

Guidance on management committees for pupil referral units – constitution and roles and responsibilities



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1. Executive Summary

1.1 Introduction

This document offers guidance on the constitution and roles of management committees for pupil referral units (PRUs). It is mainly intended for local authority (LA) officers responsible for PRU provision and for the clerks and chairs of management committees. Separate guidance deals with management committee procedures.

1.2 Legislative basis, timing and implementation

The guidance explains the requirements in The Education (Pupil Referral Units) (Management Committees etc.) (England) Regulations 2007 (SI 2007/2978) as regards the constitution and roles and responsibilities of PRU management committees. The regulations came into force on 13 November 2007. From that date LAs will need to choose a constitutional model and formally adopt this by making an Instrument of Government for their PRUs. The Instrument must take effect from 1 February 2008. The implementation stages and timescales are:

- **13 November 2007:** Regulations come into force.
- **By 31 January 2008:** LAs secure a constitutional model for each PRU (or group of PRUs) which will take effect from 1 February 2008, under an instrument of government.
- **1 February 2008:** all PRUs operate under a management committee set out in an instrument of government under the Regulations.
- PRUs which are planned to open after 1 February 2008 must establish a management committee as soon as practicable, but before they are open for pupils.

A PRU is a school established and maintained by LAs to provide suitable education for children who, by reason of illness, exclusion or otherwise, may not receive such education (section 19 of the Education Act 1996).

1.3 The instrument of government

Each PRU, or group of PRUs operating jointly under one management committee, must have an instrument of government. The instrument records the name of the PRU (or the PRUs in the group) and the constitution of the management committee or joint management committee and other details. It is the LA's responsibility to prepare an Instrument of Government for all PRUs. A model instrument is attached at **Annex A**.

1.4 The guiding principles for constitution

The guiding principles prescribe which categories of member must be represented on the management committee and their level of representation. There are four compulsory stakeholder groups: the Community, Parents, PRU staff and the LA. Sponsors form a fifth, optional group (see **section 3** for more detail). The proportions of places that must be reserved for the different categories of member in each PRU or group of PRUs are set out in **section 3**.

1.5 Transitional arrangements

All members currently serving on existing PRU management committees can be appointed/elected to serve on the management committees prescribed in the regulations if they satisfy the definition of the category of member they wish to serve as. See **section 2** for the definition of categories of member, and **Annex C** for more detail.

1.6 Roles and responsibilities of management committees

From 1 February 2008, management committees will play a major role in the governance of their PRUs. Regulations give management committees responsibility for the conduct of their PRUs and they set out the respective terms of reference for management committees, local authorities and teachers in charge/headteachers. Regulations also confer other powers and duties directly on management committees. See **section 5** and **Annex D** for more information on the roles and responsibilities of management committees.

2. Instrument of government – (part 2 of the regulations)

2.1. Summary

2.1.1 The Instrument of Government records the main details of each PRU (or group of PRUs) including their size and constitution. LAs must prepare draft instruments for all PRUs.

2.1.2 Once a PRU has a management committee which is constituted under the regulations, it will be open to the management committee to propose any revision to the constitution and submit a draft of the revised instrument to the LA to check if it complies with the statutory requirements, including the relevant guiding principles for the constitution. If the instrument complies with the legal requirements, the LA will make the instrument and give a copy to members of the management committee and to the Department for Children, Schools and Families. The management committee and LA can review and change the instrument at any time. See paragraphs 2.3 and 2.4 for more detail.

2.2. Contents and form

2.2.1 The instrument must set out:

- the name, address and the Departmental number of the PRU (or joint name where a group of PRUs are operating jointly);
- the name of the management committee;
- the number of members in each category;
- the total number of members, including any sponsor members;
- the term of office of any category of member, if less than four years;
- where the PRU has sponsor members, the name of the nominating body; and
- the date the instrument takes effect, which cannot be before 1 February 2008.

2.2.2 For PRUs established in a hospital, the instrument should also record the name of the body that has the right to nominate a person for appointment as a community member.

2.3 Reviewing and varying the instrument

2.3.1 The management committee or LA can review and vary the instrument at any time. The procedural requirements are as follows:

- each party (i.e. management committee and the LA) must let the other know in writing what item on the instrument they wish to vary and give reasons;
- the other party must then respond, with any objections and give reasons;
- if there is disagreement, some other variation can be proposed by either party;
- if the LA is not content with the management committee's revised proposal, it must: (a) inform the management committee giving reasons, or; (b) propose its own variation giving reasons, and in each case give the management committee reasonable opportunity to reach an agreed revised draft between them;
- once an agreement has been reached, the LA can vary the instrument;
- in the absence of an agreement, the LA may vary the instrument as it thinks fit; and
- the varied instrument should record the date the variation takes effect.

2.4 Other requirements relating to instruments of government

2.4.1 The LA must supply a copy of the instrument of government, or a consolidated version where there has been a variation, to each member of the management committee (and the head teacher/teacher in charge, whether or not a member) and to the Department.

2.4.2 LAs are responsible for ensuring that all existing PRUs have instruments of government in place that comply with The Education (Pupil Referral Units) (Management Committees etc.) (England) Regulations 2007 by 1 February 2008. For PRUs that are proposed to open on or after 2 February 2008, the LA must ensure that a draft instrument is prepared as soon as is practical, but by no later than the date the PRU admits pupils.

2.5 Instrument of government covering two or more PRUs

2.5.1 Where a management committee is expected to govern two or more PRUs, the Department recommends that the LA discusses the proposal with the management committee (or proposed management committee) in question and seeks its agreement. LAs and existing management committees, if appropriate, should consider all relevant factors that may impact on the management committee, e.g. the size of the individual PRUs and the various types of pupil need they each address before deciding whether it would be appropriate to operate more than one PRU under a single management committee.

2.5.2 LAs are requested to send Instruments of Government (or revised Instruments) for all their PRUs to:

Alternative Provision Plus Team
Improving Behaviour & Attendance Unit
Department for Children, Schools & Families
Sanctuary Buildings
Great Smith Street
London, SW1 3BT

Or you can email copies to: Timothy.YOULDEN@dcsf.gsi.gov.uk

2.5.3 A model instrument is attached at **Annex A**.

3. Composition of management committees and categories of member – (parts 3 & 4 of the regulations)

- 3.1 There must be no fewer than seven members on a management committee. Although legally a management committee can have a maximum of 20 members, in practice, we strongly recommend that membership of a committee should not exceed 12, other than in certain specified circumstances. Those circumstances are where a management committee is covering more than one PRU or where a PRU has more than one unit. In other circumstances, there is a risk that a larger committee would become unwieldy and a management committee could have more members than there are pupils in the PRU. The proportions of places allocated to each of the categories are as follows:

Community members: the number of places must exceed all other members by one or more;

Parent members: at least one place but no more than one-fifth;

Staff members: at least one place, but no more than one-third, including the teacher-in-charge;

Local authority members: at least one place, but no more than one-third; and

In addition, the management committee may appoint one or two **Sponsor members**.

Examples of constitutional models are set out in **Annex B**.

- 3.1.1 Proportions and percentages must be rounded to the nearest whole number. **Annex B** gives examples of models that comply with the principles. These examples are not exhaustive and LAs and management committees are free to adopt alternative models that comply with the guiding principles.
- 3.2 **Surplus members.** If there are more members in a particular category than are recorded in the instrument of government, the member(s) of that category may serve out their term of office. This would apply if the instrument of government of a PRU is varied and the size of the management committee, or a particular category of member, is reduced.

3.3 Categories of member

3.3.1 **Community members** are appointed to represent community interests.

Community members should be persons who are committed to the good governance and success of the PRU and who live or work in the community served by the PRU. Community members can be drawn from, for example, local schools, social services, educational charities, local colleges of further education and alternative education and training providers.

3.3.2 PRUs are expected to work closely with local schools, and in some cases as part of a **school partnership** for behaviour. The Department strongly recommends that most or all community member places should be taken up by local schools or, where the PRU is part of a school partnership, by representatives of these partnerships, e.g. headteachers, deputy headteachers and governors of schools in these partnerships.

3.3.3 In some cases, the PRU management committee might comprise representatives of a single local school as its community members. This would be appropriate where, for example, a high-performing school, including a special school, a Trust school or an Academy, is working closely with a PRU, perhaps by sharing facilities or management expertise with a PRU that is judged by Ofsted as needing to improve.

3.3.4 If a PRU is based in a hospital, one or more persons should be nominated by the Primary Care Trusts (PCTs) or the National Health Service Trust that manages the hospital to fill community member places.

3.3.5 A person is disqualified from appointment as a community member if they are a registered pupil at the PRU, eligible to be a staff member at the PRU, or if they are an elected member of the LA.

3.4 **Parent members** including carers, of registered pupils at the PRU are eligible to stand for election for parent membership at the PRU. Parent members are elected by other parents at the PRU. Management committees must make every reasonable effort to fill parent member vacancies through elections. However, if insufficient parents stand for election the management committee can appoint:

(a) a parent of a registered pupil at the PRU, or if that is not possible,

(b) a parent of a former pupil at the PRU, or if that is not possible,

(c) a parent of a pupil registered at another PRU or a school maintained by the LA, or if that is not possible,

(d) a parent of a child of or under compulsory PRU age, or if that is not possible,

(e) any parent.

- 3.4.1 A person is disqualified from election or appointment as a parent member of a PRU if they are an elected member of the LA or if they work at the PRU for more than 500 hours in an academic year.
- 3.4.2 Where two or more PRUs operate jointly under one management committee, the Department recommends that when electing parent members for joint management committees, parents of pupils in all PRUs in the group should be given an opportunity to stand and that all the parents should be invited to vote on the appointment.
- 3.5 **Staff members** Both teaching and non-teaching/support staff who are paid to work at the PRU are eligible for staff membership. Staff members are elected by the PRU staff and must be paid to work wholly or mainly at the PRU; volunteers are not eligible. Any election which is contested must be held by ballot.
- 3.5.1 The head teacher/teacher in charge of a PRU must be included in the membership of the management committee and counts as a member of the staff category. Where a management committee includes two or more staff members the Department recommends that at least one staff member (excluding the head teacher/teacher in charge) is appointed from the teaching staff complement at the PRU, but if no teaching staff stands for election a member of the non-teaching or support staff can be elected to take that place. If a management committee has three or more staff member places, the Department recommends that at least one of these places should be for non-teaching or support staff, but if no member of this group of staff stands for election a teacher can be elected to take that place.
- 3.5.2 If the head teacher/teacher in charge decides not to be a member they must inform the clerk of that decision in writing, and the Department recommend they do so before circulation of the agenda of the management committee's first meeting after their appointment. The place remains reserved for them and cannot be taken by anyone else.
- 3.5.3 Where two or more PRUs operate jointly under one management committee, the Department recommends that all head teachers/teachers in charge can participate in discussions at meetings if they wish but they must bear in mind that they share only one vote. They should therefore agree before the meetings who will exercise the vote on their behalf.
- 3.5.4 The Department also recommends that when electing staff members for joint management committees, staff in all PRUs in the group should be given an opportunity to stand and that all the staff should be invited to vote on the appointment.

- 3.5.5 PRU staff who are eligible for election as staff members (i.e. who are paid to work at the PRU) are not eligible to serve as LA members or community members at their PRU. If they are paid to work at the PRU for more than 500 hours in an academic year they are not eligible for election or appointment as parent members. Staff can, however, vote in parent member elections if they are parents of pupils at the PRU and be members at another PRU. Their employment status will not affect their qualification for memberships in these categories at another PRU.
- 3.6 **Local authority members** are appointed by the LA. LAs can appoint any eligible person as a LA member. LAs are advised to appoint candidates irrespective of any political affiliation or preferences who are committed to assist in the effective running of the PRU.
- 3.6.1 A person is disqualified from appointment as a LA member if they are eligible to serve as a staff member of the PRU.
- 3.7 **Sponsor members** are appointed by the management committee. It is at the management committee's discretion whether they choose to appoint sponsor members or not. If the management committee decides to appoint one or two sponsor members it must seek nominations from the sponsor(s). The management committee can appoint a maximum of two persons as sponsor members.
- 3.7.1 Persons who give substantial assistance to the PRU, financially or in kind, or who provide services to the PRU, can be appointed by the management committee as sponsor members. This definition allows for a wide range of partners, including other PRUs, who offer advice and support to the PRU to be represented on the management committee.
- 3.7.2 Where a management committee includes sponsor members, the number of community member places must be increased by the same number of sponsor members to ensure that community members continue to be in a majority.

4. Term of office – (part 5 of the regulations)

4.1 **Term of office** – The term of office for all categories of member is four years, but the management committee can decide to set a shorter term of office for one or more categories of member. This does not apply to the head teacher/teacher in charge. If the term of office is shorter than four years this has to be recorded in the instrument of government. The term of office cannot be shorter than one year and cannot be varied for individual members. Any member may at any time resign by giving written notice to the clerk. A member who reaches the end of their term and remains eligible can be re-appointed or re-elected for a further term.

Removal from office

4.1.1 The management committee may remove **community members** from office.

4.1.2 The management committee may also remove any **parent member** who has been appointed, but they may not remove an elected parent member. (A parent member is considered to be elected if they stood for election for parent membership; whether or not a ballot took place is irrelevant for this purpose.)

4.1.3 **Local authority members** may be removed from office by the LA that appointed them. The person who appointed the LA member must give written notice to the clerk, to the management committee, and the member in question of their removal.

4.1.4 The management committee may remove any **sponsor members** from office and it may also do so at the request of the nominating body.

4.1.5 The management committee may not remove any staff member.

Procedure for removal

4.1.6 In the case of any community member, appointed parent member, or sponsor member whose removal is requested by the management committee, the member(s) proposing the removal must give the reasons for the proposed removal and the member in question must be given the opportunity to make a statement in response before a vote is taken on a resolution to remove the member in question.

- 4.1.7 In the case of a community member nominated by a voluntary organisation, PCT or NHS trust, or sponsor member proposed for removal at the request of the nominating body, the nominating body proposing the removal must inform the clerk to the management committee and the member in question in writing of the reasons for proposing the removal. The clerk to the management committee must give the reasons for the proposed removal and the member proposed for removal must be given the opportunity to make a statement in response before a vote is taken on a resolution to remove the member in question.
- 4.1.8 A management committee's decision to remove any community, sponsor, or appointed parent member must be confirmed at a second meeting held not less than 14 days after the first meeting. At both meetings the removal of the member in question must be specified as an item of business on the agenda.

5. Roles and responsibilities of management committees – (Part 7 of the regulations)

- 5.1.1 Almost all LAs have established PRUs to cater for the needs of some of the children and young people in their area who are unable to attend mainstream or special schools for whatever reason. Management committees are intended to fulfil an advisory role though with statutory responsibility for certain specific functions or tasks. They are expected to be actively involved in most decision-making to ensure that their PRUs are run effectively and that they provide a suitable education for learners. Consequently, Part 7 of the regulations provides that the LA must delegate to management committees the function of conducting the PRU, although this delegation does not extend to the appointment, suspension or dismissal of staff or the spending of the LA's money. In addition the Education (Pupil Referral Units)(Application of Enactments)(England) Regulations 2007 have the effect of conferring other powers and duties directly on management committees.
- 5.1.2 Management committees have joint statutory responsibility in the exercise of some functions, e.g. in deciding the curriculum to offer and in deciding the times of school sessions. In relation to exclusion, for example, they have similar roles to school governing bodies in terms of confirming/rejecting these exclusions.
- 5.1.3 In cases where a power or duty relating to the running of the PRU has not been formally delegated to, or conferred on the management committee, the Department strongly recommends that the committee is invited to advise its LA on decisions on such matters. For example, LAs have statutory responsibility for the setting of the budget for their PRUs and for determining staffing matters, including the recruitment and dismissal of staff. Management committees should be involved in agreeing with their LAs the overall development plan for the PRU for the coming period and use the plan to suggest a suitable budget and staffing structure for the PRU.
- 5.1.4 **Annex D** sets out key functions relevant to PRUs and associated tasks. The annex also shows at what level or levels decision should or are recommended to be carried out.

Terms of reference

- 5.2 In exercising their functions, and any functions delegated by the LA, the management committee must act with integrity, objectivity and honesty and in the best interests of the PRU.

The role of the management committee

5.3 Management committees should play a strategic and advisory role in exercising their functions, and any functions delegated to them by the LA. In particular, they should work closely with the LA and set up a strategic framework for the PRU. This strategic plan will need to:

- Set out appropriate aims and objectives;
- Identify and include policies, targets and priorities; and
- Set out arrangements for monitoring and reviewing aims, objectives, and whether the policies, targets and priorities are being achieved.

Management committees should take advice on all this from the headteacher/teacher in charge before taking their own decisions. Working strategically, management committee members should then use any monitoring evidence to review and evaluate progress against any targets set to see whether a policy is working or needs changing.

The role of the teacher in charge

5.4 The teacher in charge is responsible for the internal organisation, management and control of the PRU; and for advising on and implementing the strategic plan. In particular, teachers in charge need to formulate aims and objectives, policies and targets for the management committee and the LA to consider adopting.

The role of the local authority

5.5.1 The LA has a 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. Where a LA establishes a PRU to fulfil this duty, it has the responsibility to maintain the PRU. It must ensure that the PRU is suitably resourced and organised to provide a high standard of education.

5.5.2 With the requirement to establish management committees for PRUs, LAs must ensure that these committees are correctly constituted and that their members are appropriately supported to help them to fulfil their roles.

Annex A: Model instrument of government

1. The name of the Pupil Referral Unit (or group of PRUs¹) is

2. The PRU's DCSF number is

3. The address of the PRU (and any other sub units forming part of the PRU²) is

post code

4. The name of the management committee is

"The management committee of "³

(insert the name of the PRU as set out in paragraph 1. above).

5. The management committee shall consist of:

- a. parent members (at least one but no more than one-fifth of the places);
- b. local authority members (at least one but no more than one-third of the places);
- c. staff members (at least one but no more than one-third of the places and including the teacher in charge);
- d. community members (at least one more than the total of all other member places);
- e. (where applicable) sponsor members (up to two).

6. Total number of members

7. The sponsor(s) entitled to nominate person(s) for appointment as sponsor members under schedule 1 of the Regulations is/are

(insert name here)

8. (applicable if the term of office of one or more categories of member is shorter than four years:)

The term of office of (category of member) is

(insert period between one and four years).

9. This instrument of government comes into effect on / / (insert date).

10. This instrument was made by order of Local Authority on

/ / (insert date).

11. A copy of the instrument must be supplied to every member of the management committee (and the teacher in charge if not a member). A copy should be sent to the DCFS (see address in section 2).

¹ The name should be the same as it appears on Edubase. Where two or more PRUs will be governed by one management committee, the name, address and Departmental number of each PRU should be provided on a separate sheet but attached to form part of the Instrument.

² If a PRU has sub units based at separated sites, the address (and other relevant details) of all sub units should be provided on a separate sheet but attached to form part of the Instrument.

³ Where a single PRU is constituted under an Instrument, the name should be the same as in paragraph 1. Where there are two or more PRUs a group name can be used, e.g. The management committee of South Blankshire.

Annex B: Examples of constitutional models

Please note that this annex gives examples. This is not an exhaustive list; LAs and management committees are free to adopt alternative models, provided these comply with the guiding principles set out in section 3.

Examples of constitutional models (categories of member and compliance with principles)								
Total number of members	Parents	principle: at least one but no more than 1/5	Staff	principle: at least one but no more than 1/3	Local authority	principle: at least one but no more than 1/3	Community	principle: at least one more than all others
7	1	(14%)	1	(14%)	1	(14%)	4	(57%)
8	1	(13%)	1	(13%)	1	(13%)	5	(63%)
9	1	(11%)	2	(22%)	1	(11%)	5	(56%)
9	1	(11%)	1	(11%)	2	(22%)	5	(56%)
10	2	(20%)	1	(10%)	1	(10%)	6	(60%)
10	1	(10%)	2	(20%)	1	(10%)	6	(60%)
11	1	(9%)	2	(18%)	2	(18%)	6	(55%)
11	2	(18%)	2	(18%)	1	(9%)	6	(55%)
12	1	(8%)	3	(25%)	1	(8%)	7	(58%)
12	1	(8%)	2	(17%)	2	(17%)	7	(58%)
13	2	(15%)	2	(15%)	2	(15%)	7	(54%)
13	1	(8%)	3	(23%)	2	(15%)	7	(54%)
14	1	(7%)	2	(14%)	3	(21%)	8	(57%)
14	2	(14%)	3	(21%)	1	(7%)	8	(57%)
15	2	(13%)	3	(20%)	2	(13%)	8	(53%)
15	2	(13%)	2	(13%)	3	(20%)	8	(53%)
16	2	(13%)	3	(19%)	2	(13%)	9	(56%)
16	2	(13%)	2	(13%)	3	(19%)	9	(56%)
17	2	(12%)	3	(18%)	3	(18%)	9	(53%)
17	2	(12%)	3	(18%)	2	(12%)	10	(59%)
18	2	(11%)	3	(17%)	3	(17%)	10	(56%)
18	2	(11%)	4	(22%)	2	(11%)	10	(56%)
19	3	(16%)	3	(16%)	3	(16%)	10	(53%)
19	3	(16%)	3	(16%)	2	(11%)	11	(58%)
20	3	(15%)	3	(15%)	3	(15%)	11	(55%)
20	2	(10%)	3	(15%)	4	(20%)	11	(55%)

Note: figures have been rounded up or down to the nearest whole number. 0.5 has been rounded up.

Annex C – Establishment of first management committee, transitional arrangements and temporary management committees

1. LAs are responsible for the establishment of the first management committee for each of their PRU in accordance with the regulations. Elections of parent and staff members and the appointments of LA and community members should take place between 13 November 2007 and 31 January 2008. Members' start day of office will be 1 February 2008. LAs must ensure that they take the necessary steps to ensure that elections and appointments take place during the time frame mentioned above.
2. Members appointed or elected to management committees established prior to the coming into force of the regulations (13 November 2007) – referred to as 'current members' – may be considered for election or appointment on formal management committees if they meet the definition of the category of member they wish to serve as. The Department recommends that where such members are already serving on existing management committees they should be considered for appointment by LAs to serve on the new management committees.
3. A current member who continues as a member after an instrument of government made under the Regulations becomes effective will be given a fresh term of office, as set out in the instrument of government, for the category they have been appointed/elected.
4. The instrument of government must record the number of members as determined by the management committee when choosing a new constitutional model. As current members serve out their term of office there may therefore be more members on the management committee than are recorded on the instrument of government.
5. A current member can be re-elected or re-appointed for a further term under the Regulations.
6. The Department recommends that LAs set up temporary management committees for PRUs which they propose to open. The constitution of temporary management committees should be similar to that of management committees. Where possible, members appointed to serve on temporary management committees should meet the criteria for the category of member they plan to serve. This way, they will be able to serve on the formal management committee once the instrument of government takes effect, and they will provide continuity in the management of the new PRU.

Annex D: Roles and responsibilities of management committees

Key Functions of Pupil Referral Units

KEY to decision levels

Level 1 = decisions made by Local Authority

Level 2 = decisions made by Local Authority (where advice from Management Committee is strongly recommended)

Level 3 = decisions made by Management committee only (e.g. function/task delegated to MC)

Level 4 = decisions made by Management Committee (where advice from Local Authority is strongly recommended)

Level 5 = decision made by Teacher in Charge

19 – Roles and responsibilities of management committees (MCs)

Roles and responsibilities of management committees (MCs)								
Key Function	No	Tasks	Level 1	Level 2	Level 3	Level 4	Level 5	Comments
Budgets	1	LAs to establish a budget and finance policy for their PRUs		✓				PRUs do not have a delegated budget, and it is for the LA to decide the budget for each of their PRUs. However, we recommend that the LAs should have a budget and finance policy for their PRUs; and MC's views should be sought in deciding budgets. MCs should be encouraged to undertake some of the associated tasks, e.g. to monitor the expenditure, and advise on any tendering exercises or discussions about contracts.
	2	To approve the budget plan each financial year	✓					
	3	To monitor monthly expenditure			✓			
	4	To establish a charging and remissions policy		✓				
	5	Miscellaneous financial decisions (identified in policy)						
	6	To enter into contracts (identified in policy)						
	7	To make payments (identified in policy)						
Staffing	1	Teacher in Charge appointments		✓				Staff who work in PRUs are employed by LAs; and existing legislation provides for the LA to discharge all staffing functions including pay matters. Some teachers/instructors are employed under similar terms as those in maintained schools – under school teachers' pay and conditions – and others on similar terms to other LA staff. MCs are expected to help in improving the effectiveness of PRUs. They should, therefore, be encouraged to be involved in deciding on staff structures and to assist in the appointment and other staffing matters of key posts in the PRU.
	2	Deputy TIC appointments		✓				
	3	Appoint other teachers		✓				
	4	Appoint non teaching staff		✓				
	5	Agree a pay policy				✓		
	6	Pay discretions				✓		
	7	Establishing disciplinary/ capability procedures				✓		
	8	Dismissal of teacher in charge		✓				
	9	Dismissal of other staff		✓				
	10	Suspending head		✓				
	11	Suspending staff (except head)		✓				
	12	Ending suspension (head)		✓				
	13	Ending suspension (except head)		✓				
	14	Determining staff complement		✓				
	15	Determining dismissal payments/ early retirement	✓					
	16	To ensure that staff have successfully undergone criminal record checks		✓				

Roles and responsibilities of management committees (MCs)								
Key Function	No	Tasks	Level 1	Level 2	Level 3	Level 4	Level 5	Comments
Curriculum	1	To establish a curriculum policy (Broad and balanced, not necessarily national curriculum)						<p>The regulations provide for the LA, the MC and the TiC to work jointly in agreeing a curriculum policy for their PRU and to review the policy from time to time. It is recommended that they do so at least once a year.</p> <p>The policy must therefore set out the procedures for the implementation and monitoring of the policy. The level(s) at which tasks 2 to 6 should be carried out are recommended.</p>
	2	To implement curriculum policy			✓		✓	
	3	To monitor curriculum policy		✓				
	4	Responsible for standards of teaching			✓		✓	
	5	To decide which subject options should be taught having regard to resources, and implement provision for flexibility in the curriculum (including activities outside school day)			✓		✓	
	6	Responsibility for individual child's education			✓		✓	
	7	Provision of sex education – to establish and keep up to date a written policy		✓			✓	
	8	To prohibit political indoctrination and ensuring the balanced treatment of political issues		✓			✓	
Performance Management	1	To formulate a performance management policy		✓				<p>The LA is responsible for performance management of staff working in PRUs. However, we recommend that the views of MCs are sought in all tasks relating to performance management, and that the MC and the TiC are given the responsibility to deliver the policy.</p> <p>Also, the LA must appoint school improvement partners to provide advice on improving standards at the PRU to the LA, the MC and the TiC.</p>
	2	To establish a performance management policy		✓				
	3	To implement the performance management policy		✓				
	4	To review annually the performance management policy		✓				
	5	To deliver the performance management				✓		
Target Setting	1	To set targets for individual pupil achievement (learning plan), including exit strategy					✓	Each pupil should have a learning plan based on prior attainment and expected future attainment. The TiC and other staff should have primary responsibility for this task.

21 – Roles and responsibilities of management committees (MCs)

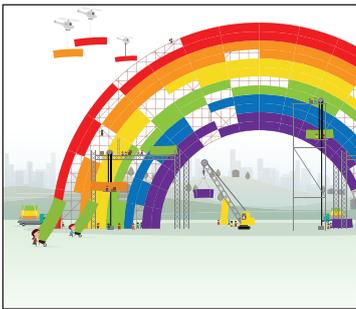
Roles and responsibilities of management committees (MCs)								
Key Function	No	Tasks	Level 1	Level 2	Level 3	Level 4	Level 5	Comments
Discipline/ Exclusions	1	To establish a discipline policy			✓			The MC is responsible for establishing and reviewing discipline policies. The MC must agree measures to ensure the promotion and implementation of high standard of behaviour and discipline. In relation to pupil exclusion, the MC will need to consider whether or not to confirm decisions to exclude pupils permanently or those that are excluded for fixed periods of more than 15 days in total in a term. Where a pupil would lose the opportunity to sit an examination while on exclusion, the MC (can be delegated to chair/vice-chair in cases of urgency) must consider whether or not to lift the exclusion.
	2	To review the use of exclusion or would lose the opportunity to sit a public examination			✓			
	3	To direct reinstatement of excluded pupils (Can be delegated to chair/vice-chair in cases of urgency)			✓			
Admissions		Admissions policy (and exit strategy)		✓				Although admissions of pupils is the responsibility of the LA, it would be sensible for the MC to be able to advise the LA on all admission issues, e.g. the maximum number of pupils to admit and the type(s) of needs to cater for, taking account of available resources (as set out in the budget plan).
Special Educational Needs	1	To have regard to guidance in the Code of Practice on SEN		✓			✓	The LA, the MC and the TIC must have regard to statutory guidance set out in the Code in meeting the needs of pupils who have SEN.
	2	To secure appropriate provision for pupils who have SEN		✓			✓	The LA must inform the TIC, relevant staff and the MC (or a member of the MC with responsibility for pupils with SEN) about the particular SEN of pupils attending their PRU with a view to meeting their needs effectively.
	3	To ensure that teachers identify and effectively provide for pupils who have SEN		✓			✓	

Roles and responsibilities of management committees (MCs)								
Key Function	No	Tasks	Level 1	Level 2	Level 3	Level 4	Level 5	Comments
	4	To co-ordinate SEN provision with other schools		✓			✓	Where it is desirable to co-ordinate the provision for pupils who have SEN, MCs should consult the LA and local schools (including special schools) to ensure that effective provision is available for all such pupils in the area.
Premises & Insurance	1	Buildings insurance and personal liability	✓					The LA, as the owner of the premises, must ensure that suitable insurance are in place.
	2	Developing school buildings strategy or master plan and contributing as required to LA Asset Management Planning arrangements		✓				We suggest that the LA and the MC jointly develop a buildings strategy. Also, where an application is being considered or made under the Building Schools for the Future programme, the LA and the MC should include any improvement to their PRU accommodation.
	3	Procuring and maintaining buildings, including developing properly funded maintenance plan		✓				
Health & Safety	1	To institute a health and safety policy		✓				
	2	To ensure that health and safety regulations are followed			✓		✓	All
School Organisation	1	Proposal to alter or discontinue a PRU		✓				It is good practice for management committees as well as staff and parents to be consulted when the LA proposes to close a PRU or to make significant changes to PRUs.
	2	To set the times of school sessions and the dates of school terms and holidays		✓	✓			
	3	To ensure that the school meets for agreed number of sessions in a school year				✓		While it is for the LA to decide dates for terms and holidays, we suggest that the MC's views are sought. The LA must jointly decide with the MC the times of school sessions.
MC Procedures	1	To draw up instrument of government and any amendments thereafter	✓					
	2	To appoint (and remove) the chair and vice-chair			✓			
	3	To appoint and dismiss the clerk to the MC				✓		

23 – Roles and responsibilities of management committees (MCs)

Roles and responsibilities of management committees (MCs)								
Key Function	No	Tasks	Level 1	Level 2	Level 3	Level 4	Level 5	Comments
	4	To ensure that at least three MC meetings are held in a school year			✓			
	5	To appoint and remove community or sponsor members				✓		
	6	To set up a Register of Governors' Business Interests				✓		
	7	To consider whether or not to exercise delegation of functions to individuals or committees			✓			
	8	To regulate the MC procedures (where not set out in law)			✓			
	9	Set up a complaints procedure	✓					It is good practice to have a complaints procedure which sets out how complaints about any aspect of the PRU can be registered. In the case of complaints about the curriculum the MC must establish a complaints procedure.
Provision of facilities and assistance	1	To decide to offer additional activities and to what form these should take				✓		Regulations provide for MCs to provide additional services which meet the needs of the local community if they wish to do so. However, MCs will need the consent of their LA before considering doing so. Where such additional services are being provided, the MC must establish and publicise procedures to deal with complaints relating to these services. The MC may provide advice or assistance to the governing bodies of local schools and to local authorities. This could be useful when working with pupils based in local schools with a view to address particular issues, e.g. behaviour.
	2	To put into place the additional services provided			✓			
	3	To ensure delivery of services provided			✓			
	4	To cease providing extended school provision			✓			
	5	To decide to provide advice to schools and local authorities						

Roles and responsibilities of management committees (MCs)								
Key Function	No	Tasks	Level 1	Level 2	Level 3	Level 4	Level 5	Comments
Pupil well-being/ community cohesion	1	To promote the well-being of pupils and community cohesion			✓			As part of their responsibility for the good management of PRUs, MCs have a duty to promote pupils' well-being and community cohesion. Like schools, PRUs are expected to play an active part in the development of local services, through engagement in children's trusts and by having regard to the local Children And Young People's Plan – for example when making decisions on childcare arrangements.



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