

Report of the Cabinet Member for Education

Cabinet - 20 August 2015

CITY & COUNTY OF SWANSEA'S PUPIL REFERRAL UNIT MANAGEMENT COMMITTEE

Purpose:	To seek approval for the City and County of Swansea's Pupil Referral Unit (PRU) Management Committee's Instrument of Government following new Regulations and Statutory guidance.
Policy Framework:	None
Reason for Decision:	To comply with legislation.
Consultation:	PRU Management Committee, Education, Finance, Legal and Access to Services
Recommendation(s):	It is recommended that Cabinet: <ol style="list-style-type: none">1. Approve the PRU Management Committee's Instrument of Government attached at Appendix A.2. Note the PRU Management Committee's Terms of Reference attached at Appendix B.
Report Author:	Fraser Newbury
Finance Officer:	Ben Smith
Legal Officer:	Stephanie Williams
Access to Services Officer:	Sherrill Hopkins

1.0 Background

- 1.1 The Education (Pupil Referral Units) (Management Committees etc.) (Wales) Regulations 2014 (the Regulations) require local authorities to establish management committees to run pupil referral units (PRUs) in their area, and make provision for the constitution and procedures of such committees.

- 1.2 Part 2 of the Regulations requires local authorities to establish a committee in relation to each PRU in their area, with a proviso that a committee may run more than one PRU.

In Swansea, the City & County of Swansea PRU currently encompasses four centres / provisions registered as a single portfolio:

- Arfryn Education Centre
- Key Stage 4 Education Centre
- EOTAS Pathways
- Step Ahead Education Centre

- 1.3 The distinction between the roles and responsibilities of management committees and the LA are clearly defined in new statutory guidance, and can be found in Appendix C.

2.0 Management committee membership

- 2.1 Parts 3 and 4 of the Regulations states the category of membership and composition for PRU management committees, as follows:
- Parent members.
 - Staff members.
 - Authority appointed members (this can include elected councillors).
 - Community members (the regulations make clear that a person is disqualified from appointment as a community member if that person is eligible to be a staff member of the committee, or an elected member of the authority).
 - Sponsor members (persons who give substantial assistance to the PRU, financially or in kind, or who provide services to the PRU).
- 2.2 The management committee should have no fewer than 7 and no more than 20 members.
- 2.3 The Regulations are specific with regard to the number of members within each category:
Of the total number of members:
- a) At least one but no more than one fifth must be parent members;
 - b) At least one but no more than one third must be staff members;
 - c) At least one but no more than one third must be authority appointed members;
 - d) At least one but no more than two may be sponsor members; and
 - e) The number of community members must out number all other members listed in a) to d) above

3.0 Instrument of Government and Terms of Reference

- 3.1 Regulation 5 requires that PRU's must have an Instrument of Government approved by the relevant Local Authority.
- 3.2 The PRU's Management Committee proposed the draft Instrument of Government attached at Appendix A on the 23rd April 2015 for approval by Cabinet.
- 3.3 The Terms of Reference agreed by the PRU Management Committee are attached at Appendix B.

4.0 Financial Implications

- 4.1 There are no financial implications arising from this report
- 4.2 The local authority's financial and accounting procedures will be adopted.

5.0 HR Implications

- 5.1 The local authority's HR policies and procedures will be adopted.

6.0 Legal Implications

- 6.1 The PRU's Management Committee's Instrument of Government and Terms of Reference comply with The Education (Pupil Referral Units) (Management Committees etc.) (Wales) Education Regulations 2014 and the associated Welsh Government Statutory guidance.

Note:

It is the local authority's duty to make arrangements for the provision of suitable education for children who may not receive such education in a mainstream school because of illness, exclusion or otherwise. It is the local authority's responsibility for maintaining the PRU and must ensure that the PRU is suitably resourced and organised to provide a high standard of education. The Local Authority retains responsibility for appointments and dismissals.

The Education (Pupil Referral Units) (management Committees etc.) (Wales) Regulations Statutory Guidance Annex D specifies the roles and responsibilities for the Local Authority and the Management Committee.

7.0 Equality Implications

- 7.1 An Equality Impact Assessment screening form has been completed and a full EIA report is not required.

Background Papers:

[The Education \(Pupil Referral Units\) \(Management Committees etc\) \(Wales\) Regulations 2014](#)

[The Education \(Pupil Referral Units\) \(Management Committees etc\) Wales Regulations 2014 - Welsh Government Statutory Guidance 134/2014](#)

Appendices:

Instrument of Government- Appendix A

Terms of Reference- Appendix B

Roles and responsibilities of management committees – Appendix C