



Report of the Chief Executive of Education Leeds

Member Management Committee

Date: 8 October 2008

Subject: Local Authority Appointment To The Pupil Referral Unit Management committee.

Electoral Wards Affected:

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

1.0 PURPOSE OF REPORT

- 1.1 To agree a nomination for a position on the city wide Pupil Referral Units (PRU) Management Committee.

2.0 BACKGROUND INFORMATION

- 2.1 Under section 19 of the Education Act 1996, local authorities have a duty to provide suitable education for children of compulsory school age who, because of illness or exclusion from school for example, will not receive a suitable education without these arrangements. This is a vulnerable group of pupils.
- 2.2 Suitable education is defined as "efficient education suitable to the age, ability, aptitude and to any special educational needs" a child may have. Local authorities must decide what constitutes suitable education for a particular child in consultation with parents, and having regard to DCFS guidance and the efficient use of resources.
- 2.3 A PRU is a school established and maintained by the local authority to provide suitable education for children who, by reason of illness, exclusion or otherwise, may not receive such education.
- 2.4 The Education (Pupil Referral Units) (Management Committees etc.) (England) Regulations 2007 gave a statutory duty to authorities to establish a management committee for each unit maintained by them, by 1st February 2008. Part 2 (Regulation 4) of the Regulations allows an authority to establish a committee to act as the management committee of two or more units maintained by them.
- 2.5 Management committees have joint statutory responsibility in the exercise of some functions, eg in deciding the curriculum to offer and in deciding the times of school sessions. In relation to exclusion, for example, they have similar roles to school governing bodies in terms of confirming/rejecting these exclusions.

2.6 Leeds currently has five PRUs which address the needs of children and young people from primary school age to KS4. These are the responsibility of one management committee.

3.0 MAIN ISSUES

3.1 The outgoing committee proposed a constitution of 10 members in the first instance as the DCSF guidance strongly recommended that it should not exceed 12 members though it could legally be as large as 20 members. This was on the basis that the committee could subsequently review its membership and seek a variation to the constitution if required.

3.2 The legal requirements for the constitution are that local authority members hold at least one place but no more than one third, community members must exceed all other members by one or more. The other categories are staff members and parents.

3.2 The DCSF guidance to officers states that 'local authority members are appointed by the local authority. Local authorities can appoint any eligible person as a local authority members. Local authorities are advised to appoint candidates irrespective of any political affiliation or preferences who are committed to assist in the effective running of the PRU.'

3.3 The guidance states the requirements of community members. 'Community members are appointed to represent community interests. Community members should be persons who are committed to the good governance and success of the PRU and who live or work in the community served by the PRU. Community members can be drawn from, for example, local schools, social services, educational charities, local colleges of further education and alternative training providers.

3.4 The following organisations were asked to nominate community members for the Leeds PRU management committee: one high school and one primary school representative from the Area Management Boards, the headteacher responsible for Looked After Children and one representative from each of, CYPSC, CAHMs and Leeds Community Safety.

3.5 The Appointments to Outside Bodies Procedure Rules state that where a request to make an appointment is received then determination of this will be based on one or more of the following criteria being met:

- the proposed appointment is a statutory requirement;
- the proposed appointment would be consistent with the Council's policy or strategic objectives; and/or
- the proposed appointment would add value to the Council's activities.

3.4 Where an organisation is deemed to have met one or more of these criteria, Members are requested to allocate it to one of the following categories:

- Strategic and Key Partnerships – participation contributes to the Council's strategic objectives and community leadership role
- Community and Local Engagement – not necessary to fulfil strategic or key partnership role but, nonetheless, beneficial in terms of leading, engaging and supporting the community from an area or ward perspective.

3.5 The appointing body for Strategic and Key Partnerships is the Member Management Committee. The appointing body for Community and Local Engagement is the appropriate Area Committee.

3.6 Members are asked to consider whether an appointment should be made to this body and to agree that an appointment would fall into the Strategic and Key category.

4.0 IMPLICATIONS FOR COUNCIL POLICY AND GOVERNANCE

4.1 The member appointment referred to in 3.1 to 3.6 are in accordance with the Council's Constitution and as detailed in the Appointments to Outside Body Procedure Rules. Members will also be advised of the need to update their entry in the Members register of interests.

5.0 LEGAL AND RESOURCE IMPLICATIONS

5.1 There are no specific legal or resource implications in relation to this appointment.

6.0 RECOMMENDATION

6.1 Members are asked to nominate a representative to the PRU Management committee.

6.2 Members are asked to note that the PRU Management committee will be asked to consider extending its membership to allow two local authority members.

BACKGROUND PAPERS

Appointment To Outside Bodies Procedure Rules