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To:	Education Cabinet Committee – 21 st June 2013
Subject	Responses to the wider consultation following the review of Pupil Referral Units (PRUs) and Alternative Curriculum Provision
Classification:	Unrestricted
Future Pathway of Paper	Cabinet report – 15 July 2013
Electoral Division	All

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Summary:	<p>This report updates Education Cabinet Committee Members on the PRU and Alternative Provision review. The report also provides a summary of the consultation with the wider group of stakeholders on the establishment of 8 new delivery hubs across the County for PRU and Alternative Provision.</p> <p>The Committee is asked to note the outcomes of the consultation and endorse the implementation of the proposals outlined in the report. The Cabinet Member will be taking a report on these changes to Cabinet for approval in July.</p>
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1. Introduction

- 1.1 At a meeting on 19th March the Education Cabinet Committee agreed that a wider stakeholder consultation should be undertaken on the proposal to establish 8 new delivery PRU and Alternative Provision hubs in Kent. These proposals, and the background to them, are summarised below.
- 1.2 The consultation on the new delivery models was published on the Kent County Council website on the April 22nd and closed on June 17th. In addition to the full consultation paper, a simplified version was also available to ensure that students within the existing provision were informed of the proposals.

2. DfE background to the PRU Alternative Curriculum review.

- 2.1 The Department of Education (DfE) guidance on the statutory duties for the Local Authority and powers concerning Alternative Provision was published on 27 July 2012. This guidance covers:
- education arranged by Local Authorities for learners who are excluded, because of illness or other reasons
 - education arranged by schools for learners on a fixed term or permanent exclusion
 - learners being directed by schools to off site provision
- 2.2 Alternative Provision is defined as: *“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". (DfE Guidance July 2012).

2.3 Following publication of this Guidance, Kent County Council undertook to review the provision made for young people unable to access mainstream school provision because they are excluded from school, or at risk of disengaging from education.

2.4 The DfE guidance also stated that funding had to be delegated to newly constituted Management Committees.

- With effect from April 2013, PRU/Alternative Curriculum Management Committees have been established which are in effect governing bodies (although still known as Management Committees) with full delegated powers. As part of this change in status Management Committees must ensure there is better representation of the communities they serve, and the majority of its members and the schools within it. In practice, this means a membership with the majority being Secondary Headteachers in the locality - especially those who regularly use the services of the provision. This strengthens a key principle of the Kent PRU review which intends to develop high quality *locally* managed solutions for the delivery of PRU and AC provision. Eight new Management Committees have been established.
- Local authorities must make arrangements to delegate funding for Pupil Referral Units (PRUs) and Alternative Curriculum (AC) provision directly to Management Committees. Although all PRUs and AC provisions have Management Committees currently, they do not have delegated powers over the budget or staff. These new responsibilities of full delegation over the budget and staffing will bring the functions of the new Management Committees in line with the governing bodies of Community schools.

2.5 In addition to these amendments to legislation, specifications were also published on the programme offer. The statutory guidance¹ published in January 2013 identifies "*Good alternative provision*" as:

- academic attainment on a par with mainstream schools –particularly in English, maths and science;
- addressing the specific personal, social and academic needs of students to help them overcome barriers to attainment;
- improving pupil motivation and self-confidence; supporting re-integration to mainstream education, FE or employment

¹ Statutory guidance sets out the Government's expectations of local authorities and maintained schools who commission alternative provision and pupil referral units. The Government expects those who are not legally required to have regard to the statutory guidance to still use it as a guide to good practice

- the guidance is clear that responsibility for ensuring that any additional provision purchased, such as vocational training, meets these criteria and rests with the commissioner of the provision. In the future the commissioners will be the Management Committees of PRUs and the schools they serve.

3. Kent PRU and Alternative Provision Review

3.1 In order to address the new DfE statutory provisions and to improve outcomes for learners, KCC initiated a review of the PRU and Alternative Provision. The review was designed to improve the quality of provision and the outcomes for learners, and achieve a significant reduction in exclusions. The review established how Headteachers wished to achieve the delegation of funding to support the new delivery structures in localities. There were a number of ways delegation could be achieved and therefore the consultation events with schools were held to determine which option each locality wished to follow. From these consultations with Headteachers and PRU/AC managers two options emerged.

- (i) Full delegation to a Lead PRU with a Management Committee with full delegated powers
- (ii) Devolution of funding to schools within a locality and no Management Committee or PRU provision

3.2 The process of delegation/devolution of funding has been subject to two consultations with Headteachers and the Management Committees of PRUs. Significant changes to the formula funding PRUs and schools receive in their budgets will not occur until April 2014, thus allowing a year for transition. By April 2014 all provision will be funded according to the agreed formula based on pupil numbers and deprivation measures, which has been agreed by all Secondary Headteachers.

3.3 In areas where the option is for full devolution to schools, it is likely that all or some parts of the provision will close to be replaced by alternatives agreed by local schools and the Local Authority through a Service Level Agreement. In these areas funding will be devolved directly to schools.

4. Financial Implications

New Funding Formula

District	Budget at April 2014 £	Current District Budgets £
Dartford, Gravesham and Swanley	1,908,818	2,184,164
West Kent Tunbridge Wells, Tonbridge and Sevenoaks	1,197,436	1,220,797
Thanet and Dover	2,417,705	2,390,461
Maidstone and Malling	1,469,010	1,206,929
Swale	1,196,262	998,059
Canterbury	980,646	1,133,472

Ashford	909,500	745,515
Shepway	1,142,123	1,179,643
	11,221,500	11,059,040

- 4.1 The new funding formula has been the subject of detailed consultations with Headteachers in meetings in each district, and a working meeting with school business managers. Although there are differences between the formula budget and the existing (historically calculated) budgets, the proposed budgets are evidently more equitably calculated and have the support of schools.
- 4.2 Since the entire budget for PRU/AC provision is to be delegated to Management Committees and/or devolved to schools, it is essential that the Local Authority retains the capacity to ensure that new and existing provision is of the highest quality, particularly since the LA remains accountable for the education of permanently excluded students.
- 4.3 A Partnership Service Level Agreement has been shared with Headteachers and Management Committees which outlines the Local Authority's requirements of any new provision. These requirements include: quality of curriculum; good teaching and learning; improved outcomes for students; safeguarding and Child Protection arrangements; post-16 progression routes to age 18 and regular review periods. This agreement will be signed by the new Management Committees before the 1st September 2013.
- 5. Profile of current learners in Alternative Provision.**
- 5.1 Currently, there are approximately 454 pupils attending PRU and AC provision, 163 pupils in Key Stage 3 and 292 pupils in Key Stage 4.
- 5.2 The latest published figures show that there are 210 pupils Permanently Excluded from schools in Kent. The variation across districts is very marked, ranging from the highest number, 46 permanent exclusions in one district, to the lowest with 3 permanent exclusions in one year. In the same period 2011-12, there were 12,832 fixed term exclusions and once again the variation between districts is significant, ranging from 1808 exclusions to 428 in the district with the lowest number.
- 5.3 The young people who are excluded, or who are at risk of exclusion or disengagement from school, are among the most vulnerable. The learner profile in PRUs and AC provision is as follows:
- 80% Male
 - 55% SEN
 - 6% CiC
 - 46% Free School Meals (FSM)
 - 22% Children in Need, or with a Child Protection plan

- The destinations of pupils attending PRU and AC provision highlight the fact that, in 2012, only 43% continued in education post 16, only 6% accessed employment with training, and 27% became NEET.
- At age 16 these young people achieve poor outcomes. In 2012, only 2% achieved five good GCSEs including English and mathematics, 12% achieved five GCSE grades A*-G, and 60% achieved no passes. This is unacceptable.
- Among the 16 PRUs and AC provision in Kent, 69% are rated good (10) or outstanding (1) by Ofsted.
- While the majority of the young people who attend PRU and AC provision are very vulnerable with high levels of need, only 26% had the support of a multi-agency plan agreed through the Common Assessment Framework (CAF) in the past year. This is also very variable across the county, with 83% of pupils with a CAF in one district compared to as few as 5% of PRU pupils in another district.
- The re-integration of pupils, after time out of school, is a key indicator of good practice. There is limited re-integration of pupils overall into mainstream schools (21%) but once again this varies enormously from district to district. In one district in 2011-12 there was 94% re-integration compared to 28% or 16% in other areas.

5.4 The review has focused on improving outcomes for these young people, reducing permanent exclusions, developing better working arrangements and protocols among local schools and the PRUs, and delivering a better curriculum offer. The review aimed to improve support to maintain engagement with education, to prepare excluded pupils for re-integration into education and onto a learning pathway to age 18, and to meet young people's personal, social and health needs.

6. Establishment of the 8 delivery hubs and the development of local delivery models.

6.1 Detailed delivery hub discussions took place in January 2013 with Secondary Headteachers across all districts, for the purpose of clarifying their proposals for future provision to meet the needs of young people out of school or at risk of disengaging.

6.2 New models have to be able to support delivery of the varied alternative approaches to learning which are required to meet all pupils' needs. The proposals arising from the review focus on workforce developments, improving the local profile of alternative provision, and on developing multi-agency professional connections and networks. They also aim to enhance the offer to young people, to access a greater variety of high quality and appropriate local alternative provision and to widen the range of alternative provision available. This included the development of the Kent Integrated Adolescent Support Service.

6.3 In order to support improved quality of provision, KCC has worked in partnership with schools to establish an agreed Partnership Service Level Agreement and a clear Quality Assurance tool. These will contribute to the development of a list of quality assured learning providers whom schools can easily access through a newly established procurement framework.

District and delivery model	Outcome	Management Committee
Thanet & Dover Lead PRU/ Behaviour service	Delegated funding to Management Committee of combined KS3 & KS4 Lead PRU.	Yes
Dartford & Gravesham Lead PRU/ Behaviour service	Delegated funding to Management Committee of combined KS3 & KS4 Lead PRU.	Yes
West Kent Lead PRU/ Behaviour service	Retain an off-site provision but will seek Academy sponsorship.	Yes
Maidstone & Malling Lead PRU/ Behaviour service	Delegated funding to Management Committee of combined KS3 & KS4 Lead PRU	Yes
Canterbury (separate from Swale) Lead PRU/ Behaviour service	Retain off site provision but will seek Academy sponsorship	Yes
Swale Funding devolved to schools	Funding devolved to schools in the district in order that they may commission their own services/provision	No May commission on an ad hoc basis
Ashford (separate from Shepway) Funding devolved to schools	Funding devolved to four (non-selective) schools in order that they may commission their own services/provision	No Will commission on an ad hoc basis at the Brook KS3 Centre.
Shepway Funding devolved to schools	Funding devolved to schools in order that they may commission their own services/provision	No May commission places at the Brook KS3 Centre.

Thanet & Dover

6.4 The proposal in this district is to combine the existing PRUs at KS3 and KS4 under a single Management Committee. The PRU will offer academic and vocational education covering a wide range of subjects in 25 hours a week. Staff of the PRU will also support intervention at the earliest opportunity in order to prevent exclusion from school.

Dartford & Gravesham

6.5 Dartford & Gravesham will combine both KS3 and KS4 as a single PRU under one Management Committee. The PRU will offer provision at KS 2 in order to

support early intervention. Much of the work of supporting young people will be done on school sites. Where students are referred off-site, there will be a full 25 hour curriculum offer available. The PRU will also offer a range of therapeutic intervention including counselling as well as links with other support agencies.

West Kent

6.6 This District offers an integrated PRU for both KS3 and KS4 serving pupils in Y6 – Y11. There will be a strong focus on academic progress and attainment as well as accredited vocational provision over 25 hours a week. A number of additional providers may be commissioned in order to support the offer and ensure that it can meet the needs of a wide range of pupils.

Maidstone & Malling

6.7 A single Management Committee will oversee an integrated KS3 and KS4 PRU which will offer off-site provision for students who may not be successfully supported in school. Much of the work to support young people will be undertaken in school in order to prevent exclusion and off-site referral. Provision will be full time for 25 hours a week.

Canterbury & Swale

6.8 In the short term, Canterbury and Swale will continue to maintain provision as a double district retaining a PRU for KS3 and KS4; however, by September 2014 both districts will provide independent provision in the form of KS4 Alternative Curriculum. The offer will be of high quality vocational education which will be accredited. At KS3, there will be separate provisions each with its own Management Committee.

Ashford

6.9 Ashford schools will offer support to students at risk of exclusion through enhanced provision located at the site of each school. There will be no PRU as such, although schools will commission additional provision from a range of providers including the current KS3 PRU at The Brook. Provision will cover 25 hours a week and will include a high quality vocational offer as well as academic progression opportunities.

Shepway

6.10 Four schools, Pent Valley, Folkestone Academy, Brockhill and Marsh Academy will offer a range of enhanced on-site provision to meet the needs of students at both KS3 and KS4. Provision will include the use of on-site Inclusion Centres to support academic learning across the full curriculum as well as literacy and numeracy support where needed. At KS4, in addition to GCSE studies, the schools will offer a full time, high quality vocational education.

7. Outcome of the Consultation

7.1 In addition to receiving responses in writing, consultation meetings were held in each of the 8 Hubs where PRUs and Alternative Curriculum providers are based.

District (Hub)	Date of Consultation	Venue
Dartford & Gravesham	30.04.13	Rosemary Centre, Wilmington
West Kent	03.05.13	Tonbridge Grammar

		School
Ashford & Shepway	06.05.13	Ashford South PRU
Maidstone & Malling	07.05.13	The Cedars PRU
Dover & Thanet	09.05.13	Skills Studio
Swale	24.05.13	Challenger PRU
Canterbury	07.06.13	Grosvenor House PRU

7.2 Each consultation was attended by the Senior PRU/AC manager and in most cases, the Chair of the Management Committee, and KCC representatives. In addition to parents, carers and pupils, a range of stakeholders was invited to attend the consultation in order to reflect those most concerned with this particular group of young people. Those invited included:

- Kent Integrated Adolescent Support Service
- Representative staff of mainstream schools
- Social Care professionals
- Education Welfare Service
- Youth Offending Team
- Third Sector representatives
- Police & Fire Service
- CAMHS
- School & Community Nursing
- Other providers such as FE College staff; private providers such as Skills Force.

7.3 Staff of the various PRU and AC provisions were also invited, although it was made clear that this wider consultation was for the purpose of disseminating information and responding to questions of organization and direction of the service overall. Some events were attended more fully than others, although only one had no attendees.

The Responses

From Consultation meetings:

7.4 There have been no objections to the establishment of 8 new delivery hubs and no responses were opposed to the proposals. Most were concerned with how the re-organisation would address implementation issues. Considerable support was expressed by key stakeholders, particularly those from support services and agencies. Significant points raised are summarised below:

One external provider of services to students expressed the wish for “more of a steer” with regard to exactly what services KCC would like to encourage and what standards would need to be met for procurement.

Concern was expressed that it was expected that a Common Assessment Framework (CAF) was to be completed for each student referred to a PRU.

A wish was made for greater clarity about who should meet the costs of cross-border exclusion (exclusion from a school outside the District or outside Kent).

Concern was expressed that too many students leaving PRU/AC provision failed to secure education, employment or training in the first six months.

Concern was expressed that the Local Authority must challenge any provision - whether made by a PRU, private provider or school – that was inadequate in order to ensure that standards would improve.

A question was asked about the LA's capacity to address the needs of young people with Autistic Spectrum Disorder (ASD).

It was observed that the development of social and emotional awareness was as important as academic development in young people educated in a PR or Alternative Provision.

Although, parental representation was not high, one parent did express her satisfaction with the PRU her child had attended.

The Local Authority and the new Management Committees will address these issues in partnership.

Written Responses:

7.5 Nineteen written responses have been received to date; the vast majority of these are in agreement with the proposals. Two responses make the point that: *“In order to teach these young people, it is often important to ensure that their emotional and psychological needs are addressed before effective teaching can take place”/ “The focus on academic progress should not be at the of developing social and emotional capacity”.*

8. Next steps

8.1 At the close of the consultation, a report outlining the proposals for each PRU/AC establishment affected by re-organisation will be sent to the DfE identifying an implementation date for development as well as changes to Management Committees.

9. Recommendations

9.1 The committee is asked to note the outcomes of the consultation and endorse the implementation of the proposals outlined in the report. The Cabinet Member will be taking a report on these changes to Cabinet for approval in July.

10. Background Documents

Report to Education Cabinet Committee paper, 19 March 2013 - Decision Number 12/02025 - PRU / Alternative Provision / review of current services

<https://democracy.kent.gov.uk/documents/s38874/Item%20B1%20PRU%20Review%20Committee%20Paper%20Feb%202013%20doc.pdf>

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