

CABINET MEMBER DECISION

1 AUGUST 2023

APPROVAL TO CLOSE THE KIDDERMINSTER BASE OF THE BEACON PRIMARY PUPIL REFERRAL UNIT

Relevant Cabinet Member

Cllr Tracey Onslow (Cabinet Member with Responsibility for Education)

Relevant Officer

Director of Children's Services

Local Members

Cllr Bill Hopkins (The Beacon, Kidderminster)

Cllr Tony Muir (Unity Academy)

Recommendation

- 1. The Cabinet Member with Responsibility for Education is recommended:**
 - (a) to note the details of the representations made in response to the Public Notice of the School Organisation Change at The Kidderminster Base of the Beacon Primary Pupil Referral Unit (PRU) during the representation period from 14 June 2023 to 12 July 2023; and**
 - (b) to approve the closure of The Kidderminster Base of the Beacon Primary Pupil Referral Unit (PRU).**

Background

2. On 6 June 2023 the Cabinet Member with Responsibility for Education approved the publication of the Public Notice of the proposal to close the Kidderminster Base of The Beacon Primary Pupil Referral Unit (RRU) (see Appendix 1).
3. Statutory Guidance: Making Significant Changes to Maintained Schools updated in January 2023 is silent on the closure of a maintained additional (satellite) PRU site such as the Kidderminster site of the Beacon PRU. In absence of a statutory process for the closure of a maintained PRU, changes to these schools may be made outside the prescribed alterations statutory process. Nevertheless, the Local Authority is minded to follow a transparent process for this proposal and it has therefore adopted the process for closing an additional (satellite) site as per the Statutory Guidance, so as to ensure informal pre-publication consultation, Publication of the Notice, Representation stages are followed before any decision is taken. Public Notice of this proposal was issued on 14 June 2023 and a four-week representation period commenced.
4. In accordance with the delegation of authority given by the Leader of the Council on 18 July 2023 to the Cabinet Member with Responsibility for Education as outlined

in appendix 2, they are able to approve the change following Public Notice where objections are received and where it be shown that the decision is still lawful and appropriate.

Responses received

5. One response was received during this representation period, the response objected to the proposal.
6. The objection was received from a primary school in the locality. The key reasons for objection to the proposal are outlined below:
 - insufficient places and behaviour outreach support to meet demand in the local area
6. This objection has been considered and a response to the concerns are outlined in paragraphs 7 - 10 below.
7. Unity Academy are creating a provision that meets the needs of local schools and has engaged and sought involvement from schools in the development of their offer. They will provide high quality support and interventions to vulnerable children by working closely with inclusion teams and other Social, Emotional and Mental Health (SEMH) providers in the district.
8. Unity Academy will offer a timetable as close to mainstream as possible. Timetables include forest school activities, music intervention, behaviour recovery and focussed social skills time.
9. Unity Academy is a short-term behavioural placement for pupils with a variety of emotional and educational needs. The school has been developed and resourced to support 60 pupils, 24 pupils on site at one time and with support out to local schools to prevent exclusion and assist with reintegration.
10. Unity Academy will provide outreach support by using a preventative model of support to prevent permanent exclusions and support children with social, emotional and mental health needs to access education in their local schools. They will provide one to one support for individual children, provide bespoke behaviour recovery training for schools and offer courses to teaching assistants that support children with SEMH needs which are delivered by educational psychologists. Intervention to improve integration back into mainstream accommodation is a key aspect of the provision Unity will provide.
11. The provision and commissioning of this new education facility increases access to provision and facility for children and families in the local area.

Recommendations

12. The objection and mitigation in response to the concern raised have been carefully considered and it is still recommended that this closure of the Kidderminster base of The Beacon PRU is approved. The Director of Education has been in direct contact with the school that raised the objection and will provide further operating details of the Unity Academy.

13. On the basis of the information contained in this report, taking account of the representation made in response to the Public Notice, the Cabinet Member for Education is recommended to authorise the closure of the Kidderminster Base of The Beacon Primary Pupil Referral Unit (RRU).

Legal, Financial and HR Implications

14. The School Organisation (Prescribed Alterations to Maintained Schools (England) Regulations 2013 made under the Education and Inspections Act 2003 and Statutory Guidance entitled Making Significant changes to Maintained Schools January 2023 include provisions for closing of an additional (satellite) site at a Local Authority Maintained school. The prescribed alterations Statutory Guidance provides that the Secretary of State has power to direct a local authority to close a PRU which requires special measures or significant improvement. Neither of these apply to the Beacon PRU. The Guidance is silent on the closure of a maintained additional (satellite) PRU site such as the Kidderminster site of the Beacon PRU. In absence of a statutory process for the closure of a maintained PRU changes to these schools may be made outside the prescribed alterations statutory process. Nevertheless, the Local Authority is minded to follow “best practice” for this proposal and it has therefore adopted the process for closing an additional (satellite) site as per the Statutory Guidance so as to ensure informal pre-publication consultation, Publication of the Notice, Representation stages are followed before any decision is taken to ensure transparency and accountability.

15. The Kidderminster Base of the Beacon PRU, is situated in Lea Street. The Lea Street building will continue to be maintained and managed by Worcestershire County Council. Some of the Lea Street site accommodation will continue to be used for educational purposes until any further decisions are made about the long term use of the building. Therefore, there are no specific financial implications contained within this report or additional financial commitments relevant to the decisions within this report.

16. The staff that are currently employed at the Beacon PRU Kidderminster Site have taken part in a consultation process in accordance with TUPE legislation including the involvement of relevant trade unions. There have been no redundancies as a result of this process and outcomes include staff transferring to The Rivers Church of England Academy Trust effective 1 September 2023.

Equality and Diversity Implications

17. The Screening has been completed in respect of these recommendations. The screening did not identify any potential Equality considerations requiring further consideration during implementation.

Supporting Information

- Appendix 1 – [Record of Delegated Member Decision 6 June 2023](#)
- Appendix 2 – Delegation of authority given by the Leader on 18 July 2023
- Appendix 3 – [Joint Impact Assessment Screening](#)

Contact Points

County Council Contact Points

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Specific Contact Points for this report

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Background Papers

In the opinion of the proper officer the following are the background papers relating to the subject matter of this report: 'Prescribed Alterations' regulations: Making significant changes ('prescribed alterations') to maintained schools: Statutory guidance for proposers and decision makers January 2023

[Making significant changes \('prescribed alterations'\) to maintained schools \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/111111/making-significant-changes-to-maintained-schools-2023.pdf)