> |
| To an Area Committee | <input type="checkbox"/> |
| Further Consultation | <input type="checkbox"/> |

**Portfolio Holder (Children, Young People and Families)
and Portfolio Holder (Customers, Workforce &
Partnerships) Decision Making Session**

20 August 2010

**Warwickshire Pupil Referral Unit – Reconstitution of the
Management Committee**

**Report of the Strategic Directors for Children,
Young People and Families and Customers, Workforce &
Governance**

Recommendations

That the Portfolio Holders approve the draft revised Instrument of Government for the Warwickshire Pupil Referral Unit, attached as Appendix B to this report.

1. Background

- 1.1 The Warwickshire Pupil Referral Unit (PRU) is based on three sites and provides education:
 - a. full-time for pupils permanently excluded from their school;
 - b. part-time to pupils who remain on the role of a mainstream school to help improve aspects of their behaviour and learning; and
 - c. to pupils unable to attend school due to ill-health.
- 1.2 The Apprenticeships, Skills, Children and Learning Act 2009 provided that PRUs should be known as Short Stay Schools. This was expected to take effect from 1 September 2010. However, Nick Gibb, Minister of State for Schools announced in Parliament on 20 July 2010 that this requirement would be removed.
- 1.3 Governance of PRUs differs from that of other maintained schools in that it does not have a Governing Body. The Education (Pupil Referral Units) (Committees etc) (England) Regulations 2007 made it mandatory for local authorities to establish management committees for their PRU and Cabinet approved an Instrument of Government in accordance with these regulation at its meeting on 10 January 2008. The Management Committee effectively operates as the Governing Body but with some differences in responsibilities. Although Management Committees became mandatory from February 2008, Warwickshire had operated with a non-statutory committee for a number of years.
- 1.4 The Regulations provide that the statutory Management Committee should be between 7 and 20 members. There are proportionality requirements for the four mandatory categories of member (community, parent, local authority and staff). Statutory Guidance “strongly recommends” a membership not exceeding 12.

However, in Warwickshire the maximum size of 20 was adopted following representations from the former non-statutory management committee.

- 1.5 **Appendix A** sets out the constitution of the current Management Committee. Both the local authority and the Management Committee can propose change to the Instrument at any time and must consult with the other party where this is proposed.

2. Introduction

- 2.1 The Warwickshire PRU was inspected by Ofsted on 23 and 24 June 2010 and was deemed to require special measures. The reasons for this finding were:

- Quality of leadership;
- Quality of teaching and learning;
- Quality of the curriculum, and
- Failure to meet pupils' statutory entitlement to full-time education.

The Ofsted report was published on 22 July 2010.

- 2.2 Experience in mainstream schools is that where Ofsted identifies serious concerns about governance, it can be appropriate to replace the normally constituted Governing Body with a specially constituted Interim Executive Board (IEB). An IEB comprises a small number of specially selected governors able to bring about rapid and sustained change. Although the IEB regulations do not apply to PRUs, given the nature of the concerns identified by Ofsted, a similar approach is proposed.

- 2.3 The current Management Committee was consulted on a proposed reduction in size of the Management Committee at an extraordinary meeting held on Thursday 22 July 2010. The Management Committee accepted the need for this change and proposed a revised model comprising 12 members. The proposed new Instrument of Government which reflects this proposal is set-out in **Appendix B**. (This includes a change of base address for the PRU to Pound Lane, Leamington Spa).

- 2.4 The Portfolio Holders are requested to approve this revised draft Instrument.

MARION DAVIS
Strategic Director for
Children, Young People and Families
Saltisford Office Park
Ansell Way
Warwick

David Carter
Strategic Director of Customers,
Workforce & Governance
Shire Hall
Warwick

5 August 2010

INSTRUMENT OF GOVERNMENT

1. The name of the Pupil Referral Unit is **The Warwickshire Pupil Reintegration Unit**.
2. The Warwickshire Pupil Reintegration Unit's DCSF number is 937 1105.
3. The address of The Warwickshire Pupil Reintegration Unit is
The Merttens Centre, Merttens Drive, Rugby CV22 7AE.
4. The name of the management committee is The Management Committee of The Warwickshire Pupil Reintegration Unit.
5. The management committee shall consist of :
 - 1 **Parent member**
 - 4 **Local Authority members**
 - 3 **Staff members (including the Headteacher in charge)**
 - 12 **Community members (nominated as shown in *paragraph 7 below*)**
6. The total number of members will be **20**.
7. Community members shall be nominated for appointment as follows:
 - 4 Secondary Head representatives
 - 3 Primary Head representatives
 - 1 Parent Partnership representative
 - 1 Children-in-Need representative
 - 1 Health Authority representative
 - 1 Connexions representative
 - 1 FE College representative
8. This Instrument comes into effect on 1st February 2008.
9. This Instrument was made by order of Warwickshire Local Authority on 17th January 2008.
10. A copy of this Instrument must be supplied to every member of the management committee (and the Headteacher in charge if not a member). A copy should be sent to the DCFS.



DRAFT REVISED INSTRUMENT OF GOVERNMENT

1. The name of the Pupil Referral Unit is **The Warwickshire Pupil Referral Unit**.
2. The Warwickshire Pupil Referral Unit's DfE number is 937 1105.
3. The address of The Warwickshire Pupil Referral Unit is
Pound Lane, Lillington, Leamington Spa, CV32 7RT.
4. The name of the management committee is The Management Committee of The Warwickshire Pupil Referral Unit.
5. The management committee shall consist of :
 - 1 **Parent member**
 - 2 **Local Authority members (appointed by the Portfolio Holder for Children, Young People and Families and Strategic Director of Children, Young People and Families)**
 - 2 **Staff members (including the Headteacher in charge)**
 - 7 **Community members (nominated as shown in *paragraph 7 below*)**
6. The total number of members will be 12.
7. Community members shall be nominated for appointment as follows:
 - 3 Secondary Head representatives
 - 1 Primary Head representative
 - 1 Virtual School for Children-in-Care representative
 - 1 Local Authority SEN representative
 - 1 Children-in-Need representative
8. This Instrument comes into effect on 1st September 2010.
9. This Instrument was made by order of Warwickshire Local Authority on 20th August 2010.
10. A copy of this Instrument must be supplied to every member of the management committee (and the Headteacher in charge if not a member). A copy should be sent to the DfE.