

**CABINET – 18 MARCH 2025****PROPOSED EXPANSION OF AGE RANGE DESIGNATION FOR  
OAKFIELD SHORT STAY SCHOOL****REPORT OF THE DIRECTOR OF CHILDREN AND FAMILY  
SERVICES****PART A****Purpose of the Report**

1. The purpose of this report is to seek agreement for the undertaking of consultation on an age range change for Oakfield School and, subject to the consultation responses, to authorise the Director of Children and Family Services to approve the age range change.

**Recommendations**

2. The Cabinet is recommended to:
  - a) Agree to consultation on an age range change for Oakfield School to become a 4-16 provision;
  - b) Approve delegation to the Director of Children and Family Services to approve the age range change following the consultation.

**Reasons for Recommendation**

3. The Local Authority has a statutory duty to provide suitable full-time education to permanently excluded pupils from the sixth day of exclusion under Section 19 of the Education Act 1996.
4. Children unable to attend a mainstream school, for which the Council has responsibility, must be on roll at a registered school. An age-range change would enable secondary aged children to be enrolled at Oakfield School to receive their education.
5. There would be no changes to the existing primary age provision, which will remain distinct. Secondary age pupils would not be taught on the same site as the existing primary age provision.
6. Subject to the outcome of the consultation, authorisation for the Director of Children and Family Services to approve the age range change will enable it

to be made swiftly and will ensure that the Council can fulfil its statutory duty, plan the educational provision and provide certainty to staff.

### **Timetable for Decisions (including Scrutiny)**

7. There is no prescribed alteration process in relation to changing the age-range for a Pupil Referral Unit and therefore no requirement to consult. However, pupils, parents and stakeholders have a legitimate expectation that decisions affecting them would be subject to consultation. It is proposed to follow the same approach as would be required when making changes to a maintained school.
8. If approved, a six week consultation would take place from 19 March until 30 April; this would include four weeks during term time. Following the conclusion of the consultation the responses will be considered by the Director of Children and Family Services, and a decision made accordingly. Members will be informed of the proposal and will be given the opportunity to make any comments as part of the consultation process.

### **Policy Framework and Previous Decisions**

9. In July 2013, the Cabinet agreed to a consultation on the future of Oakfield School and following this, it was resolved in November 2013 to devolve the Key Stage 3 Pupil Referral Unit provision and funding to secondary behaviour partnerships and maintain a primary Pupil Referral Unit at Oakfield.

### **Resource Implications**

10. This change would enable the Council to continue to meet its statutory duty to provide education for children unable to attend a mainstream school and for them to have a registered school place.
11. Funding would no longer be devolved to Secondary Education Inclusion Partnerships and will instead be used to facilitate the provision of education by the Council through a variety of commissioned services, including at Oakfield School as required.
12. Staff and accommodation from the Secondary Education and Inclusion Partnerships will transfer to the Council under the Transfer of Undertakings (Protection of Employment) Regulations (TUPE).
13. The Director of Corporate Resources and the Director of Law and Governance have been consulted on the content of the report.

### **Circulation under the Local Issues Alert Procedure**

14. The report will be circulated to all members.

### **Officer(s) to Contact**

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## **PART B**

### **Background**

15. Section 19 of the Education Act 1996 requires local authorities to make suitable educational provision for children and young people who cannot access mainstream education.
16. Pupil Referral Units (PRUs) offer a mechanism for local authorities to make such provision for vulnerable children and young people, and those with challenging behaviour, which prevents them accessing education. PRUs are inspected by Ofsted, governed through Management Committees and have a delegated budget. There is provision for PRUs to convert to academy status, in which case they are designated as Alternative Provision.
17. Oakfield School was established as the Leicestershire PRU for all pupils of statutory school age (5-16) in April 2011. A series of adverse Ofsted inspections, particularly in relation to the secondary provision, led to a review of the arrangements for this provision and the age range was changed solely to children of primary age (ages 5-11).
18. In 2013, following consultation, Oakfield was registered as a primary only PRU and responsibility for 11-16 alternative provision was devolved to behaviour partnerships to enable concerns over the quality of provision at Oakfield to be addressed. This arrangement has been in operation since then.
19. The primary PRU at Oakfield has been judged as 'Good' when inspected by Ofsted in 2014, 2017 and 2023.

### **Secondary Education and Inclusion Partnerships (SEIPs)**

20. Secondary Education and Inclusion Partnerships were established across Leicestershire in 2010 in five areas: South Leicestershire, Hinckley and Bosworth, North West Leicestershire, Charnwood and Melton. The partnerships agreed to share the responsibility for children and young people who, as a result of challenging behaviour, were unable to maintain their places in mainstream settings. In all five partnerships the emphasis has focused on developing a graduated response to children and young people with challenging behaviour, and an agreed approach that children would benefit from a managed move from one school to another, access support services, and attend alternative provision.
21. Funding for the SEIPs is devolved from the local authority to the partnerships to fund the provision and support.
22. Since 2013, secondary age children in Leicestershire who are at risk of exclusion, or who have been permanently excluded, have been provided education through the Secondary Education Inclusion Partnerships, funded through the High Needs Block (HNB) of the Dedicated Schools Grant (DSG).

23. Over the last three years, the levels of demand across the SEIPs has led to a need to review the model for secondary aged pupils across Leicestershire. The Secondary Education Inclusion Partnerships have given notice to Leicestershire County Council that, with effect from the Autumn Term 2025, they no longer wish to continue providing this service and the Council will need to execute the duty directly.

### **The Proposed Model**

24. In order to continue to support secondary pupils at risk of exclusion and deliver alternative provision for those pupils not able to attend mainstream school, it is proposed a new centrally co-ordinated model is developed. The model will build on and maintain the strong, locality based work previously led through the SEIPs. The revised model will offer a tiered approach of support to schools through:-
- Inclusion Forums
  - In reach and outreach
  - Key Stage 3 'reset' programmes
  - Part-time and full-time off-site provision.
  - The progress of all children and young people in the provisions will be reviewed regularly with a return to mainstream education being the goal where achievable.
25. Progressing the age range change at Oakfield up to 16 years will enable the current provision delivered by partnerships to function as satellites of the registered school (Oakfield) provision. There will be some children, such as those who have been permanently excluded from a school, who may not be on the roll of a school and the local authority has a duty to ensure these children have access to education. Where a mainstream school is unable to meet the needs of children, more suitable provision may be available in an alternative provision, which may be able to offer vocational or therapeutic education. These children would come on to the roll of Oakfield and be supported to attend the alternative provision to meet their needs.
26. There will be one Executive Head who will lead the SEIPs. This role will also be the Executive Headteacher of Oakfield Short-Stay School.

### **Equality Implications**

27. An Equality Impact Assessment will be undertaken following the results of the consultation.

### **Human Rights Implications**

28. There are no human rights implications arising from the recommendations in this report.

### **Other Implications and Impact Assessments**

29. There are no other implications and impact assessments identified to consider in this report.

### **Background Papers**

Department for Education Guidance – March 2025 – Making Significant Changes ('Prescribed Alterations') to Maintained Schools - [making changes to a maintained school](#).