

Decision maker:	Cabinet member children and families
Decision date:	Tuesday, 10 September 2019
Title of report:	Executive response to the review of the pupil referral unit (PRU) referrals
Report by:	Head of Additional Needs, Childrens Wellbeing

Classification

Open

Decision type

Non-key

Wards affected

(All Wards);

Purpose and summary

To approve the executive response to the recommendations from the scrutiny review of the Pupil Referral Unit (PRU) referrals. The review assessed the level of referrals to the PRU in Herefordshire and made eleven recommendations to the executive; these recommendations and proposed responses are set out in appendix 1.

Recommendation(s)

That:

- (a) the response to the children and young people's scrutiny committee's recommendations regarding pupil referral unit (PRU) referrals in Herefordshire, as attached at appendix 1 are approved.**

Alternative options

1. None proposed; it is a statutory requirement to provide a response to recommendations made by the children and young people's scrutiny committee. It is open to the executive

to accept, partially accept or reject a recommendation from scrutiny committee; should a recommendation not be accepted an explanation should be provided.

Key considerations

1. In response to concerns about current higher levels of referrals to the Herefordshire pupil referral unit (PRU) a task and finish review was conducted between November 2018 and January 2019.
2. The level of referrals into the pupil referral units in Herefordshire; current referral levels including recent trends in permanent exclusions (PEX) and referral levels including comparative data nationally and regionally, national and local policy were all considered as part of the review. Reasons for the high levels of referrals and potential actions that could be undertaken to reduce referrals were considered.
3. The group considered legislation, alternative provision, statistics and trends. It also met with a range of individuals including the head teacher of the PRU, former pupils of the PRU and a head teacher of a mainstream school.
4. The children and young people's scrutiny committee met on the 11th March 2019 and approved the report and recommendations from the task and finish group for submission to the executive.
5. The committee was generally supportive of the work of the pupil referral unit (PRU) recognised the need for the referrals and felt that there were robust referral mechanisms in place. However, they made a number of recommendations to assist in improving the work of the PRU. These are contained within appendix 1 along with proposed responses. Of the eleven recommendations, nine were accepted. Two recommendations (H and I) were rejected by the Executive. Details of why these recommendations were rejected is given in Appendix 1.

Community impact

6. In accordance with the adopted code of governance, Herefordshire Council achieves its intended outcomes by providing a mixture of legal, regulatory and practical interventions. Determining, the right mix of these is an important strategic choice to make sure outcomes are achieved. The council needs robust decision-making mechanisms to ensure our outcomes can be achieved in a way that provides the best use of resources whilst still enabling efficient and effective operations and recognises that a culture and structure for scrutiny are key elements for accountable decision making, policy development and review.
7. The Pupil Referral unit (PRU) for children and families in Herefordshire is an important and integral part in the provision of education services for vulnerable children and their families throughout Herefordshire. This enables the council to work with children, young people and their families where this is possible to keep children and young people safe and give them a great start in life; and secure better services, quality of life and value for money.

Equality duty

8. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to -

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services. This is a factual report highlighting recommendations that indicate how the work is to be taken forward and therefore we do not believe that it will have an adverse impact on anyone that shares a protected characteristic or on our ability to deliver our equality duty.

Resource implications

9. The actions to address many of the recommendations were already planned and therefore had funding and staffing identified within existing development plans. The exception to this are:-

Recommendation C(i) – That the executive encourages all schools in Herefordshire to make preparations to identify a designated, qualified mental health (wellbeing) lead and undertakes a survey of schools to assess what progress is being made to appoint to this post. (Additional time for Head of Additional Needs to arrange the survey)

Recommendation E(iv) That the executive works with the New Model in Technology and Engineering (NMiTE) university, and all Higher Education providers in Herefordshire, to identify where opportunities may exist for post 16 PRU leavers and investigate arrangements to facilitate access to such opportunities (Additional work for Senior Post-16 Learning and Skills Adviser)

Recommendation G - That the executive considers the impact of the transition from primary to secondary school on referrals to the PRU and examines models of best practice to share with all schools. (Additional work for the Executive Head of the PRU to carry out the analysis)

The actions associated with these recommendations will require more officer time but it is possible to incorporate these within the work programme with sufficient notice without disrupting other work planned.

Legal implications

10. In accordance with the Scrutiny Rules and specifically paragraph 4.5.44 of Herefordshire Council's constitution, a report containing the recommendations of a scrutiny committee following a review or investigation should be submitted to the chief executive to arrange for consideration by the executive. Under paragraph 4.5.50 (and section 9FE of Schedule 2 of the Localism Act 2000) the scrutiny committee should be notified of the response of the executive and the authority within two months of the receipt of a scrutiny report.

11. The recommendations arising from this task and finish group were sent to the chief executive on 2 April 2019. Due to the local elections which took place on 2 May 2019 and the change of administration at the Council it has not been possible to arrange the production of a response to the scrutiny committee until August 2019.

Risk management

12. There are no risk associated with agreeing the content of this report as the recommendations provide information and indicate how the work is being taken forward.

Consultees

13. None

Appendices

Appendix 1 – Summary of recommendations and executive response to the Review of the pupil referral unit (PRU) referrals

Appendix 2 - Review of the pupil referral unit (PRU) referrals report

Background papers

None identified