

23 April 2014**Agenda Item: 5****REPORT OF THE SERVICE DIRECTOR, EDUCATION STANDARDS AND
INCLUSION****PROPOSAL TO CONSULT ON THE CLOSURE OF BASSETLAW LEARNING
CENTRE****Purpose of the Report**

1. To seek approval to consult on a proposal to close the Pupil Referral Unit (PRU) known as Bassetlaw Learning Centre with effect from 31 December 2014, and that a further report on the outcome of the consultation and which recommends a course of action be submitted to this Committee on 14 July 2014.

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 is being 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. In 2013-2014 the number has further reduced with 36 currently excluded compared to 56 by the end of February last year, a 36% reduction to date
 - 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 through the successful implementation of the SEBD Review, the County Council has led a process of progressively devolving resources to partnerships of schools to encourage collective responsibility and reinforce other positive processes (such as fair access and managed moves). This has led to schools increasingly retaining responsibility for young people at risk of permanent exclusion and

resulted in a significant reduction in permanent exclusions. This has also led to less places being required in our learning centres, as confirmed in our planning with the majority of school partnerships.

Rationale for the proposal to close Bassetlaw Learning Centre

5. Bassetlaw Learning Centre, which serves the north of the County (Bassetlaw and Newark and Sherwood Districts), is located in Worksop and with effect from the start of the Summer term is commissioned to provide 25 places for pupils who have been permanently excluded from school, or 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.
6. At present eight of the pupils on roll at Bassetlaw Learning Centre are presenting significant challenges to the Centre and because of their particular needs will be placed in more specialist provision by the end of this academic year. In addition, in September 2014 the majority of pupils on roll will be year 11 and will be placed out of the Centre in alternative provision, which could result in the number of pupils attending on site to be as low as three. This is summarised below:
 - 11 x Year 11 due to leave on 27 June 2014
 - 11 x Year 10 will attend commissioned alternative provision in September 2014, supported by Bassetlaw Learning Centre
 - 8 x Complex Learners requiring SEBD Provision away from Bassetlaw Learning Centre
 - 3 x KS3 learners remaining at Bassetlaw Learning Centre.
7. Overall it is considered that Bassetlaw 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 £30,373 per pupil is significantly higher than the national average of £15,000.
8. It is therefore proposed to consult on a proposal to close Bassetlaw Learning Centre and approval for this is sought from the Children and Young People's Committee.
9. It is currently not possible to admit pupils to Bassetlaw Learning Centre due to the complex needs of pupils currently on roll and arrangements are in hand to arrange meetings with schools, preferably through existing partnerships to discuss this situation in more detail. This will provide an opportunity to talk about funding which is available to meet the needs of learners with complex SEBD, as well as funding which will be released if the Bassetlaw Learning Centre closes. Those pupils who are currently attending Bassetlaw 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. Partnerships served by Bassetlaw Learning Centre are indicating, through agreed Memoranda of Understanding (MoU) that they are working towards;
 - Newark Town 0 places by June 2015
 - Bassetlaw East 3 places (1 place currently filled by a Complex Learner)

- Outwood Academies 12.74 (0 permanent exclusions since November 2013)
(5 Complex Learners from the Outwood Academies on roll, which if transferred out of Bassetlaw LC will leave only 1 year 8 learner attending Bassetlaw LC plus 7 year 11 learners attending Alternative Provision, who will finish their statutory education in June 2015)
- 12. Sherwood District Schools (The Dukeries Academy, Joseph Whitaker School and The Minster School) have indicated in earlier meetings that they are not intending to commission places at Bassetlaw Learning Centre in the future, once the current learners have left. We are currently completing meetings with these schools.
- 13. The projected learner numbers on roll for September 2014, which will be at an all-time low are:

- KS3	3
- KS4 (Year 10)	0
- KS4 (Year 11)	11
Total	14
- 14. The most recent evaluation of Bassetlaw Learning Centre was undertaken in December 2013 and highlighted the need for action to be undertaken in order to improve standards. Staff are making strenuous efforts to address the priorities for improvement with support from the Local Authority.
- 15. In September 2014 there will be a temporary Head of Centre, one Teacher, four Specialist Teaching Assistants (STAs) for a maximum number of 14 pupils, of whom 11 will be in alternative provision with pastoral support. Alternative provision is commissioned in a setting other than in a school. In addition there are two business support staff.
- 16. Staffing costs for Bassetlaw Learning Centre in the 2013/2014 financial year were £760,688.
- 17. The annual charge levied by Landscape and Cleaning Services is £47,255 plus ground maintenance at £2,568. A Site Manager and two cleaners have been appointed to provide a service to Bassetlaw Learning Centre. Additional site costs attributed to Bassetlaw Learning Centre are £36,250.
- 18. There is currently no charge from Schools Catering for meals provided on site.

Other Options Considered

- 19. In seeking approval to consult on closure only one alternative option has been considered, which is to keep Bassetlaw Learning Centre open and admit pupils from partnerships willing to fund this arrangement. The majority of partnerships have confirmed that they do not wish to request places over and above those currently on roll. In addition the reduction of staff and the momentum of change being generated through the implementation of the SEBD strategy, reinforces the view that it is more appropriate to invest time and funding in collaborating with schools and other providers to develop local provision in each district.

Reasons for Recommendations

20. The rationale to propose to consult on the closure of Bassetlaw Learning Centre is based upon four principal issues:
- the low numbers requiring provision on site
 - the high cost per PRU place at £30,373 per pupil, which is significantly higher than the national average of £15,000
 - the new model of collaborative working across partnerships in the north of the County will remove the need to commission sufficient places for Bassetlaw Learning Centre to remain viable
 - Bassetlaw Learning Centre does not represent value for money in terms of the outcomes achieved by pupils

Statutory and Policy Implications

21. 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

22. 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 Bassetlaw Learning Centre due to the need to prevent or because of a permanent exclusion.
23. 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
 - provision developed with school partnerships for those learners with complex SEBD
 - alternative provision for key stage 4 learners
24. A consultation and communication strategy will be developed in line with statutory processes relating to the closure of a school.

Financial Implications

25. The closure of Bassetlaw Learning Centre will release revenue and capital resources which will be reinvested in the north of the County to support partnership developments. This will ensure that appropriate provision for learners with SEBD is in place.
26. The release of resources/cash to partnerships would be in two phases:

Phase 1: in the Summer term 2014 cash released through a staffing reduction and the implementation of a new staffing structure effective from 1 April 2014 will be released to partnerships and schools as and when the Memorandum of Understanding is agreed and signed. In the Autumn term 2014, learner numbers will reduce and further redundancies

will have been realised. This would enable the release of cash to partnerships. The total amount for phase 1 is £312,446

Phase 2: in the Spring term 2015 any learners who have not returned to mainstream education will require alternative education, for which the Local Authority will retain resources. The balance of resources available to be devolved to partnerships or individual schools up to the end of financial year 2014 – 2015 is £83,628

27. It is intended that the total resources available for partnerships by the end of 2014/15 financial year is £396,074

Public Sector Equality Duty Implications

28. 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 and Vulnerable Adults Implications

29. Children who are in receipt of provision at Bassetlaw 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

30. Subject to the outcome of the consultation process, any decision to close Bassetlaw Learning Centre will be addressed in line with HR policies and procedures, including consultation with the recognised trade unions.

RECOMMENDATION

That:

- 1) approval be given to consult on the proposal to close Bassetlaw Learning Centre with effect from 31 December 2014.
- 2) a further report be submitted to this Committee on 14 July 2014 on the outcome of the consultation which recommends a course of action.

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Constitutional Comments (LM 03/04/14)

31. The Children and Young People's Committee has delegated authority within the Constitution to approve the recommendations in the report.

Financial Comments (KLA 04/04/14)

32. The financial implications of the proposals for consultation are set out in paragraphs 25 to 27 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.
- An update on Nottinghamshire's strategy for pupils with social emotional and behavioural difficulties (SEBD) – '5 steps to collective responsibility' - report to Children & Young People's Committee on 16 September 2013.
- Specialist provision for children with social, emotional and behavioural difficulties (SEBD): options and recommendations - report to Children & Young People's Committee on 10 February 2014.

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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