

Department of Children's Services

Record of Decision

I have considered the confidential briefing note provided by Marium Haque, Deputy Director Education and Learning in December 2020 to the Leader on the future of Bradford District Pupil Referral Unit, based at Anerley Street, Bradford.

- 1.1 Due to no sponsor being acquired for Bradford District Pupil Referral Unit, nor a sustainable financial plan put forward, the LA received written confirmation from the Regional Schools Commissioner on 6th November 2020; advising the Minister had considered the unviability of the provision and confirmed the revocation of the Academy Order pursuant to section 5D Academies Act 2010. The letter stipulated an expectation that following revocation the PRU will close.
- 1.2 There are currently 4 students in year 11, three of whom are dual-registered with Bradford schools, accessing provision at DPRU, who are currently going through transition to their new settings.
- 1.3 There are 27 staff employed in DPRU where BMDC is the employer.
- 1.4 In May 2019 the LA made the decision to implement a transitional funding plan to reduce the commitment from the High Needs Block (HNB) to DPRU as there was no identified need to fund places to meet the LAs statutory duties. The transitional funding was to allow the PRU, over the course of the 19/20 academic year, to develop a traded model with secondary schools.
- 1.5 From September 2020 the transitional funding from the HNB has ceased and secondary schools have not opted to purchase places, leaving the provision in a financially unviable position. In effect, from the 1st September 2020, the DPRU does not have an identified budget. There are long term financial impacts on the DSG/HNB if DPRU remains open.
- 1.6 The High Needs Block is continuing to supporting the funding of DPRU as it has no allocated budget, and hence no income, which has been the case since September 2020; however, continues to have expenditure for staffing, premises, contracts etc.
- 1.7 The High Needs Block cannot continue to be used to support the expenditure of the DPRU, as these funds are intended to support provision for children and young people for whom the LA has direct statutory responsibility for education provision.
- 1.8 Pupil Referral Units sit outside of the School Organisation regulations. Therefore, there is no statutory process to follow from a School Organisation perspective on the closure. However, there is a statutory process that will need to be followed in relation to the displacement of staff affected by the proposal.

I have consulted with the Portfolio Holder for Children's Services on this matter.

I have made the following decision pursuant to Article 14 of the Council's Constitution: -

- To approve the financial closure of the Bradford District Pupil Referral Unit from 31 March 2021.
- To begin the statutory consultation process with the staff and the issuing of the S188 notices. Section 188 Trade Union and Labour Relations (Consolidation) Act 1992 requires that where an employer is proposing to dismiss as redundant 20 or more employees at one establishment within a period of 90 days or less, the employer is required to consult the trade union representatives of employees who may be affected by the proposals

SIGNED:



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Strategic Director Children's Services

DATED:

4 January 2021