

16 September 2013**Agenda Item: 11****REPORT OF THE SERVICE DIRECTOR, EDUCATION STANDARDS AND
INCLUSION****PROPOSAL TO CONSULT ON THE CLOSURE OF DAYBROOK LEARNING
CENTRE****Purpose of the Report**

1. To seek approval to consult on a proposal to close the Pupil Referral Unit (PRU) known as Daybrook Learning Centre with effect from 31 August 2014, and that a further report on the outcome of the consultation and which recommends a course of action be submitted to this Committee.

Information and Advice**Context**

2. Following the review of Social Emotional and Behaviour Difficulties (SEBD) arrangements in Nottinghamshire, a new strategy entitled '5 Steps to Collective Responsibility' was published and agreed by the County Council in November 2012.
3. Since that date a considerable amount of collaborative effort by schools and the County Council has resulted in a number of new arrangements being established. Some notable outcomes are that:
 - funding will be devolved to behaviour partnerships to support local initiatives and partnership working
 - a framework for monitoring and evaluating alternative provision is available to schools
 - a service for primary schools has been established to support schools where behaviour is challenging and places at risk
 - the number of permanent exclusions issued in academic year 2012-2013 has reduced by 22% compared to the previous year
 - the role of Pupil Referral Units has been redefined and three separate schools were established in April 2013, each with a management committee.
4. In line with national developments Nottinghamshire County Council is progressively devolving resources to partnerships of schools to encourage collective responsibility and reinforce other positive processes (such as fair access and managed moves).
5. This report is linked to the report also being considered at this meeting entitled 'An update on Nottinghamshire's Strategy for Pupils with Social Emotional and Behavioural Difficulties (SEBD) – Five Steps to Collective Responsibility'.

The role of Daybrook Learning Centre

6. Daybrook Learning Centre serving the south of the County (Rushcliffe, South Broxtowe and Gedling), is located in Gedling and is currently commissioned to provide 44 places for pupils who have been permanently excluded from school. It provides out of school provision for children and young people of secondary school age who are currently not in other schools as a result of their behaviour. It is designated as a Pupil Referral Unit (PRU) and as such is subject to inspection by OFSTED.
7. There are a number of significant issues relating specifically to Daybrook Learning Centre. In particular there are concerns regarding:
 - the standard of academic achievement and progress
 - the quality of teaching and learning
 - the positive management of behaviour and safety
 - levels of learner attendance.
 - overall it is considered that Daybrook Learning Centre does not represent value for money with regard to the cost of pupil placements and the outcomes for learners. The current cost per place at £25,000 per pupil is significantly higher than the national average of £15,000.
8. It is therefore intended to seek approval to consult on the proposal to close Daybrook Learning Centre.
9. In the meantime it is intended that pupils in the south of the County who have been or are at risk of permanent exclusion from school will not be placed in Daybrook Learning Centre. Their provision will be made through one of three pathways:
 - encouraging localised provision developed with each school partnership or in some cases with individual schools
 - alternative provision for key stage 4 learners, if appropriate
 - admission to another learning centre.

However, those pupils who are currently attending Daybrook Learning Centre will remain on roll.
10. Across Nottinghamshire partnerships are taking greater responsibility for making local arrangements for children and young people with SEBD which has involved the devolution of resources to partnerships of schools and a reduction in the number of places commissioned at each of the learning centres.
11. The total number of places available to partnerships or individual schools in the south of the county is 44. As from September, the equivalent of 21 places will be commissioned from the partnerships in order for them to make local arrangements and 23 places will be commissioned from Daybrook Learning Centre. This is shown in Table 1 overleaf:

Table 1: Daybrook Learning Centre

Partnership	Place Allocation	No of Commissioned Partnership Places	Actual number of Commissioned Places on PRU Roll (Sept 2013)
South Broxtowe	11	5	6
Gedling	20	14	6
Rushcliffe	11	3	8
Toot Hill	2	-1	3
Total	44	21	23

12. The projected learner numbers on roll for September 2013, which are at an all time low are:

KS3	5	<i>(of whom 4 are on a transitional programme back to mainstream school or other setting and are not expected to attend the centre)</i>
KS4 (Year 10)	7	
KS4 (Year 11)	11	<i>(of whom 2 are on a transitional programme back to mainstream school or other setting)</i>
Total	23	

13. The table below gives more detailed information for the three districts served by Daybrook Learning Centre:

Table 2:

		Place Allocation	FTE Staff
Gedling	KS3	7	4.08
	KS4 (Yr 10)	4	2.33
	KS4 (Yr 11)	9	3.39
South Broxtowe	KS3	4	2.33
	KS4 (Yr 10)	2	1.17
	KS4 (Yr 11)	5	1.88
Rushcliffe	KS3	4.23	2.46
	KS4 (Yr 10)	1.69	0.99
	KS4 (Yr 11)	5.08	1.91
Toot Hill	KS3	0.77	0.45
	KS4 (Yr 10)	0.31	0.18
	KS4 (Yr 11)	0.92	0.35
		44	21.52

14. Staffing costs for Daybrook Learning Centre in the 2013/2014 financial year are £775,000.

Rationale for the proposal to close Daybrook Learning Centre

15. During 2012/2013 academic year Daybrook Learning Centre has received high levels of County Council support, particularly from January 2013. This has not resulted in the improvements required to address the need to rapidly improve outcomes for pupils on roll.

16. Support included an additional four day closure at the end of spring term 2013 in order to provide training for staff with an emphasis on improving the understanding and management of behaviour.
17. The OFSTED report of February 2012 graded The Learning Centre as satisfactory which under the new Ofsted framework is now termed 'requiring improvement'. In July 2012, as part of the SEBD review, a consultant was employed by the County Council. The consultant was asked to evaluate The Learning Centre and in her report of July 2012 she expressed concerns regarding the effectiveness of all three centres.
18. The most recent evaluation of Daybrook Learning Centre was undertaken in May 2013 and highlighted shortcomings in the current standards of provision.
19. Whilst there was recognition of certain improvements in processes, the performance of specific staff and some aspects of centre provision, a number of significant areas for improvement were identified including:
 - the standard of academic achievement and progress
 - the quality of teaching and learning
 - the positive management of behaviour and safety
 - levels of learner attendance.
20. The evaluation report identified:
 - 12 recommendations to improve the quality of teaching and learning
 - 4 recommendations to improve data analysis
 - 7 recommendations to improve leadership and management.
21. At the point of separation from the other two learning centres in April 2013, Daybrook Learning Centre retained the original DfE number and is therefore likely to receive an OFSTED inspection as soon as the autumn term 2013. It is anticipated that the outcome of such an inspection would result in a judgement that Daybrook Learning Centre should be placed in 'special measures'. It is therefore important that the County Council is able to present a clear strategy which addresses the issues raised in the May 2013 Review.
22. The County Council Review in May 2013 raised concerns about the small number of permanent teaching staff who will be in post from September 2013. In light of the current context there is no likelihood of recruiting permanent staff to any vacancies, which inevitably weakens the Centre's ability to deliver high quality education.
23. In September there will be 3 leaders, 2 teachers and 6 Specialist Teaching Assistants (STAs) for a maximum number of 23 pupils, of whom 11 will be in Alternative Provision with pastoral support. Alternative Provision is commissioned in a setting other than in a school.
24. There are also staff working at Daybrook Learning Centre employed through Service Level Agreements and include Youth Workers, site maintenance and catering staff.
 - The annual charge by Landscape and Cleaning Services is £42,047 plus ground maintenance at £1,227. A Site Manager and two cleaners have been appointed to provide a service to Daybrook Learning Centre. Additional site costs attributed to Daybrook Learning Centre are £25,450.

- The annual charge for Youth Workers is shared between three learning centres with the cost to Daybrook being £46,391. There are a total of 3 Youth Workers based at Daybrook Learning Centre who also provide support to Oakdale Learning centre.
- There is currently no charge from Schools Catering for meals provided on site. One Kitchen Supervisor is appointed to provide meals at Daybrook Learning Centre.

Other Options Considered

25. In making this proposal the following options have been considered:

- 1) Seek to improve the provision at Daybrook so that it delivers high quality provision.

Evidence from the recent review of the Centre has identified the need for considerable improvement. Over the last few years there has been significant investment in the Centre to deliver improvements which have not materialised. Also in view of the direction of travel of the implementation of the SEBD strategy, other local options are becoming apparent. It is therefore considered more appropriate to invest time and funding in collaborating with schools to develop local provision. The local authority would commission provision from the schools. Contracts would be drawn up to reflect this new relationship.

- 2) Conversion of Daybrook Learning Centre into a County wide specialist SEBD provision

The County Council is conducting an options appraisal for developing specialist SEBD provision. It is likely that suitable premises will be required for establishing some form of provision. Daybrook could provide the base for such a facility in the south of the County.

- 3) Amalgamate Daybrook Learning Centre with Oakdale Learning Centre. This would create two PRUs i.e. Bassetlaw Learning Centre for the north of the County and the amalgamated PRU for the south of the County.

Amalgamating three learning centres into two as demand for places continues to fall would create an opportunity for savings through capital receipts. However, this is likely to result in increased learner transport costs and would reverse a decision to separate The Learning Centre into three separate centres in order to create greater localised ownership of the provision.

- 4) Separate resources into 3 locality partnerships in the south of the County and develop local options through acceleration of the SEBD strategy.

The three districts served by Daybrook Learning Centre (South Broxtowe, Gedling and Rushcliffe) would receive a share of Daybrook Learning Centre's resources. This would allow each partnership to develop more local solutions, which they own and manage. This has been a feature of the discussions with the partnerships and Rushcliffe would strongly endorse this approach. Given the geographical spread across three districts this would encourage more localised provision. It would also generate a capital receipt from the sale of the Daybrook site if not used for other purposes. This would be the preferred approach if the Centre is to close.

Reasons for Recommendations

26. The rationale to propose to consult on the closure of Daybrook Learning Centre is based upon five principal issues:
- unacceptably low educational standards
 - the decision of the County Council to no longer place learners at Daybrook Learning Centre
 - the current cost per PRU place in Nottinghamshire at £25,000 per pupil, is significantly higher than the national average of £15,000. Daybrook Learning Centre does not represent value for money in terms of the outcomes achieved by pupils
 - the new model of collaborative working across partnerships in the south locality will remove the need to commission sufficient places for Daybrook Learning Centre to remain viable
 - nationally, where there are concerns relating to quality of provision, partnerships/schools tend to see devolution as a positive move which provides partnerships with a broader range of options.

Statutory and Policy Implications

27. This report has been compiled after consideration of implications in respect of finance, the public sector equality duty, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Implications for Service Users

28. Service users are pupils who have been or are at risk of permanent exclusion and schools who are managing their challenging behaviour. Action will be taken to explore on an individual basis arrangements for alternative provision for those pupils who would have ordinarily been admitted to Daybrook Learning Centre due to the need to prevent or because of a permanent exclusion.
29. This will be through one of three pathways:
- localised provision developed with each school behaviour and attendance partnership or in some cases with individual schools
 - alternative provision for key stage 4 learners
 - admission to another Learning Centre.

For year 10 pupils on roll in September 2013 arrangements will be made to ensure that they are able to complete any accredited courses that they will be undertaking over the next two years.

30. A consultation and communication strategy will be developed in line with statutory processes relating to the closure of a school.

Financial Implications

31. The closure of Daybrook Learning Centre will release revenue and capital resources which will be reinvested in the south of the County to support partnership developments. This will ensure that appropriate provision for learners with SEBD is in place.

32. The release of resources/cash to partnerships would be in three phases:

Phase 1: In the autumn term 2013 and spring term 2014 money available through unfilled vacancies at Daybrook Learning Centre could be released to partnerships. Remaining staff will be employed to teach and support the 23 learners on roll and could also be used to support partnerships in school to prevent permanent exclusion

Phase 2: In the summer term 2014, learner numbers will reduce further and redundancies will have been realised. This would enable the release of cash to partnerships. The total amount for phases 1 and 2 is £350,000

Phase 3: In the autumn term 2014 there will no longer be any learners on the roll of Daybrook Learning Centre. The balance of resources available to be devolved to partnerships or individual schools (up to the end of financial year 2014 – 2015) is £425,000.

33. It is intended that the total resources available for partnerships by the end of 2014/15 financial year is £775,000.

Equalities Implications

34. White boys and pupils with SEN are over-represented in the group of pupils who are disadvantaged by exclusion. New arrangements will reduce the impact on this vulnerable group.

Safeguarding of Children Implications

35. Children who are in receipt of provision at Daybrook Learning Centre are entitled to receive provision of a high quality and which is subject to safeguarding and quality assurance procedures. An approved provider framework and daily monitoring arrangements will ensure that children receive their education in high quality and safe environments.

Human Resources Implications

36. Subject to the outcome of the consultation process, any decision to close Daybrook Learning Centre, will be addressed in line with HR policies and procedures, including consultation with the recognised Trade Unions.

RECOMMENDATION

That:

- 1) approval is given to consult on the proposal to close Daybrook Learning Centre with effect from 31 August 2014.
- 2) a further report be submitted to this Committee on the outcome of the consultation which recommends a course of action.

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Constitutional Comments (NAB 22/08/13)

37. The Children and Young People's Committee has authority to approve the recommendation set out in this report by virtue of its terms of reference.

Financial Comments (KLA 29/08/13)

38. The financial implications of the report are set out in paragraphs 31 to 33 above.

Background Papers and Published Documents

- Review of arrangements for children and young people with social, emotional and behavioural difficulties (SEBD) in Nottinghamshire - report to Children & Young People's Committee on 5 November 2012
- The Learning Centre - Ofsted report, February 2012 (Inspection Number 382044)
- Daybrook Learning Centre LA Progress Review
- Report on PRU Provision - Nottinghamshire July 2012

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Electoral Division(s) and Member(s) Affected

All.

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