

**AGENDA ITEM**

**REPORT TO CABINET**

**17 JANUARY 2008**

**REPORT OF CORPORATE  
MANAGEMENT TEAM**

**CABINET DECISION**

**Children and Young People – Lead Cabinet Member – Councillor Cunningham**

**ESTABLISHMENT OF A MANAGEMENT COMMITTEE FOR GREEN GATES AND BISHOPTON  
CENTRE PUPIL REFERRAL UNITS**

1. Summary

This report details the need to establish one Management Committee for the two Pupil Referral Units in Stockton on Tees.

2. Recommendations

1. Members are asked to approve the establishment of a Management Committee with a total of 15 members.
2. Members agree from 1 February 2008, the draft Instrument of Government appended to this report.
3. Members delegate authority to the Corporate Director for Children, Education and Social Care, in consultation with the Cabinet Member for Children and Young People, to approve any subsequent amendments to the Instrument of Government.
4. Members appoint Mr B Auton, Mrs J Armstrong, Mr M Davison, Mr G Leck, Ms I Murray, Ms J Vincent-Jones and Ms A Hays to the Management Committee as Community Members.
5. Members appoint Mr N Chilton, Mr I Edmunds and Mrs J Taylor to the Management Committee as Local Authority Members.
6. Members approve that future Local Authority appointments be dealt with in line with Local Authority Governor Appointments.
7. Members delegate authority to the Corporate Director for Children, Education and Social Care, in consultation with the Cabinet Member for Children and Young People, to appoint to any vacancies arising from declined appointments until the Management Committee is established from 1 February 2008.

3. Reasons for the Recommendations/Decision(s)

As part of the requirements of the School Governance (Pupil Referral Units) (England) Regulations 2007 all Pupil Referral Units are required to constitute a Management Committee by 1 February 2008.

4. Members' Interests

Members (including co-opted Members with voting rights) should consider whether they have a personal interest in the item as defined in the Council's code of conduct (**paragraph 8**) and, if so, declare the existence and nature of that interest in accordance with paragraph 9 of the code.

Where a Member regards him/herself as having a personal interest in the item, he/she must then consider whether that interest is one which a member of the public, with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest (**paragraphs 10 and 11 of the code of conduct**).

A Member with a prejudicial interest in any matter must withdraw from the room where the meeting considering the business is being held -

- in a case where the Member is attending a meeting (including a meeting of a select committee) but only for the purpose of making representations, answering questions or giving evidence, provided the public are also allowed to attend the meeting for the same purpose whether under statutory right or otherwise, immediately after making representations, answering questions or giving evidence as the case may be;
- in any other case, whenever it becomes apparent that the business is being considered at the meeting;

and must not exercise executive functions in relation to the matter and not seek improperly to influence the decision about the matter (**paragraph 12 of the Code**).

**Further to the above, it should be noted that any Member attending a meeting of Cabinet, Select Committee etc; whether or not they are a Member of the Cabinet or Select Committee concerned, must declare any personal interest which they have in the business being considered at the meeting (unless the interest arises solely from the Member's membership of, or position of control or management on any other body to which the Member was appointed or nominated by the Council, or on any other body exercising functions of a public nature, when the interest only needs to be declared if and when the Member speaks on the matter), and if their interest is prejudicial, they must also leave the meeting room, subject to and in accordance with the provisions referred to above.**

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**SUMMARY**

This report details the need to establish one Management Committee for the two Pupil Referral Units in Stockton on Tees.

**RECOMMENDATIONS**

1. Members are asked to approve the establishment of a Management Committee with a total of 15 members.
2. Members agree from 1 February 2008, the draft Instrument of Government appended to this report.
3. Members delegate authority to the Corporate Director for Children, Education and Social Care, in consultation with the Cabinet Member for Children and Young People, to approve any subsequent amendments to the Instrument of Government.
4. Members appoint Mr B Auton, Mrs J Armstrong, Mr M Davison, Mr G Leck, Ms I Murray, Ms J Vincent-Jones and Ms A Hays to the Management Committee as Community Members.
5. Members appoint Mr N Chilton, Mr I Edmunds and Mrs J Taylor to the Management Committee as Local Authority Members.
6. Members approve that future Local Authority appointments be dealt with in line with Local Authority Governor Appointments.
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**DETAIL**

1. In accordance with the School Governance (Pupil Referral Units) (England) Regulations 2007 Members are required to establish a Management Committee for the two Local Authority Pupil Referral Units, Green Gates and Bishopton Centre by 1 February 2008.
2. Both non statutory Management Committees were consulted on the Local Authority's proposal to establish a joint Management Committee to allow greater collaborative working between the two units. These meetings took place at the Bishopton Centre on 31 October 2007 and Green Gates on 8 November 2007. No formal objections have been received to this proposal.
3. As a result there is now a need to establish a Management Committee by 1 February 2008.

4. Appended to this report is the draft Instrument of Government presented for Members' approval. Following approval, it is proposed that Members delegate authority to the Corporate Director for Children, Education and Social Care, in consultation with the Cabinet Member, to approve any subsequent amendments to the Instrument of Government.
5. The Management Committee would have a total membership of 15, comprising 1 Parent, 3 Staff, 3 Local Authority and 8 Community Members.
6. It is proposed that Members shall appoint the Local Authority and Community members in the initial establishment of the Management Committee. Following which any future Local Authority appointments will be dealt with in accordance with the procedure for the appointment of school governors approved as Minute 44 of the Cabinet meeting held on 11 January 2000, and Community Members will be made by the Management Committee.
7. It is proposed that Mr B Auton, Mrs J Armstrong, Mr M Davison, Mr G Leck, Ms I Murray, Ms J Vincent-Jones and Mr M Thomas be appointed as Community Members leaving a vacancy to be appointed by the Management Committee.
8. It is proposed that Mr N Chilton, Mr I Edmunds and Mrs J Taylor be appointed as Local Authority Members.
9. Appointment of the three Staff Members will be made by election of one staff member, with the two remaining vacancies being filled by Mrs D Elliot and Mr P Ewart as Heads of the Units, as stipulated in the regulations.
10. Appointment to the parent vacancy will be made by a parent election across both establishments.
11. Finally, if for whatever reason any of these appointments are subsequently declined, there will be a need to ensure that the resulting vacancies are filled as soon as possible. It is therefore proposed that delegated authority be given to the Corporate Director in consultation with the Cabinet Member, accordingly.

## **FINANCIAL IMPLICATIONS**

12. None

## **LEGAL IMPLICATIONS**

13. This proposal falls under the School Governance (Pupil Referral Unit) (England) Regulations 2007.

## **RISK ASSESSMENT**

14. The proposal is categorised as low to medium risk. Existing management systems and daily routine activities are sufficient to control and reduce risk.

## **COMMUNITY STRATEGY IMPLICATIONS**

### **Children and Young People**

15. Will help support inclusion and mainstream reintegration of excluded pupils.

## **EQUALITIES IMPACT ASSESSMENT**

16. An Equalities Impact Assessment has been undertaken on the establishment of a Management Committee for the two Pupil Referral Units and has been scored as 60.

Members can view the full Equality Impact Assessment via the Equality and Diversity web pages on the Stockton-on-Tees website.

## **CORPORATE PARENTING**

17. Members and Local Authority Officers who are appointed to the Management Committee would have corporate parenting responsibilities for any Looked After Children within the Pupil Referral Units.

## **CONSULTATION INCLUDING WARD/COUNCILLORS**

18. The existing Management Committees for Green Gates and Bishopton Centre have been consulted on the proposal with no objection this was undertaken via a report which was presented at their meetings. In addition to this, ward councillors have been consulted on the proposal.

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Background Papers

None

Ward(s) and Ward Councillors:

Cllr Gibson and Cllr Baker - Newtown Ward

Cllr Mrs Fletcher and Cllr Roberts - Bishopgarth and Elm Tree Ward

Property

None