



**CABINET MEMBER DECISION**  
**06 JUNE 2023**

**APPROVAL FOR PUBLIC NOTICE OF THE PROPOSAL TO CLOSE  
THE KIDDERMINSTER BASE OF THE BEACON PRIMARY PUPIL  
REFERRAL UNIT**

educated by other means in order to ensure that they remain accessing education and that this provision should be suitable to meet their assessed needs.

4. Alternative Provision is fundamental to achieving this, so long as both schools and the Local Authority identify at the earliest opportunity children who are not accessing their optimum education and carry out an appropriate needs assessment to identify if there is or likely to be need for alternative provision.

5. Furthermore, schools and the Local Authority must ensure that the purpose for sending children to Alternative Provision is clearly defined, regularly reviewed and appropriate timeframes for reintegration clearly set out from the start.

6. -24, strives to minimise Permanent Exclusion to ensure schools are inclusive and implement effectively the Graduated Response to assessing and meeting the needs of their children.

7. In July 2018 the Department for Education (DfE) launched the Special and Alternative Provision Free Schools wave inviting local authorities seeking to establish new special or alternative free schools in its area to make a Free School Bid. The Council identified it had six Alternative Provision schools, of which two catered for primary-aged children. This meant that whilst children in Worcester and Redditch have easy access to primary AP, those in the Wyre Forest area were served by an outreach of Beacon, with limited places.

8. The Wyre Forest area was identified as having a need for provision due to the lack of capacity in the existing system, the deprivation and the strong support for the provision from Headteachers in the area. This support was one of the criteria for the success of this bid.

13. There are currently 10 children attending the Kidderminster base of The Beacon PRU and it is being planned that these children will either transition to the new Alternative Provision Free school (Unity Academy) with a transition plan involving the child, the family, the new school and Beacon school as normal phase transfer or according to the assessment of need, return to mainstream school before the end of this academic year, according to the child level plan for appropriate education (not dependent on any changes). The Rivers Church of England Academy Trust will be commissioned to provide 10 permanent exclusion (PX) places at Unity Academy across the Wyre Forest area effective from 1 September 2023. The Beacon PRU Kidderminster site which is currently commissioned to provide these places is proposed to close. The Lea Street building where the Beacon PRU Kidderminster is situated is no longer required for alternative provision



## **Publication of Notice of the proposal to Close**

22. The Public Notice period is proposed to begin on Thursday 8<sup>th</sup> June 2023 to noon on Thursday 6<sup>th</sup> July 2023 following which, a further report will be submitted to the CMR (Cabinet Member with Responsibility) with recommendations for a final decision taking into account any representations received during this period. A draft of the Public Notice is found at Appendix D. The Cabinet Member is invited to authorise publication of the Notice.

## **Legal, Financial and HR Implications**

23. 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. Absent 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.

24. 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.

25. It is proposed that the staff that are currently employed at the Beacon PRU Kidderminster Site to support children that have been allocated places will be transferred to The Rivers Church of England Academy Trust effective 1 September 2023. A consultation process in accordance with TUPE legislation has been followed which has involved staff and trade unions. No staff members are being made redundant as a result of this proposal.

## **Equality and Diversity Implications**

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

## **Conclusion**

27. On the basis of the information contained in this report and taking account of the feedback from the consultation, it is recommended that the Cabinet Member with

Responsibility for Education is to take all decisions on behalf of the Cabinet acting as the Executive in relation to the publication of Public Notice of the proposal to close the Kidderminster base of the Beacon PRU. A further report will be submitted to the Cabinet Member with Responsibility for Education with recommendations for a final decision taking into account any representations received during this period.

## Supporting Information

- Appendix A Consultation Response Report
- Appendix B - Copy of Consultation Document
- Appendix C - Joint Impact Assessment Screening
- Appendix D Draft Public Notice

## Contact Points

### County Council Contact Points

County Council: 01905 763763

### 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:

*Making significant changes ('prescribed alterations')*

*to maintained schools: Statutory guidance for proposers and decision makers January 2023*

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/756572/Maintained\\_schools\\_prescribed\\_alterations\\_guidance.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/756572/Maintained_schools_prescribed_alterations_guidance.pdf)

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