

10<sup>th</sup> April 2013

**Name of Cabinet Member:**

Cabinet Member (Education) - Councillor Kershaw

**Director approving the report:**

Director of Children, Learning and Young People

**Ward(s) affected:**

All

**Title:**

Closure of Chace Extended Learning Centre (Pupil Referral Unit)

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**Is this a key decision?**

No

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**Executive summary:**

In May 2012 Ofsted judged Chace Extended Learning Centre (ELC) to require Special Measures, and the DfE expectation was that Chace would become a sponsored Academy. An alternative option was identified, which was closure of Chace on 31<sup>st</sup> August 2013 and devolution of the responsibility and resource for this Key Stage 4 (KS4) alternative provision to the two school/Academy managed Area Behaviour Partnerships. The Area Behaviour Partnerships represent all secondary schools/academies in the City and make provision for all Coventry's young people 11-19. This alternative option is the preference of the secondary Headteachers, the Management Committee (effectively the Governing Body) and the City Council. The management committee approved a resolution to close the Chace on 8<sup>th</sup> November 2012. The DfE has confirmed that it will not oppose this.

**Recommendations:**

The Cabinet Member is recommended to:

- 1) That, as part of the strategy to devolve responsibility and resource for KS4 alternative provision to the Area Behaviour Partnerships, the Cabinet Member approves the plan to proceed to statutory consultation on the closure of Chace Extended Learning Centre
- 2) That the Cabinet Member approves the proposed timetable for consultation (including consultation with the staff and the trade unions).

**List of Appendices included:**

None

**Other useful background papers:**

None

**Has it or will it be considered by scrutiny?**

Yes

**Has it, or will it be considered by any other council committee, advisory panel or other body?**

No

**Will this report go to Council?**

No

**Report title:**  
**Chace Extended Learning Centre**

**1. Context (or background)**

Chace Extended Learning Centre (ELC) is a Key Stage 4 Pupil Referral Unit providing education for up to 40 Key Stage 4 students who have been permanently excluded from school or are at risk of permanent exclusion.

Chace ELC was inspected by Ofsted in May 2012 and found to require Special Measures. The Council had concerns regarding the effectiveness of the provision prior to the inspection and had already established a planning and monitoring group to provide enhanced support and challenge to the centre's leadership. Since then that group has become the Chace Sub-Committee of the ELC Management Committee.

Following receipt of the Ofsted inspection report a Raising Achievement Plan (RAP) was put in place, setting out the measures that would be taken to bring about the required rapid improvement. This was approved by Ofsted in September 2012.

On 5<sup>th</sup> October 2012 a representative of the Department for Education (DfE) met with officers and the Headteacher of Chace and made clear the DfE's expectation that, given the inspection outcome, Chace should become a sponsored Academy. The DfE asked that the Management Committee consider whether it was willing to work with the DfE on moving forward in this way, and this was considered at the single agenda item meeting of the Management Committee on 8<sup>th</sup> November 2012.

**2. Options considered and recommended proposal**

Two options have been considered:

1. To work with the DfE on the academisation of Chace, assuming sponsors can be identified.
2. To close Chace and for responsibility for the provision of most of the KS4 alternative provision to be devolved to the East and West Area Behaviour Partnerships (ABPs) of schools and academies<sup>1</sup>.

Consultation with both secondary Headteacher representatives in October and the Management Committee on 8<sup>th</sup> November, indicated a preference for the second option. The DfE has indicated that it will not oppose implementation of this second option. It is therefore recommended that:

- 1) *As part of the strategy to devolve responsibility and resource for this KS4 alternative provision to the Area Behaviour Partnerships, the Cabinet Member approves the plan to proceed to statutory consultation on the closure of Chace Extended Learning Centre;*
- 2) *The Cabinet Member approves the proposed timetable for consultation and closure of Chace ELC.*

**3. Results of consultation undertaken**

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<sup>1</sup> The only elements of the KS4 alternative provision that the ABPs would not have responsibility for would be Individual Programmes (individualised programmes for the most challenging and difficult-to-reach young people) and the education keyworkers (who monitor both the engagement/progress of the young people and the quality of provision across all KS4 provision).

Consultation with secondary Headteachers in the first half of the Autumn term indicated that the option of closure of Chace and devolved responsibility for most of the KS4 alternative provision to the ABPs was overwhelmingly their preferred option. The ABPs are likely to want to make use of the existing site for reconfigured alternative provision in the 2013/14 school year.

If this proposal is approved a period of formal statutory consultation involving all stakeholder groups would need to take place under the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007.

#### **4. Timetable for implementing this decision**

On approval of the recommendations, public consultation will begin in April 2013 for a period of six weeks. The public consultation will include consultation with parents and carers, students, governors, staff and any other interested parties. If the response is positive, and if formal City Council approval is given, then Statutory Notices will be published in June 2013. The final decision on the proposal will be taken by Cabinet in August when the Statutory Notice period is ended.

If Cabinet approves the proposal then the change of designation would be implemented by 31<sup>st</sup> August 2013. This would enable the new ABP led arrangements to be implemented on 1<sup>st</sup> September 2013.

Briefing and consultation with support and teaching staff regarding changes in staffing arrangements will take place. Following a meeting of the Management Committee there would be meetings with Trades Unions and then with Staff at the start of, and during, a 30 day consultation. After completion of the consultation further meetings would be held with the Management Committee, the Staff and the Trades Unions regarding the planned way forward.

#### **5. Comments from Director of Finance and Legal Services**

##### **5.1 Financial implications**

The running of Chace ELC costs approximately £600K per annum, and is funded from the Dedicated Schools Grant (DSG) and payments from schools/academies as set out in the city-wide partnership agreement. It is anticipated that the same level of DSG funding will be earmarked for the new KS4 alternative provision. Any difference in funding requirement will be attributable to the DSG, and subject to discussion with relevant stakeholder groups (e.g. Schools Forum, Secondary Headteachers).

##### **5.2 Legal implications**

The closure of Chace ELC will require the publication of a statutory notice under Section 19(1) of the Education and Inspection Act 2006. The consultation and determination arrangements will meet the requirements of The Education and Inspection Act 2006 and The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended). Failure to comply with these statutory requirements would leave the Local Authority unable to implement the proposal as required and subject to action by DfE.

The public sector equality duty under section 149 of the Equalities Act 2010 imposes on decision makers when carrying out any of its functions, the requirement to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations across all of the protected characteristics (which as relates to education are

disabilities, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation). "Due regard" requires more than just an awareness of the equality duty. It requires demonstration of a rigorous analysis by the public authority decision maker.

## **6. Other implications**

### **6.1 How will this contribute to achievement of the council's key objectives / corporate priorities (corporate plan/scorecard) / organisational blueprint / LAA (or Coventry SCS)?**

This proposal is based on a commitment to ensure that the alternative provision for vulnerable young people is available equitably across the City. This will assist the City Council in achieving its aim of ensuring that children and young people are safe, achieve and make a positive contribution.

### **6.2 How is risk being managed?**

With the reconfiguration of the KS4 alternative provision there is a risk that some of the current Chace staff will not have a role in the educational provision for the 2013/14 school year or beyond. This would require the close involvement and consultation with both HR and Trade Union officers.

### **6.3 What is the impact on the organisation?**

The issues impacting on the City Council have been outlined in the previous section. There may well be some further impact in terms of the use of the building which in the longer term could be of wider value to other services in the City Council.

### **6.4 Equalities / EIA**

Chace ELC caters for Key Stage 4 pupils who have been permanently excluded or are at risk of permanent exclusion from schools/academies. A full EIA will be carried out and published in April once the detailed operational plans for the 2013/14 academic year, which should lead to improved educational outcomes, are confirmed.

### **6.5 Implications for (or impact on) the environment**

None.

### **6.6 Implications for partner organisations?**

No implications for the 2013/14 academic year.

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