Review of Pupil Referral Units and Alternative Curriculum Provision

Consultation Document

For alternative formats please contact: 01622 222735
Kent County Council – Review of AC/PRU Provision – Consultation with Wider Stakeholder Group

1. Introduction

Kent County Council is currently reviewing provision made for young people unable to access mainstream school provision because they are:

- excluded from school – permanently or fixed term or
- hard to place in education.

Local authorities are responsible for arranging suitable education for permanently excluded pupils, and for other pupils who – because of illness or other reasons – would not receive suitable education without such arrangements being made. This review does not consider PRU or Alternative Provision established specifically to meet the needs of children and young people with health related requirements.

It should also be noted that governing bodies of schools are responsible for arranging suitable full-time education from the sixth day of a fixed period exclusion.

Schools may also direct pupils off-site for education, to help improve their behaviour without necessarily excluding them.

KCC is particularly anxious to hear the views of stakeholders who may be involved with young people either as family members or professionally and who will be affected by the changes identified in this consultation paper.

2. Background & Context

I. Following a national review of provision made by Pupil Referral Units (PRU) and by Alternative Curriculum providers (AC) the Department for Education (DfE) published revised regulations. The national review concluded:

- PRU and AC provision is subject to unacceptable variations in quality and outcomes for young people;
- Too few young people leave PRU and AC provision equipped with the necessary skills and qualifications to enter further education, employment or training with any confidence;
- Raising standards will only be achieved by increasing the amount of influence local users, particularly headteachers, have over the direction and management of PRU and AC provision;
- Direct funding of alternative provision by the local authority should be replaced by delegated funding in line with other schools.

II. Subsequent amendments to legislation and published statutory guidance based on these conclusions mean that:
• with effect from April 2013, PRU Management Committees will be, for all intents and purposes, 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 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;

• 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.

III. In addition to these amendments to legislation, the statutory guidance\(^1\) 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

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

• In order to address these conclusions and guidance, KCC initiated a review of their PRUs and AC provision. As part of the review it was necessary to establish how Headteachers wished to achieve the delegation of funding to support any new

\(^1\) 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
delivery structure. There were a number of ways delegation could be achieved and therefore the LA held consultation events with schools to determine which route 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

IV. The process of delegation has been subject to two consultations with secondary headteachers and the Management Committees of PRUs. Significant changes to the amount that existing PRUs receive in their budgets will not occur until April 2014, thus allowing a year for transition; however, by April 2014 all provision will be funded according to the agreed formula based on pupil numbers and deprivation measures.

V. In areas where the option is for full delegation to schools, there is no guarantee that existing provision will continue to be commissioned and 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.

3. Financial Implications

I. Funding for existing provision has developed to its current level over many years, often as a result of specific grants, funding initiatives and in response to local conditions. However, the delegation of funding requires that a recognisable and transparent formula is applied to delegated or devolved funding. This was a clear message from schools throughout the consultation process.

II. Government guidance recommends indicators of deprivation and the number of planned places for a given year should be the key indicators of formula funding to PRUs and AC provision. These two indicators form the bulk of the budget calculation at 40% and 50% respectively. Additional indicators are Children in Care (CiC) and English as an Additional Language (EAL) at 5% each.

III. The funding to be made available to each district (hub) is identified explicitly in Table 1.
Table 1

<table>
<thead>
<tr>
<th>District</th>
<th>Budget at April 2014 £</th>
<th>Current District Budgets £</th>
<th>Cash movement £</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dartford, Gravesham and Swanley</td>
<td>1,908,818</td>
<td>2,184,164</td>
<td>-275346</td>
</tr>
<tr>
<td>West Kent Tunbridge Wells, Tonbridge and Sevenoaks</td>
<td>1,197,436</td>
<td>1,220,797</td>
<td>-23361</td>
</tr>
<tr>
<td>Thanet and Dover</td>
<td>2,417,705</td>
<td>2,390,461</td>
<td>27244</td>
</tr>
<tr>
<td>Maidstone and Malling</td>
<td>1,469,010</td>
<td>1,206,929</td>
<td>262081</td>
</tr>
<tr>
<td>Swale</td>
<td>1,196,262</td>
<td>998,059</td>
<td>198203</td>
</tr>
<tr>
<td>Canterbury</td>
<td>980,646</td>
<td>1,133,472</td>
<td>-152826</td>
</tr>
<tr>
<td>Ashford</td>
<td>909,500</td>
<td>745,515</td>
<td>13985</td>
</tr>
<tr>
<td>Shepway</td>
<td>1,142,123</td>
<td>1,179,643</td>
<td>-37520</td>
</tr>
<tr>
<td></td>
<td>11,221,500</td>
<td>11,059,040</td>
<td></td>
</tr>
</tbody>
</table>

The new funding formula has been the subject of detailed consultation 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.

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. A draft Service Level Agreement has been shared with Headteachers and Management Committees which outlines the LA’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 and regular review periods.
4. Profile and outcomes of Current PRU and AC Provision

I. In 2012-13 there are approximately 454 pupils attending PRU and AC provision, 163 pupils in Key Stage 3 and 292 pupils in Key Stage 4.

II. In 2011-12, the latest published figures, there were 210 Permanent Exclusions in Kent. The latest unpublished figures for this year to date are considerably lower. 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 the same period 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.

III. 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.

IV. The wide variation in needs and circumstances of young people referred for alternative provision requires a different response to the current arrangements. We have to do better. The pupils include those permanently excluded, or in danger of exclusion from school, those from disadvantaged or challenging family backgrounds, persistent absentees and school refusers, young carers, teenage parents or pregnant teenagers, those with SEN or health problems (especially mental health problems), alcohol or drug misusers, children and young people in care, new arrivals without a school place, those with complex social and emotional needs and young people at risk of, or engaging in, offending behaviours. This makes it very challenging for PRU staff to establish and meet the real needs of their various client groups. The model of stand alone PRUs, that are not linked closely to the schools they serve and are not supported by a wide network of other multi-agency services, cannot adequately address such a wide range of needs.

V. 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.

VI. 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.
5. **Proposals emerging from the Review of PRU and AC provision**

The key elements of new PRU and AC provision are:

- A commitment to early intervention

- The alternative provision offer is developed by involving schools, learners and their families in developing the offer; establishing robust referral and commissioning processes, ensuring effective data collection and information exchange, and developing partnership working.

- Linking referral processes with multi agency panels or inclusion forums that provide an overview of a range of local provision and a mechanism for matching that with needs.

- The engagement of schools at all stages of the commissioning and referral process.

- Commissioning directed by schools as part of newly constituted Management Committees

- An alternative curriculum offer that prioritises academic achievement, especially in English and mathematics

- A personalised approach to support

- Personalisation also offered through a variety of vocational pathways

- Ensuring that accreditation is meaningful, relevant and transferable to enable young people to move forward successfully into post-16 provision or employment with training.

- Resources to support pupils also made available through the Kent Integrated Adolescent Support Service (KIASS) and the use of the Common Assessment Framework (CAF)

6. **Agreed Delivery Models for PRU and AC Provision**

I. **Within the Bold Steps for Education priorities reducing exclusions from school is an essential step towards raising attainment for some of the most disadvantaged young people.** The LA has determined a target of no more than 40 permanent exclusions by 2016. It is anticipated that more effective localised management of PRUs and Alternative Curriculum provision will be a significant move towards achieving this target.
II. The responses to the initial consultation on the PRU review were reported to Education Cabinet Committee in November 2012. It was clear from these consultations that there is no single best option for all schools and PRU/AC provisions, but that there are a number of local solutions agreed by schools which will achieve improved outcomes for young people.

III. A second round of more detailed consultations 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. These proposals established the preferred options for 8 localities or hubs, in either a single district or double district. In all areas it was agreed to combine both Key Stage 3 and Key Stage 4 provision and these 8 new delivery hubs are summarised below (Table 2)
<table>
<thead>
<tr>
<th>District and delivery model</th>
<th>Outcome</th>
<th>Management Committee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Thanet &amp; Dover</td>
<td>Delegated funding to Management Committee of combined KS3 &amp; KS4 Lead PRU.</td>
<td>Yes</td>
</tr>
<tr>
<td>Dartford &amp; Gravesham</td>
<td>Delegated funding to Management Committee of combined KS3 &amp; KS4 Lead PRU.</td>
<td>Yes</td>
</tr>
<tr>
<td>West Kent</td>
<td>Retain an off-site provision but will seek Academy sponsorship.</td>
<td>Yes</td>
</tr>
<tr>
<td>Maidstone &amp; Malling</td>
<td>Delegated funding to Management Committee of combined KS3 &amp; KS4 Lead PRU</td>
<td>Yes</td>
</tr>
<tr>
<td>Canterbury (separate from Swale)</td>
<td>Retain off site provision but will seek Academy sponsorship</td>
<td>Yes</td>
</tr>
<tr>
<td>Swale</td>
<td>Funding devolved to schools in the district in order that they may commission their own services/provision</td>
<td>No</td>
</tr>
<tr>
<td>Ashford (separate from Shepway)</td>
<td>Funding devolved to four (non-selective) schools in order that they may commission their own services/provision</td>
<td>No</td>
</tr>
<tr>
<td>Shepway</td>
<td>Funding devolved to schools in order that they may commission their own services/provision</td>
<td>No</td>
</tr>
</tbody>
</table>

**Thanet & Dover**

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

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 site. 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

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

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.

Canterbury & Swale

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

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 high quality vocational offer as well as academic progression opportunities.

Shepway

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, schools will offer a full time, high quality vocational education.
7. **Capital Strategy**

Work is currently in progress to ensure the provision of fit-for-purpose accommodation to support the delivery of new provision is available in all localities. The capital review is considering the current properties in use by the PRUs, in particular whether the property is freehold or leasehold, there is any maintenance backlog and whether the property is listed for future disposal or if the accommodation is fit for purpose. It is anticipated that there will be a reduction in the number of KCC properties used for PRU/AC provisions.

8. **Staffing Implications**

I. The delegation of responsibility for staff to the new Management Committees means a change in line management, but PRU/AC staff will still remain employees of KCC. Consultation on this delegation has taken place with the unions and all PRU/AC staff affected by this technical change.

II. It is certain that in the medium term there will be implications for existing staff of AC/PRUs. Within the eight localities Headteachers and PRU/AC Managers have been asked to produce staffing structures that will be necessary to operate new proposed provision with effect from 2014. As each locality is in a different stage of development there will be a phased restructure in some areas, but minimal change in other areas.

III. A significant number of AC/PRU staff is currently employed on short term, temporary contracts, partly as a result of the uncertainty over future provision and the consequent difficulty of recruiting high quality permanent teaching staff. Therefore it is important to move to the restructuring stage as soon as possible.

IV. Headteachers in the localities have now confirmed their preferred delivery model and the next phase of this review is to work on the details of the programme offer for young people to ensure:

- effective local planning systems and referral systems are in place
- high quality placements are available which will include a full curriculum offer with opportunities to gain meaningful qualifications in English, Maths and Science.
- that new models reduce exclusions, increase re-integration and improve outcomes for young people
- that provision is flexible and responsive to the needs of young people, and provides robust early intervention with strong reintegration processes
- the offer provides high quality progression in learning and curriculum pathways to age 18 for all young people in the district
## 9. Key dates and actions

<table>
<thead>
<tr>
<th>Action</th>
<th>Outcome</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Transitional funding arrangement agreed for 13/14</td>
<td>Based on historical budgets</td>
<td>20.12.12</td>
</tr>
<tr>
<td>Training in place to support delegation of budget and staffing to Management Committees</td>
<td>Support MCs in their increased role</td>
<td>01.01.13</td>
</tr>
<tr>
<td>Consultation with staff over new staff structure for PRU and AC Provision</td>
<td>New staff structures being developed</td>
<td>Subject to proposals within hubs</td>
</tr>
<tr>
<td>Devolved model funding formula developed</td>
<td>New indicative formula budgets available for 14/15</td>
<td>14.02.13</td>
</tr>
<tr>
<td>Review structure of PRU staffing</td>
<td>Initial Staffing structures proposals completed</td>
<td>01.03.13</td>
</tr>
<tr>
<td>Agree 8 new hubs</td>
<td>Education Cabinet Committee support for Cabinet Member approval to proceed.</td>
<td>19.03.13</td>
</tr>
<tr>
<td>Wider Stakeholder consultation from the end of March to end May</td>
<td>Approval to proceed to wider stakeholder consultation on the establishment of 8 New hubs</td>
<td>19.03.13</td>
</tr>
<tr>
<td>Report back to Committee</td>
<td>Outcome of consultations and final district proposals</td>
<td>July 2013</td>
</tr>
</tbody>
</table>
10. KCC is committed to seeking and understanding the views of those whose lives, both personal and professional, will be affected by the outcome of this review and would appreciate the expression of those views, with particular regard to the following questions:

A. The PRU Review is right to focus on improving academic outcomes for young people, by ensuring that all have the opportunity to study at least five GCSE subjects including English and Maths. Do you Agree/ Disagree?

B. It is essential that young people in alternative provision should experience high quality teaching. Do you Agree/Disagree?

C. Increased local management of PRU and alternative provision will lead to improved standards of learning and attainment. Do you Agree/Disagree?

D. Schools and other agencies should intervene at an earlier time in order to support vulnerable young people who may become hard to place in education or at risk of permanent exclusion. Do you Agree/Disagree?

E. Young people in alternative education should have the opportunity to undertake vocational learning. Do you Agree/ Disagree?

To respond to this consultation, please go to www.kent.gov.uk/PRU to access the online response form. If you would prefer a paper feedback form, please call 01622 222735 and we will send you one.

Responses should be submitted by 17 June 2013.