



meeting      CABINET

date            3 May 2006

agenda item number

## REPORT OF THE DEPUTY LEADER AND CABINET MEMBER FOR EDUCATION

### **Curriculum Complaints Procedure : Learning Centres**

#### **Purpose of report**

1. The purpose of this report is to seek Cabinet approval for a complaints procedure for the local authority's centrally managed learning centres (formerly known as pupil referral units). Such a procedure is required for complaints relating to the curriculum.

#### **Information and advice**

##### **Background**

2. The Education Act 1996 places a duty on the local authority, the management committee (where applicable) and the teacher in charge to ensure that each pupil referral unit provides a balance and broadly based curriculum. Pupil referral units do not have to provide a full curriculum, but they have to ensure that the curriculum includes as a minimum: English, mathematics, science, personal social and health education, ICT and career instruction and guidance for pupils over the age of 13.
3. The Education Act also imposes a duty on the local authority to make arrangements for the consideration and disposal of any complaint that the local authority, or the teacher in charge of a pupil referral unit, have acted unreasonably or are proposing to do so in exercising any power or duty in relation to the curriculum. Arrangements for the consideration and disposal of complaints can only at present be made with the approval of the Secretary of State. Although the Office of the Deputy Prime Minister consulted local authorities some time ago on proposals to remove this requirement, to date there has not been any amendment to the relevant statutory provision.
4. Although the local authority has a formal procedure (agreed by Cabinet on 9 April 2003) for dealing with complaints about the curriculum, collective worship and religious education, in relation to maintained

schools in Nottinghamshire, a procedure for complaints about the curriculum is not yet in place for the authority's centrally managed learning centres (formerly known as PRUs). To remedy this omission a proposed procedure is now attached (**Annex 1**) for approval.

## **Statutory and policy implications**

5. This report has been compiled after consideration of implications in respect of finance, equal opportunities, personnel, crime and disorder and those using the service. Where such implications are material, they have been described in the text of the report. Attention is however drawn to the following:-

### **Personnel implications**

6. The proposed curriculum complaints procedure for learning centres provides for the involvement of a local authority designated officer and a complaints panel of three members, drawn from a pool of elected members, in cases where a determination of a complaint is required.

### **Financial implications**

7. There are no specific financial implications arising out of this report.

### **Equal opportunities implications**

8. The proposed procedure for dealing with these complaints is in line with the County Council's commitment to effective customer service. As such, the proposed procedure provides for a transparent, equitable and comprehensive process for dealing with such complaints.

### **Implications for service users**

9. The proposed procedures will be of benefit to service users by providing a clear process in the event of a formal complaint being made.

## **RECOMMENDATION**

10. That:-
  - (1) Cabinet approves the proposed procedure for dealing with complaints about the curriculum at the local authority's learning centres;
  - (2) the approval of the Secretary of State be sought in accordance with the requirements of the Education Act 1996.

### **COUNCILLOR MICHAEL STOREY**

Deputy Leader and Cabinet Member for Education

**Reasons for recommendation**

11. The proposed curriculum complaints procedure is required to comply with statutory requirements.

**Legal Services' comments (LM/20.4.2006)**

12. Cabinet has the delegated authority to approve the recommendations in the report in order to discharge the County Council's functions as Local Authority for the provision of education.

**Director of Resources' financial comments (NDR)**

13. Nil.

**Background papers available for inspection**

None.

**Electoral division(s) affected**

Nottinghamshire.

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