

SCHOOLS FORUM

Results of the Consultation on the Future of Oakfield School

26 November 2013

| Content Applicable to; | | School Phase; | |
|--|---|----------------------|---|
| Maintained Primary and Secondary Schools | ✓ | Pre School | |
| Academies | ✓ | Foundation Stage | ✓ |
| PVI Settings | | Primary | ✓ |
| Special Schools / Academies | ✓ | Secondary | ✓ |
| Local Authority | ✓ | Post 16 | |
| | | High Needs | ✓ |

Purpose of Report

| Content Requires; | | By; | |
|--------------------------|---|-------------------------------------|---|
| Noting | ✓ | Maintained Primary School Members | ✓ |
| Decision | | Maintained Secondary School Members | ✓ |
| | | Maintained Special School Members | ✓ |
| | | Academy Members | ✓ |
| | | All Schools Forum | ✓ |

1. This report presents the results of a consultation undertaken by the Local Authority concerning the future of Oakfield School.

Recommendation

2. Schools Forum is recommended to note the report and comment on the proposed ways forward.
3. Paragraph 30 of the attached report sets out the recommendations for the future of Oakfield School as follows:
 - a) To devolve Key Stage 3 PRU provision and funding to secondary behaviour partnerships and to authorise the Director and Lead Member of Children and Young People's Services to begin discussions with the

partnerships to agree suitable terms for the transfer;

- b) To maintain a primary PRU at Oakfield and re-register the provision as primary age only (5-11yrs), if an agreement can be reached with secondary behaviour partnerships as referred to in (a) above;
- c) Consider whether there is a better site in Leicestershire for the primary provision as a stand alone facility;
- d) To continue to develop local strategic plans with primary school groupings to offer a local devolved alternative in the medium term.

Introduction

- 4. The Local Authority has a duty to provide education “otherwise than at school” for children and young people who cannot attend school, by reason of behaviour, illness, or any other reason (Education Act 1996 Section 19).
- 5. Like many other Local Authorities, Leicestershire makes provision for young people with behaviour difficulties in a Pupil Referral Unit. Oakfield provides for children 5-14yrs, and has a current capacity of 51 pupils. Pupil Referral Units are typically smaller than schools, managed by a management committee rather than a board of governors, and offer a more flexible, less formal educational experience than schools.

Background

- 6. The incoming coalition government commissioned a review of PRU and Alternative Provision against a background of national concern about the quality of provision available for these vulnerable children and young people. The Taylor report was published in March 2012 and called for greater independence from Local Authorities for PRUs, and for schools to take on the role of commissioning such provision.
- 7. Locally in Leicestershire, Behaviour Partnerships have been developing an increasing role in the planning and delivery of provision for vulnerable young people. Key Stage 4 provision has been devolved to them. Behaviour Partnerships are groups of secondary schools agreeing to co-operate in providing for vulnerable children. Partnerships have reduced permanent exclusions from 120 to less than 20 per year, over four years.
- 8. Oakfield was judged to require special measures by Ofsted in May 2012. It has struggled to recruit and retain staff, and received a report of inadequate progress in the summer term 2013, on an Ofsted monitoring visit.

Resource Implications

- 9. The Department for Education Funding Reform requires PRUs to be funded at £8,000 per commissioned place with ‘top-up’ funding paid only for the places

that are occupied (previously PRUs received funding for the places available rather than occupied). A single place in the PRU is likely to cost in the region of £30,000 for a year. Members of the Schools Forum have expressed concern that schools will be unwilling or unable to meet these costs and that the cost of provision at Oakfield is generally too expensive. The Schools Forum agreed to maintain 2012/13 funding levels for Oakfield in 2013/14 and retain the current commissioning arrangements, whereby places are fully funded by the Authority. The Schools Forum raised concerns about whether this was sustainable in the medium term. For 2013/14 Oakfield has a net budget of £1.56m and has 51 places available. It also draws down funding from schools for dual registered pupils which increases its budget and therefore overall cost of placement. A clearer future for the provision will allow the necessary development of funding and commissioning arrangements.

10. Oakfield School is funded through the ring fenced Dedicated Schools Grant (DSG). The allocation of increased resources over and above the formula allocation for Oakfield School is not a sustainable option.
11. It will be necessary to disaggregate the current Oakfield budget to establish budgets for the differential solutions for primary and secondary schools to a Key Stage 1 and 2 provision and that required for Key Stage 3. It is estimated that the cost of retaining the Key Stage 1 and 2 PRU with the current Oakfield overheads will be in the region of £850k., Some or all of the remaining budget of £710k could then become available to devolve to behaviour partnerships for the Key Stage 3 work.
12. It will be necessary to establish the funding and commissioning arrangements required under school funding reform for any new model of provision. Schools may become responsible for commissioning some or all places; however, schools would have the freedom to commission places from providers other than the redesigned PRU.
13. A local authority has some element of financial control over the costs at a maintained provision., This is not the case with an academy which would be responsible for setting the charge for places and the commissioner may then face a situation where costs increase. It will therefore be necessary to ensure that any provision is cost effective and affordable to the commissioner.
14. Consideration will also need to be given to the appropriateness of the current site for a 5-11 provision and also to the impact of the changes to the current staff establishment.

Equal Opportunity Issues

15. Vulnerable young people needing alternative provision are at risk of education failure. The review of Oakfield is aimed at improving the provision made for these young people.

Background Papers

Details of the consultation can be found at:

http://www.leics.gov.uk/index/education/going_to_school/la/edu_consultations/oakfield_consultation.htm

A report to the Children and Families Overview and Scrutiny Committee 11 November 2013 is attached

Officer to Contact

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Tel 0116 305 6767

**CHILDREN AND FAMILIES OVERVIEW AND SCRUTINY
COMMITTEE**

11 NOVEMBER 2013

**REPORT OF THE DIRECTOR OF CHILDREN AND YOUNG
PEOPLE'S SERVICE**

**RESULTS OF THE CONSULTATION ON THE FUTURE OF
OAKFIELD SCHOOL**

Purpose of Report

1. The purpose of this report is to set out the results of the consultation on the future of Oakfield School and to ask the Overview and Scrutiny Committee to comment on the proposed recommendations which will be presented to the Cabinet for consideration on 20 November 2013.

Policy Framework and Previous Decision(s)

2. The Cabinet on 20 December 2011 authorised the Director of Children and Young People's Services (CYPS) to consult on changes to services, including a 10% reduction in behaviour support services provided by the Local Authority for schools.
3. On 12 June 2012 the Cabinet agreed the report of the Scrutiny Review Panel on Special Educational Needs.
4. On 8 May 2012 the Cabinet agreed the future direction of CYPS including a service restructure and the future role of behaviour partnerships.
5. The Schools Forum on 20 February 2013 agreed transitional funding to Oakfield School as a result of School Funding Reform when considering the 2013/14 Schools Budget.
6. The Cabinet on 6 October 2012 agreed the 2013/14 School Funding Formula and this reflected the wish expressed by schools through the Schools Forum, that funding for behaviour support be delegated to schools.
7. On 9 July 2013 the Cabinet agreed to consult on the future of Oakfield School.

Background

8. Oakfield School is formally registered as a Pupil Referral Unit (PRU) for Key Stages 1, 2 and 3¹ with a remit to educate children who cannot attend mainstream schools because of behavioural issues. A series of local and national developments have opened up the potential to develop further the way in which the current provision in Leicestershire is organised for these children and young people. The three key drivers of change concern national policy, quality of provision and financial sustainability.
9. Nationally the Taylor review of PRUs and Alternative Provision which was published in March 2012 by the Department for Education, set an agenda for improvement in the sector including more autonomy for PRUs and a long term expectation that schools will take control of the commissioning of Alternative Provision.
10. Alternative Provision is the term used to describe educational packages that include time out of school on planned activities that are carefully tailored to an individual young person's skills and interests. They include a wide range of activities and involve a wide range of providers from small private organisations to larger Further Education Colleges. When planned and supported well, these activities help young people who have become disillusioned and demotivated with the standard school curriculum to re-engage with learning, enjoy success and achieve accredited outcomes. The Taylor review recognised the importance of this kind of provision in helping young people with behaviour difficulties to re-kindle their enthusiasm for education. It argued that schools should become the main commissioners of this kind of provision in the future, rather than Local Authorities, to promote local flexibility and innovation.
11. Leicestershire has a tradition of innovation and success in this area. Local Behaviour Partnerships have been developing their work across all Leicestershire secondary schools and academies since 2005. Led by Headteachers, there are five Behaviour Partnerships around the county (South Leicestershire, Hinckley and Bosworth, North West Leicestershire, Charnwood and Melton) and these include all secondary schools and academies in the Leicestershire . An initial brief around agreeing priority cases for additional support and PRU placement has been extended to include managing a key stage 4 devolved Alternative Programme commissioning budget. In September 2013 the role of these partnerships was further extended when central behaviour support services for Key Stages 1-3 closed and the responsibilities of these services transferred to the partnerships.
12. Oakfield School was judged by Ofsted to require special measures in May 2012. Considerable resources have been deployed by the Local Authority to support the improvement plan, including enhanced senior management

¹ Key Stage 1: 5-7 years, Key Stage 2: 7-11 years, Key Stage 3: 11-14 years, Key Stage 4: 14-16 years.

capacity, a new management committee and additional resources to enhance staffing. Inspectors returned to review progress in November 2012 and again in February 2013. On both occasions, progress was judged to be “reasonable”. A further review during the summer term of 2013 concluded that progress is inadequate.

13. New funding arrangements for PRUs were introduced nationally from April 2013. These established a system whereby local authorities fund places, at cost of £8,000 per place, with top up funding being provided by the commissioner of that place. Occupancy rates at PRUs tend to be lower in the autumn and rise as pupils are excluded from schools during the school year. This increases the cost when calculated per occupied place. For pupils permanently excluded, the commissioner is the local authority. For students on fixed term exclusions, schools commission provision if the exclusion lasts for more than five days. The new funding arrangements envisage that schools will become the commissioner where children are dual registered, with both the PRU and a mainstream school. Leicestershire did not move to fully implement this arrangement in 2013 because of the need to review the current provision and therefore, with the agreement of the Schools Forum, the Authority has retained top up funding for all places. The cost of Oakfield is such that top up rates are high and schools may look for alternative ways of meeting needs at lower costs. The potential loss of pupils could impact the ongoing financial stability of Oakfield School, if places remain unoccupied.
14. Local authorities are being advised by the Department of Education to consider a sponsored academy arrangement for underperforming schools and PRU’s. The DfE will have rising expectations of the local authority to consider this option as a result of continuing underperformance. However, the last Ofsted monitoring report (June 2013) noted that the progress being made by primary pupils had accelerated since the previous visit and the proportion of good teaching was increasing, while pupils at Key Stage 3 were not making enough progress. A primary-only provision would therefore be likely to attract a much more positive assessment from Ofsted. Commissioners could be subject to the risk of increasing costs from what would be a sole provider of provision for excluded children and there would be no incentive on the provider to reduce permanent exclusions.

Proposals/Options

15. The following options were presented for consultation:

Option 1

Close all PRU provision and devolve resources to behaviour partnerships.

This option would enable secondary schools to make more flexible local provision for young people who have been excluded or who may be at risk of permanent exclusion. However, primary pupils are educated full time at the PRU and Primary Behaviour Partnerships are not as well developed as the secondary groupings, although they are keen to innovate.

Option 2

Seek an academy sponsor for the whole of the PRU.

This option would deliver the DfE expectation that schools in difficulty are provided with a sponsor. However, it would negate the successful work of the Behaviour Partnerships at secondary level, and miss an opportunity to extend their work.

Option 3

Close and devolve to schools key stage 3 PRU provision, and seek academy sponsors for primary provision only.

This option would allow separate development paths for primary and secondary provision, and could potentially provide additional capacity to support improvement work in the Primary PRU. However, this option could leave the primary provision with higher fixed costs because it occupies a site designed for a larger group of young people.

Option 4

Devolve the costs of and responsibility for key stage 3 provision to Behaviour Partnerships, and look for locality-based solutions for key stage 1 and key stage 2, in the medium term.

This option takes account of the different paces of development of partnership working at primary and secondary. However, it does not provide a quick solution for primary provision.

Consultation Process

16. A 14 week consultation took place to consider future arrangements for PRU provision in Leicestershire, commencing on Friday 12 July and closing on Friday 18 October. This ensured that six weeks of the consultation period fell during the autumn term. The following issues were addressed:
- (a) Has the merger of primary and secondary provision in September 2011 been successful?
 - (b) Should there be different futures for primary and secondary provision?
 - (c) Can secondary behaviour partnerships take over the functions of the secondary PRU provision?
 - (d) Would an academy sponsor speed the improvement of the provision?
 - (e) What is the relationship with the work of the Leicestershire Educational Excellence Partnership (LEEP)?
 - (f) What is the most cost effective option that secures the right outcomes of children and young people?

17. A web page containing consultation material² went live from Friday 14th July. The web page included a link to the Cabinet report, a downloadable “Have your say” document and an online survey. Both documents posed the questions set out in the Cabinet report and above, with supporting background information. The web page also included a draft detailed options appraisal and a draft Equality Impact Assessment.
18. Staff at Oakfield were briefed about the contents of the Cabinet report when the papers were published on Monday 1st July. All schools were contacted via the Education Information System in early September alerting them to the web page and the consultation. More detail was provided for all Primary Heads at briefings during the week of 30th September to 4th October and for Special Heads at a meeting of the group on 6th September. Secondary Heads were also consulted via the chairs of the five behaviour partnerships around the county on Friday 27th September.
19. Parents and staff were invited to further meetings on 27th September at Oakfield. The date was chosen to coincide with a fund raising coffee morning to which parents had been invited. Two separate meetings were held, one for parents and a second for staff.

Consultation Responses - Summary

20. The following conclusions can be drawn from the detailed information presented in Appendix A:
 - a) There was generally a low level of response to this consultation on line with only 17 responses being received. More primary parents responded and nearly all staff attended the consultation meeting.
 - b) Families of children attending Oakfield highly value the primary provision and the sense of acceptance of them and their children. They balance the time taken on taxi journeys across the county with the expertise and robustness available to support them and their children.
 - c) The merger of primary and secondary provision has not been successful.
 - d) Secondary behaviour partnerships are ready to take a lead on secondary provision.
 - e) Overall, bringing children together in special classes works well at primary level, while a more individualised programme approach works best for secondary pupils.
 - f) Primary partnership working is not sufficiently advanced to consider a devolved solution in the primary phase, but there is a strong commitment amongst primary heads to developing this area of provision. Any academy sponsor would need to make a commitment to working collaboratively with schools, but this could prove difficult to enforce.
 - g) There were mixed views about the value of a primary academy sponsor. A sponsor would need to show that it had specific expertise in

² http://website/index/education/going_to_school/la/edu_consultations/oakfield_consultation.htm

this area of provision, but would take control of the current site, with the loss of this asset to the Local Authority. Furthermore, a financial risk to the commissioner of this provision has been identified under this option (see Resource Implications).

Resource Implications

21. The Department for Education Funding Reform requires PRUs to be funded at £8,000 per commissioned place with 'top-up' funding paid only for the places that are occupied (previously PRUs received funding for the places available rather than occupied). A single place in the PRU is likely to cost in the region of £30,000 for a year. Members of the Schools Forum have expressed concern that schools will be unwilling or unable to meet these costs and that the cost of provision at Oakfield is generally too expensive. The Schools Forum agreed to maintain 2012/13 funding levels for Oakfield in 2013/14 and retain the current commissioning arrangements, whereby places are fully funded by the Authority. The Schools Forum raised concerns about whether this was sustainable in the medium term. For 2013/14 Oakfield has a net budget of £1.56m and has 51 places available. It also draws down funding from schools for dual registered pupils which increases its budget and therefore overall cost of placement. A clearer future for the provision will allow the necessary development of funding and commissioning arrangements.
22. Oakfield School is funded through the ring fenced Dedicated Schools Grant (DSG). The allocation of increased resources over and above the formula allocation for Oakfield School is not a sustainable option.
23. It will be necessary to disaggregate the current Oakfield budget to establish budgets for the differential solutions for primary and secondary schools to a Key Stage 1 and 2 provision and that required for Key Stage 3. It is estimated that the cost of retaining the Key Stage 1 and 2 PRU with the current Oakfield overheads will be in the region of £850k., Some or all of the remaining budget of £710k could then become available to devolve to behaviour partnerships for the Key Stage 3 work.
24. It will be necessary to establish the funding and commissioning arrangements required under school funding reform for any new model of provision. Schools may become responsible for commissioning some or all places; however, schools would have the freedom to commission places from providers other than the redesigned PRU.
25. A local authority has some element of financial control over the costs at a maintained provision., This is not the case with an academy which would be responsible for setting the charge for places and the commissioner may then face a situation where costs increase. It will therefore be necessary to ensure that any provision is cost effective and affordable to the commissioner.

26. Consideration will also need to be given to the appropriateness of the current site for a 5-11 provision and also to the impact of the changes to the current staff establishment.
27. The Director of Corporate Resources has been consulted about the contents of this report.

Timetable for Decisions

28. A report will be submitted to the Cabinet on 20 November 2013 detailing the results of consultation together with a proposed way forward for consideration.

Conclusions

29. The Taylor review of provision for children with behaviour difficulties encourages innovation and development through stronger local control of commissioning by schools. Leicestershire's long term work encouraging secondary schools and academies to co-operate on this area of provision through behaviour partnerships provides an opportunity to redevelop the provision made at Oakfield School. The consultation process has identified financial risks to the Local Authority associated with the academy sponsor option. The Ofsted monitoring visit in June 2013 concluded that primary aged children were making accelerated progress through a higher proportion of good teaching.

Proposals

30. The following proposals are recommended for consideration:
 - e) To devolve Key Stage 3 PRU provision and funding to secondary behaviour partnerships and to authorise the Director and Lead Member of Children and Young People's Services to begin discussions with the partnerships to agree suitable terms for the transfer;
 - f) To maintain a primary PRU at Oakfield and re-register the provision as primary age only (5-11yrs), if an agreement can be reached with secondary behaviour partnerships as referred to in (a) above;
 - g) Consider whether there is a better site in Leicestershire for the primary provision as a stand alone facility;
 - h) To continue to develop local strategic plans with primary school groupings to offer a local devolved alternative in the medium term.

Equal Opportunities Implications

31. An Equality Impact Assessment is attached at Appendix B.

Background Papers

Taylor Review, March 2012:

<http://education.gov.uk/schools/pupilsupport/behaviour/b00204776/taylor-review-of-alternative-provision>

Report to the Cabinet on 20 December 2011 – ‘Future Direction of Children and Young People’s Service

Report to the Cabinet on 8 May 2012 – ‘Future Direction of Children and Young People’s Service – Implementation of Further Change

Report to the Cabinet on 12 June 2012 – ‘Final Report of the Scrutiny Review Panel on Special Educational Needs’

Report to the Cabinet on 9 July 2013 – ‘Consultation on the Future of Oakfield School’

Circulation under the Local Issues Alert Procedure

Mr G. Welsh CC.

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Appendices

Appendix A - Detailed Responses from the Consultation

Appendix B - Equality Impact Assessment

Detailed Responses from the Consultation

Online consultation results

1. 17 on-line responses had been received by the end of the consultation on Friday 18th October. The majority (11/17) felt the merger of primary and secondary provision had been unsuccessful, and most (13/17) felt there should be different futures planned for primary and secondary provision. Again a majority felt that secondary behaviour partnerships should take over the secondary provision (11/17), although there was no clear view whether an academy sponsor would speed improvement (5/17 in favour, 5/17 against, 7/17 not sure).

2. With respect to options for the future, the numbers supporting each option were as follows:

| | |
|--|-----------|
| Option 1 (Devolution of Prim and Sec to partnerships) | 1 (6.5%) |
| Option 2 (Academy sponsor for an unchanged Oakfield) | 3 (18.5%) |
| Option 3 (Sec to Partnerships, Prim to academy sponsor) | 4 (25%) |
| Option 4 (Sec to Partnerships, build capacity of Prim Parts) | 8 (50%) |

3. Further comments included:

- Look at the successes of the Behaviour Improvement Programme, and it's emphasis on prevention at primary level
- Closer links could be made with mainstream and special schools
- How important the PRU provision was to schools with very challenging children
- Academies may not necessarily have the specific expertise around this group of young people
- Working with an academy could help to focus on the long term academic goals for these young people, and learning about the best teaching methods from subject specialists in mainstream schools
- The importance of Oakfield to families who feel the system has otherwise rejected them and their children
- Links with academies could help build preventative work to reduce exclusions
- Oakfield staff are experts in Nurture, Team Teach, and could share these skills with mainstream staff. Teaching schools could offer reintegration programmes for children, working together, schools could avoid the reliance on 1-1 support that can leave students isolated in mainstream settings
- Specialist provision such as Oakfield allows the students difficulties to be properly addressed, to rebuild self esteem and re-engage with the world.
- The primary facility could do well on its own- it has done in the past, and has a strong track record of returning children to mainstream. Without such provision, pupils run the risk of being moved from school to school
- The provision needs good stable management, to improve quality. Closing would increase pressure on already stressed mainstream schools.
- Primary children would be best served by keeping the provision in it's current form.

- Mainstream schools do not have the expertise to support this area of specialist provision. Oakfield has received pupils from schools judged by OFSTED to be outstanding.

4. Respondents identified themselves as follows:

| | |
|-----------------|---------|
| Member of staff | 8 (47%) |
| School Governor | 3 (18%) |
| Parent | 1 (6%) |
| Other | 1 (6%) |
| No Response | 4 (23%) |

In addition, all but one were in the 30-59 years age range. 8 identified themselves as male and 5 female. 11 identified themselves as white, and two from other ethnic groups. None identified themselves as having a disability.

Meeting with Parents

5. The meeting took place on Friday 27th September at Oakfield. Parents had been invited by letter, and the meeting coincided with a Macmillan coffee morning to raise funds for the charity. The meeting took place from 11.15-11.30, and included 12 parents, all of whose children were primary aged. There were 18 children on roll at the time.
6. The parents commented as follows:
- All were unaware of previous arrangements where primary and secondary provision was made in different places
 - They could see the value of linked provision for continuity from primary to secondary, and expressed concern that expertise could be lost if there was a split.
 - There was concern about the length of taxi journeys on the other hand, that went hand in hand with a single county facility
 - Parents could see the value of a link with a successful academy through a sponsor arrangement, but wondered if an academy grouping would have expertise in this specialist area of provision.
 - Parents were keen to say how important the provision had been to them and their children when relationships had broken down with their primary school.
 - They wanted to reinforce the sense of stability that the provision created for them and their children, against a background of uncertainty and feelings of rejection.

Meeting with Staff

7. The meeting took place on Friday 27th September. Some 23 staff members attended the meeting, which took place from 12.15 to about 12.45.
8. Do you think this merger has been successful or not?
- Primary Comment - No not been successful. It was never a good idea to host KS1&2 with the KS3 young people on the one site however we have tried very hard to make it work.

- Secondary Comment - If there had been a better segregation it may have worked
9. Should there be different futures for the Primary and Secondary provision at Oakfield?
- Primary comment – our experience is that the older ones find it difficult to be on site together and creates a domino effect leading to an unsuccessful day for everyone.
 - Secondary comment – This behaviour however also depends on what cohort we have in the school as we do have good days!
 - CP commented to the group that the Secondary Behaviour Partnerships have developed and would welcome taking over this resource and are available as a solution. Primary Partnerships are not at this stage yet.
10. Can Secondary Behaviour Partnerships take over the functions of the secondary PRU Provision?
- Staff concerns are that it is still early days, less work has been completed than that of KS4 and more evidence required
 - Partnerships need more provision and the development of that provision in place to support KS3
 - Constant change and restructure is unsettling for staff and children
 - There was a comment about KS4 were told Partnerships were ready but actually they weren't and some have been re-employed, in a partnership transition support team
 - Why couldn't Oakfield stay open but used in a different way, firstly a bespoke 1:2:1 package then a 'pseudo' school to reintegrate young people back into school life.
11. Would an Academy Sponsor speed the improvement of the provision?
- Concerns raised that academies will find curriculum expertise but have they got the behaviour expertise – CP confirmed that Parents were querying this earlier.
 - Are there any outstanding Pru Academies?
 - Can Academies with their commercial concerns just 'pull out' of their contracts if its not going well
 - Most if not all young people at this school are known to services and on the social care radar. It is the Government's responsibility to support these vulnerable young people. Should the Government be contracting this out?
12. How might teaching schools or academy alliances work with Oakfield in the future?
- It was felt this question had already been answered
13. What is the relationship with the work of the Leicestershire Education Excellence Partnership?
- CP explained LEEP promotes school to school improvement.
 - There was some discussion around national evidence that your own school starts to fail once you start supporting another school.

- Staff queried a lot of KS3 students start at Oakfield without Statements, when they need to be and questioned why does it take so long
 - There was some discussion around an existing debate about whether behaviour is SEN.
14. What is the most cost efficient option that secures the right outcomes for children and young people?
- There was one comment of option 3 in this group format.
 - Staff are concerned that they don't fully understand how the Behaviour Partnerships work.
 - Staff feel that Oakfield is respite for parents, school and the young person so Oakfield staff can facilitate the placing of a positive child back in a new setting.
 - Parents feel unsupported in an existing school where relationships have broken down and their child is labelled.
 - How easy will it be for a family to shake off a negative image if they are placed back in the same school.
 - By providing intervention at an early age, staff at Oakfield are able to work with families to increase a young persons attendance. This process is more difficult when they are older when the trust in relationships and interventions have failed.
 - Please consider staff and young people when decisions are made as last time we had to move sites, have all the management team leave and other staff leave all at once and it was very stressful for all concerned.
15. Other comments
- CP confirmed consultation closure date of 18.10.13
 - CP confirmed Cabinet Meeting of 20.11.13 but before it goes public he will let staff know the outcome.
 - CP confirmed between 18.10.13 and 20.11.2013, work will be completed to shape what is going to happen and it is either agreed or disagreed on 20.11.13
 - CP confirmed the KS3 solution will be quick but as primary is working well wont be rushed
 - Budget is confirmed until 31st March 2014
 - Staff questioned why they put under extra pressure of HMI whilst the consultation process is happening?

Meeting with Secondary Behaviour Partnership Chairs

16. Five partnership chairs attended a meeting with the Head of Strategy for Vulnerable Groups on Friday 27th September from 10.00-11.00am at Countesthorpe College. Chairs made the following points.
- They were well aware of the current difficulties at the PRU particularly around KS3 provision.
 - They will do everything they can to limit KS3 admissions to Oakfield over the next few months to support the improvement plan.
 - They would welcome the transfer of the KS3 budget and responsibilities of Oakfield to the behaviour partnerships.

- They would welcome this transfer at the earliest opportunity.
- They would welcome the opportunity to bid for invest to save funding to support the new responsibilities partnerships were taking on.

Meeting with Primary Area Panel Chairs

17. Five ex-panel chairs were invited to discuss Oakfield on 8th November. The meeting was arranged following individual meetings with each chair. Primary area panels had been organised by the Locality Support Team which had closed during the summer. Sadly, none of the chairs was able to attend, but expressed the following either before or after the meeting.
- The changes to LA support services over the summer meant that there was no point in primary area panels continuing to meet. Their function had been to agree priority cases for the support service which had now closed.
 - All heads were keen to continue to work with the LA on strategy in this area.
 - All heads were clear that primary partnership working for behaviour was not sufficiently developed to take over running primary PRU provision.
 - There was a great deal of variety in the current pattern of partnership working around the county. No stable long term pattern was yet clear.

Emails and letters

18. Name and Address withheld on Request

This respondent wrote at length about their personal experience of provision for some of the pupils at particular points in the history of the provision. They concluded that option 4 was their preferred option, and noted that this was a difficult area of provision.

19. An employee of Oakfield wrote suggesting:

- Move Oakfield Primary age children to a smaller site for at least two academic years whilst CYPS builds the correct and robust primary infrastructure it needs to support Leicestershire's most vulnerable children and families so they don't slip through the net and become child protection cases.
- Oakfield becomes the LA's own small Alternative Provision albeit a temporary one but develops and enhances the way it works with Schools and families.

Equality Impact Assessment (EIA) Report

For further information on undertaking and completing an Equality Impact Assessment, please see the [guidance](#).

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| Name of policy/ procedure/ function/ service being assessed: | Proposals for the Future of Oakfield School |
| Department and Section: | CYPS : Education and Learning |
| Name of lead officer and others completing this assessment: | Charlie Palmer |
| Contact telephone numbers: | 0116 305 6767 |
| Date EIA assessment completed: | 4 th July 2013 and ongoing |

Step 1: Defining the policy/ procedure/ function/ service

Using the information gathered within the Equality Questionnaire, you should begin this full EIA by defining and outlining its scope. The EIA should consider the impact or likely impact of the policy in relation to all areas of equality, diversity and human rights, as outlined in the Equality, Diversity and Human Rights Strategy of Leicestershire County Council.

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| <p>What are the main aims, purpose and objectives of the policy/ procedure/ function/ service?</p> <p>How will they be achieved?</p> <p><u>Oakfield School</u></p> <p>Oakfield School is a Pupil Referral Unit for children and young people aged 5-14yrs whose behaviour prevents them from attending mainstream schools. Young people come to Oakfield having been permanently excluded from their mainstream school, or very close to permanent exclusion on a dual placement. They are often angry, de-motivated, and struggle to obey classroom rules and routines. Oakfield provides a supportive environment to both continue the young people's education, and improve their self control, attitudes and belief in themselves as learners who can be successful again in a mainstream setting. Young people who cannot return to mainstream school and who have been identified as needing a statement of special education needs often move on to a special school placement.</p> <p>Three drivers have led to the cabinet seeking views on how this provision can be improved. First, school finance arrangements have changed since April 2013. Since then, the full costs of Oakfield have to be expressed in per pupil costs. Under these requirements, each place costs over £30,000 a year. Many schools believe that such a high cost is unsustainable.</p> <p>Second, the quality of provision. The school was judged to require special measures by OfSTED in May 2012, three monitoring visits have taken place to inspect progress. The first two visits found progress to be adequate. Sadly, the judgement at the most recent inspection was that progress was inadequate overall, although better in the primary phase.</p> <p>Third, national policy is bringing big changes in education. In this sector, the government</p> |
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published the Taylor Review in March 2012. The review suggested that schools should become the commissioners of PRU provision. Many schools have expressed the view that the provision as it stands is too expensive.

What are the main activities relating to this policy/ procedure/ function/ service and distinguish who is likely to benefit from these activities.

Permanent exclusions are always reluctantly undertaken by headteachers because they represent a rejection for both young person and their family. Occasionally, schools find that despite the deployment of additional support to young people, their behaviour cannot be accommodated in the mainstream school and fixed term exclusions have not been successful. Schools are expected to do everything they can to prevent permanent exclusions. The activities are therefore educational in nature.

The first beneficiary is the child and family because the PRU undertakes the Education Act 1996 Section 19 duty on behalf of the Local Authority to educate children otherwise than at school. The family also benefits from this provision, because children often respond well to the smaller teaching groups and more flexible curriculum and teaching arrangements. If young people are more settled, this reduces the stress on families. Families commented movingly to this effect during the consultation.

What outcomes are expected?

The consultation seeks views on 4 potential options for the future of the PRU.

Option 1:

Close all PRU provision and devolve resources to behaviour partnerships. This option would enable secondary schools to make more flexible local provision for young people who have been excluded or who may be at risk of permanent exclusion. However, primary pupils are educated full time at the PRU and Primary Behaviour Partnerships are not as well developed as the secondary groupings, although they are keen to innovate.

Option 2:

Seek an academy sponsor for the whole of the PRU. This option would deliver the DfE expectation. However, it would negate the successful work of the Behaviour Partnerships.

Option 3:

Close and devolve to schools key stage 3 PRU provision, and seek academy sponsors for primary provision only. This option would allow separate development paths for primary and secondary provision, and could potentially provide additional capacity to support improvement work in the Primary PRU. However, this option could leave the primary provision with higher fixed costs because it occupies a site designed for a larger group of young people.

Option 4:

Devolve the costs of and responsibility for key stage 3 provision to Behaviour Partnerships, and look for locality-based solutions for key stage 1 and key stage 2, in the medium term. This option takes account of the different paces of development of partnership working at primary and secondary. However, it does not provide a quick solution for primary provision.

Cabinet will be asked to consider proposals for the future based on these options on 20th November 2013.

Step 2: Potential Impact

Use the table below to specify if any service users or staff who identify with any of the 'protected characteristics' below will be affected by the policy/ procedure/ service you are proposing (indicate all that apply) and describe why and what barriers these individuals or groups may face.

| Who is affected and what barriers may these individuals or groups face? | |
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| Age | The PRU provides for young people aged 5-14 years. |
| Disability | Very few of the young people attending Oakfield have an identified disability, although many do have learning delays. Small numbers may have signs of Dyslexia, speech and language difficulties or Autism. These can be contributing factors to children's behaviour difficulties, and in some cases, the major factor causing such difficulties. |
| Gender Reassignment | N/A |
| Marriage and Civil Partnership | N/A |
| Pregnancy and Maternity | N/A |
| Race | Of the 44 children on roll at the PRU in July 2013, only two would not be classified as White British. At 4.5%, the proportion of children attending the PRU who are not White British is lower than the 7% of secondary aged children reported as not White British in the 2011 Leicestershire School Census. Ethnic groups are therefore under represented as a whole. As only two pupils are involved, further analysis by ethnic group is not possible. |
| Religion or Belief | There is no data to suggest that any religious or belief group is over or under represented in the PRU. |
| Sex | Nationally four times as many boys are excluded as girls, and this is reflected in the proportion of boys and girls supported by Oakfield. The School Census 2013 shows that of the 12,950 children in PRUs, 9,080 (70%) of them were boys.(https://www.gov.uk/government/publications/schools-pupils-and-their-characteristics-january-2013). In July 2013, there were 44 children at Oakfield of whom 38 (86%) were boys. |
| Sexual Orientation | N/A |
| Other groups e.g. rural isolation, deprivation, health inequality, carers, asylum seeker and refugee communities, looked after children, deprived or disadvantaged communities | There is no specific evidence that these groups will be affected by the proposals. The work of Behaviour Partnerships has led to a significant reduction in permanent exclusions, and the extension of their role will provide additional flexibility to partnerships to provide support where needed. |

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| Community Cohesion | N/A |

Step 3: Data Collection & Evidence

In relation to your related findings in 'Step Two' are your presumptions on these barriers based on any existing research, data evidence or other information?

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| What evidence, research, data and other information do you have which will be relevant to this EIA? |
| What does this information / data tell you about each of the diverse groups? |
| <p>1. National exclusion data produced by the DfE shows that four times as many boys as girls are excluded from school due to poor behaviour, this pattern of exclusion is also reflected in local data. Leicestershire's exclusion rates are significantly lower than the national average, e.g. just 2 permanent exclusions from upper schools in the academic year 2011/12.</p> <p>2. The cabinet report identifies the success behaviour partnerships in reducing permanent exclusions. Secondary Permanent exclusions in Leicestershire have fallen from 120 a year in 2006 to 26 in 2009 and have remained low since then. The partnerships take on additional responsibilities from September 2013 when they take on work previously undertaken by central support services at Key Stages 3 and 4.</p> <p>3. The consultation has confirmed that while secondary partnerships are ready to take on the additional work currently done by Oakfield at key stage 3, primary partnerships are not ready for such a collective responsibility. In addition, there was a much clearer parental voice in support of the provision amongst the parents of primary children.</p> |
| What further research, data or evidence may be required to fill any gaps in your understanding of the potential or known affects of the policy? |
| Have you considered carrying out new data or research? |
| None identified at present. |

Step 4: Consultation and Involvement

When considering how to consult and involve people as part of the proposed policy/ procedure/ function/ service, it is important to think about the service users and staff who may be affected as part of the proposal.

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| Have you consulted on this policy/ procedure/ function or service? |
| Outline any consultation and the outcomes of the consultation in relation to this EIA. |
| <p>Staff at Oakfield were briefed about the contents of the Cabinet paper when the papers were published on Monday 1st July.</p> <p>All schools were contacted via the Education Information System in early September</p> |

alerting them to the web page and the consultation. More detail was provided for all Primary Heads at briefings during the week of 30th Sept- 4th October, and for special heads at a meeting of the group on 6th September. Secondary heads were also consulted via the chairs of the five behaviour partnerships around the county, on Friday 27th September. Parents and staff were invited to further meetings on the 27th September at Oakfield. The date was chosen to coincide with a fund raising coffee morning to which parents had been invited. Two separate meetings were held, one for parents and a second for staff.

Do any of the barriers you identified *actually* exist based on this consultation?

The biggest barrier identified through consultation was sense of isolation and rejection experienced by students and families who had been permanently excluded. Therefore, the provision should be used where possible to avoid a permanent exclusion rather than to just provide for those who have been permanently excluded.

Step 5: Mitigating and assessing the impact

In relation to any research, data, consultation and information you have reviewed and/or carried out as part of this EIA, it is now essential to assess the impact of the policy/ procedure/ function/ service and distinguish whether a particular group could be affected differently in either a negative or positive way?

If you consider there to be actual or potential adverse impact or discrimination, please outline this below. State whether it is justifiable or legitimate and give reasons.

There is no evidence identified for potential or actual adverse impact at this time.

N.B.

a) If you have identified adverse impact or discrimination that is illegal, you are required to take action to remedy this immediately.

b) If you have identified adverse impact or discrimination that is justifiable or legitimate, you will need to consider what actions can be taken to mitigate its effect on those groups of people.

What can be done to change the policy/ procedure/ function/ service to mitigate any adverse impact?

Consider what barriers you can remove, whether reasonable adjustments may be necessary and how any unmet needs that you have identified can be addressed.

Step 6: Making a decision

Summarise your findings and give an overview of whether the policy will meet Leicestershire County Council's responsibilities in relation to equality, diversity and human rights.

There is no evidence at present to suggest that the proposals will not meet these responsibilities. Schools and the local authority have their respective responsibilities and these are clear in legislation.

Step 7: Monitoring, evaluation & review of your policy/ procedure/service change

How will you monitor the impact and effectiveness of the new policy/ procedure/ service change and what monitoring systems will you put in place to monitor this and to promote equality of opportunity and make positive improvements?

- Monitoring of permanent exclusions by gender, ethnicity, age and SEN
- Through formal agreements with Behaviour Partnerships, supported by regular meetings to review and monitor effectiveness.
- In line with the Local Authorities revised statutory duties for monitoring and reporting on the performance of schools through the Leicestershire Education Excellence Partnership (LEEP).

How will the recommendations of this assessment be built into wider planning and review processes?

e.g. policy reviews, annual plans and use of performance management systems.

CYPS will need to provide a secure system for ensuring sufficiency and quality of alternative provision for permanently excluded students of all ages. Programmes need to be individually planned, monitored, and adjusted. Secondary behaviour partnerships are willing to take on additional responsibilities in this area. A performance framework with termly reporting has been designed for behaviour partnerships to report on their performance.

Consideration of alternative provision and behaviour support arrangements in schools will need to influence the developing role of the Local Authority as a Champion for Young People and in its work on developing the Leicestershire Education Excellence Partnership.

Equality Improvement Plan

Please list all the equality objectives, actions and targets that result from the Equality Impact Assessment (continue on separate sheets as necessary). These now need to be included in the relevant service plan for mainstreaming and performance management purposes.

| Equality Objective | Action | Target | Officer Responsible | By when |
|---|--|---|---------------------|-----------|
| Ensure secondary behaviour partnerships are held to account for the outcomes they achieve with young people at risk of permanent exclusion. | Termly reports to the behaviour partnerships executive group using an agreed template. | Zero secondary permanent exclusions in 2013-14 | Charlie Palmer | July 2014 |
| Ensure primary provision is used preventatively to avoid primary permanent exclusions. | Establish a working agreement with primary schools on access to Oakfield or successor provision. | Reduction in permanent exclusions particularly amongst children with statements of special educational needs. | Charlie Palmer | July 2014 |

1st Authorised Signature (EIA Lead):

Date:

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2nd Authorised Signature (Member of DMT):

Date:

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Once completed, please send a copy of this form to the Departmental Equalities Group for quality assurance. Once authorised, this Equality Impact Assessment (EIA) Report will need to be published on our website. Please send a copy of this form to the Members Secretariat in the Chief Executives Department to louisa.jordan@leics.gov.uk.