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THIS IS A MEETING WHICH THE PUBLIC ARE ENTITLED TO ATTEND

24th August 2021

Dear Sir/Madam

EXECUTIVE COMMITTEE

A meeting of the Executive Committee will be held in Virtually Via Microsoft Teams - if you would like to attend this meeting live via Microsoft Teams please contact committee.services@blaenau-gwent.gov.uk on Wednesday, 1st September, 2021 at 2.00 pm.

Yours faithfully

Michelle Morris
Managing Director

AGENDA

Pages

1. SIMULTANEOUS TRANSLATION

You are welcome to use Welsh at the meeting, a minimum notice period of 3 working days is required should you wish to do so. A simultaneous translation will be provided if requested.

2. APOLOGIES

We welcome correspondence in the medium of Welsh or English. / Croesawn ohebiaith trwy gyfrwng y Gymraeg neu'r Saesneg.

To receive.

3. **DECLARATIONS OF INTEREST AND
DISPENSATIONS**

To receive.

DECISION ITEMS - EDUCATION MATTERS

4. **PROPOSAL TO CONSULT ON AN INCREASE IN
CAPACITY AT PEN Y CWM SPECIAL SCHOOL** 3 - 44

To consider the report of the Corporate Director
Education.

DECISION ITEMS - CORPORATE SERVICES MATTERS

5. **REQUEST FOR ADDITIONAL ANNUAL LEAVE DAY
FOR WORKFORCE** 45 - 48

To consider the report of the Head of Organisational
Development.

To: Councillor N. Daniels (Chair)
Councillor J. Collins
Councillor D. Davies
Councillor J. Mason
Councillor J. Wilkins

All other Members (for information)
Manager Director
Chief Officers

Agenda Item 4

Executive Committee and Council only

Date signed off by the Monitoring Officer: 18.08.21

Date signed off by the Section 151 Officer:

Committee: **Special Executive Committee**

Date of meeting: **1st September 2021**

Report Subject: **Proposal to Consult on an Increase in Capacity at Pen y Cwm Special School**

Portfolio Holder: **Education and Learning Portfolio – Joanne Collins**

Report Submitted by: **Corporate Director of Education - Lynn Phillips and Service Manager Education Transformation and Business Change – Claire Gardner**

Reporting Pathway								
Directorate Management Team	Corporate Leadership Team	Portfolio Holder / Chair	Audit Committee	Democratic Services Committee	Scrutiny Committee	Executive Committee	Council	Other (please state)
	12.08.21	18.08.21				01.09.21		

1. Purpose of the Report

The purpose of the following report is to provide Executive Committee with an overview of the statutory notice/objection period outcomes, in relation to the proposal to increase the capacity at Pen y Cwm Special School. In addition, the report details the next steps as part of the statutory processes required in line with the School Organisation Code (Version 2, 2018) and the associated decision making processes.

2. Scope and Background

2.1 The Proposal

Blaenau Gwent County Borough Council propose to increase the capacity at Pen y Cwm Special School. In order to facilitate the extended capacity, the Council will need to remodel the existing learning environment. In addition, the Council will work with the school and other relevant partners to develop a long-term plan to support sustained growth and development. Therefore, this proposal will be delivered in 2 parts:

2.2 Part 1, seeks to increase the capacity of Pen y Cwm Special School from 120 to 175 places in preparation for 2021/22 academic year, which would involve physical works to the existing building including:

- Re-location of the Post 16 base (including 3 classrooms, a common room, life skills room, toilets and hygiene facilities)
- Re-location of the current administrative area and office space (including a staff room, PPA room, conference facility and a small meeting room)
- Creation of 2 additional primary classrooms
- Creation of 1 additional secondary classroom and associated facilities
- Re-location of the soft-play area to the ground floor
- Re-development of the Science and Technology room

- 2.3 Part 2, involves the development of a medium to long-term plan to secure additional capacity to facilitate sustained growth and development.
- 2.4 The consultation process (please refer to **Appendix 1** for the Consultation Document), determined that there was wide-spread support for the proposal among consultees, with over 82% of respondents in favour of the new school development, citing the positive impact that the proposal is likely to have upon special education places locally. In summary, during the 42-day consultation period:
- The Council received 9 email responses, 7 supporting the proposal
 - The Council received 11 survey responses,
 - The responses can be broken down as follows:
 - **Fully support the proposal - 9 (82%)**
 - **Partially support the proposal - 1 (9%)**
 - **Do not support the proposal - 1 (9%)**
- 2.5 The consultation out-turn report was presented to Special Executive Committee on 23rd June 2021. At which point, approval was granted for Education to proceed to Statutory Notice.
- 2.6 The statutory notice/objections period (please refer to **Appendix 2** for the Statutory Notice), was conducted over 28 days as per the requirements set out within the School Organisation Code (Version 2, 2018). The objections period:
- commenced on Friday 25th June 2021; and,
 - concluded on Friday 23rd July 2021.
- 2.7 The statutory notice/objections period, provided the opportunity for anyone wishing to make objections to the school organisation proposal with the opportunity to do so. The aforementioned Code stipulates that objections report containing a summary of any statutory objections, must then be published along with the proposer's response to the objections.
- 2.8 **Statutory Notice Period - Outcomes**
The widespread support for the proposal noted throughout the consultation period, was further reinforced by the outcome of the statutory notice period, as no formal objections were received. However, there were 2 survey responses, requesting additional information on provision for Post 16 learners. The content of the correspondence and associated Council responses can be found within **Appendix 3**. A summary of the questions posed are detailed below:
- Will Post 16 learners have a vocational space and a common room?
 - How many extra classes will there be?
 - Will there be more specialist areas or less?
 - Have fire safety or ventilation been considered in the new area?
 - Where will extra hygiene rooms go?
- 2.9 In line with the Welsh Government School Organisation Code requires proposers to publish a decision notification within 7 days of the decision being

made. All consultees are to be provided with a copy of the notification, which then concludes the associated statutory process.

3. **Options for Recommendation**

3.1 There are 2 options associated with the Objections report, as follows:

- **Option 1** – Executive Committee considers and accepts the Objections report, associated documents and agrees to proceed to Decision Notification stage (which is required within 7 days of the decision being made, as per the Welsh Government School Organisation Code (2018, version 2).
- **Option 2** – Executive Committee rejects the proposal to proceed to Decision Notification.

4. **Evidence of how does this topic supports the achievement of the Corporate Plan / Statutory Responsibilities / Blaenau Gwent Well-being Plan**

4.1 In accordance with the Welsh Government School Organisation Code (2018), there is a statutory requirement for the Council to undertake statutory consultation, which has been complied with in this case.

4.2 Education is a strategic priority within the Corporate Plan. In order to enable people to maximise their independence, develop solutions and take an active role in their communities, the growth, development and sustainability of our special schools is necessary to meet the demand.

5. **Implications Against Each Option**

5.1 ***Impact on Budget (short and long term impact)***

There are capital cost implications associated with this proposal for the Council, which are circa £250,000. This will be met via both the Capital Maintenance Grant and the Welsh Government ALN Grant funding, so therefore, this proposal has no cost pressure implications for the Council's Capital Programme.

Pen y Cwm Special School is funded in accordance with Blaenau Gwent Council's Fair Funding policy, and will receive resources on the same basis as any other school within Blaenau Gwent, based upon pupil numbers and the area of the school building. In April 2020/21 pupil funding at Pen y Cwm Special School for Age Weighted Pupil Unit and Category funding was £2,399,785 (other factors funding is not included), this figure is based upon the 141 pupils on roll. Based on the average pupil cost of £16,925, the AWPU/category funding costs for 175 pupils will be circa £2.9 million, which is an increase of £575,450 - if all places were to be fully allocated.

Pen y Cwm generates income in excess of £522,259, as a result of the 19 Out of County placements for learners being educated within Blaenau Gwent, whilst living in another Local Authority area.

Blaenau Gwent currently has 20 ALN pupils that are educated outside the Local Authority at a cost of £896,000. If Pen y Cwm Special School was able to increase capacity, there would be opportunities to consider making education provision for some of the 20 pupils back in Blaenau Gwent which would contribute to cost avoidance. However, it is recognised that in some cases, that pupils will continue to receive their education Out of County in line with their specialist needs.

The additional funding requirement will be met from a combination of:

- existing resources (from the ISB reserve);
- ISB funding arising from pupil reductions in BGCBC mainstream schools;
- cost avoidance for Out of County placements; and,
- income generated from Out of County placement at Pen y Cwm Special School.

The building remodelling is proposed to take place within the existing footprint of the school, therefore, it is not anticipated that there will be any significant additional premises costs. There will be leadership implications, however, these are deemed to be relatively small based upon leadership pay scales which are reflective of the pupil population.

Costs associated with home to school transport are increasing. The transport costs associated with Out of County placement for 2019/20 were £134,000, whereas in 2020/21 and due to Covid-19, costs were in the region of £95,000. Pen y Cwm Special School transport costs for 2019/20 were £278,990 whereas for the 2020/21 academic year this rose to £292,000. These costs are regularly reviewed and subject to change in line with pupil placement

- 5.2 ***Risk including Mitigating Actions*** - If the proposal is not taken forward, there is both a placement and a financial risk in terms of securing suitable Out of County provision for learners.
- 5.3 ***Legal*** - In accordance with the Welsh Government School Organisation Code (2018), there is a statutory requirement for the Council to undertake formal consultation with all interested and affected parties.
- 5.4 ***Human Resources*** - There are no significant HR implications arising from the proposal. The proposed increase in pupil numbers will require the Governing Body of Pen y Cwm School to plan for the workforce requirements in readiness for the respective expansions. Organisational Development will provide advice, support and guidance to the Governing Body for the workforce planning and consequential recruitment processes.
6. ***Supporting Evidence***
- 6.1 ***Performance Information and Data*** - Please refer to the consultation document (**Appendix 1**), for the date performance data relating to the proposal.

- 6.2 ***Expected outcome for the public*** - The public can expect a fair and equitable consultation process, which is fully compliant with the Welsh Government School Organisation Code (2018)
- 6.3 ***Involvement (consultation, engagement, participation)*** - Stakeholder engagement is a key focus of all school organisation proposals. The proposal will be subject to consultation in line with the Welsh Government School Organisation Code (2018), which will then be used to inform decision making processes moving forward.
- 6.4 ***Thinking for the Long term (forward planning)*** - The consultation details a proposal which looks to secure additional Special School education places and capacity in line with placement requests and associated demand in the medium to long-term, securing sustainable growth of specialist education provision within Blaenau Gwent.
- 6.5 ***Preventative focus*** - The proposal seeks to address medium-term capacity issues, whilst securing sustainability to support long-term growth in line with specialist education placements within Blaenau Gwent.
- 6.6 ***Collaboration / partnership working*** - The consultation document, along with the development of the proposal has been developed collaboratively with the Inclusion team, Pen y Cwm Special School, Finance, and Community Services.
- 6.7 ***Integration (across service areas)*** - The proposal seeks to secure integration for new and existing pupils supporting growth and sustainability of provision.
- 6.8 ***Decarbonisation and Reducing Carbon Emissions***
All capital schemes and associated remodelling projects undertaken within schools, seek to contribute to CO2 carbon reduction and decarbonisation. Prior to design development, the project team establish key targets, with evidence provided via BREEAM trackers and project management documentation.
- 6.9a ***Socio Economic Duty Impact Assessment***
The proposal is not deemed to be a strategic decision covered under the act, therefore, the socio economic duty will be covered in the medium to long-term planning aspect of the proposal going forward, assessed and reported accordingly. The responses received have also been assessed and deemed to have no associated impact.
- 6.9b. ***Equality Impact Assessment***
An Equality Impact Screening Assessment (EQIA) has been completed in line with the consultation, which determined that there is no negative impact upon the protected characteristics. The proposal promotes equality of opportunity within Blaenau Gwent for families whose children require specialist provision, and will have a positive impact upon the protected characteristic of disability.

7. **Monitoring Arrangements**

- 7.1 Should the proposal proceed, the project would be established and managed in accordance with Blaenau Gwent Corporate Project Management Framework and the PRINCE 2 methodology.

Background Documents /Electronic Links

Appendix 1 Consultation Document
Appendix 2 Statutory Notice
Appendix 3 Objection Report



Statutory Consultation Document: Proposal to Extend the Capacity at Pen y Cwm Special School

Consultation period:

Commencing on: Monday 26th April 2021

Concluding on: Sunday 6th May 2021

This consultation document complies
with Welsh Governments, School
Organisation Code 2018 (V2) guidance

Ysgolion yr 21ain Ganrif
21st Century Schools



What is this booklet about?

This booklet has been prepared for parents/carers, school staff, school governors and the wider community of Blaenau Gwent. The booklet provides an overview of the consultation process associated with the Council's proposal to extend the capacity at Pen y Cwm Special School. It will be of particular interest to parents/carers whose children are attending or looking to attend the current special school.

If you would like this information in any other format, please contact the Education Transformation team either via email or telephone, as follows:

- Email us: 21stcenturyschools@blaenau-gwent.gov.uk or,
- Call us on: (01495) 355470



Glossary of Terms - Please note the following terms used throughout this document:

Additional Learning Needs (ALN)	A learner has ALN if he/she has a learning difficulty or disability which calls for additional learning provision (ALP).
Autistic Spectrum Disorder (ASD)	Is a complex developmental condition that involves persistent challenges in social interaction, speech and nonverbal communication and restricted/repetitive behaviours. The effects of ASD and the severity of symptoms are different in each person.
Child Looked After (CLA)	Is a child in the care of a Local Authority either: through a Care Order made by a court, or voluntary agreement with their parent(s) to accommodate them.
Local Authority	An organisation that is officially responsible for all the public services and facilities in a particular area.
Local Development Plan (LDP)	Sets out each local planning authority's proposals for future development and use of land in their area.
Numbers on Roll	The number of pupils at a school (not including nursery pupils).
Pupil Level Annual School Census (PLASC)	PLASC is an electronic collection of pupil and school level data provided by all maintained sector primary, middle, secondary, nursery and special schools in January each year (more information can be found on the Welsh Government website).
Resource Base RB	A small class in a mainstream school for pupils with significant ALN. Not all pupils attending an RB will have a statement of ALN. Pupils are taught by specialist teachers and learning support assistants. Sometimes RB pupils also have opportunities to attend mainstream classes.
School Assessments	When a school assess a pupils needs.
School Action	When a class or subject teacher gives extra support to a pupil with ALN.
School Action Plus	When outside specialists help the class or school staff to provide extra support for a pupil with ALN. This is different or additional to the support provided through School Action.
Special School	A school for children with an additional learning need or disability, whose needs cannot be met in a mainstream school. The pupils at a special school will often have a statement of ALN.
Statement of Additional Learning Needs	A child with a statement of ALN has additional learning difficulties which need special support. This means: <ul style="list-style-type: none"> the child has significantly greater difficulty learning than most children of the same age, or the child has a disability that needs different educational facilities from those that the school generally provides for children.
Statutory Notice	A statutory notice is the formal publication of a finalised proposal. This will only be undertaken if a decision is made by the Council's Executive Committee to proceed with a proposal, following consideration of all responses from the consultation process. This is a legal requirement as outlined in the School Organisation Code (2018).
Statutory School Age (SSA)	A Child who is over the age of 5 and under the age of 16 that is eligible to attend school

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Section 1: Introduction



Blaenau Gwent County Borough Council reviews the capacity of its schools on an annual basis. As such, the Council is responding to the increased demand and growth noted over the course of the last 3 years, in line with pupil placement requests for Pen y Cwm Special School. Pen y Cwm Special School caters for pupils (aged between 3-19 years) with a broad spectrum of complex special educational and medical needs, including profound and multiple learning difficulties. The school currently caters for Blaenau Gwent pupils, along with pupils from Out of County (OOC).

The school mission is: ***‘To empower and support individuals to be resilient and independent and to develop skills to reach their potential’.***

Learners are taught in 16 class groups and a typical class would have 1 teacher and 3 teaching assistants, with approximately 10 pupils. However, the set-up in each class is entirely dependent on pupil need. The adult/pupil ratio ensures that the individual care and educational needs of the pupils can be met. The school is supported by the physiotherapy, occupational therapy services and the speech and language therapy service. In addition, the Council’s Inclusion Service - including Educational Psychology, work closely with the school to manage and support placement.

Pen y Cwm Special School is co-located with Ebbw Fawr Learning Community Primary Phase (both schools are housed in the same building). The facilities include: classrooms, a purpose built hydro therapy pool, sensory rooms, hygiene rooms, quiet rooms, PMLD rooms, nurses office, a gymnasium, rebound room, library, art room, life skills room and science & technology room. Externally the school has an outdoor sensory garden and adventure play area along with outdoor learning areas.

The Council is committed to providing all children and young people with high quality education tailored to meet their needs, which will develop their potential, extend aspirations, promote social inclusion and contribute to the economic regeneration of the area. A provision such as Pen y Cwm Special School is essential for pupils with complex learning needs to enable them fulfil their potential. Therefore, this proposal is a key priority for the Council.

Section 2: Consultation Process

Prior to any decision being made on the proposal to extend the capacity of Pen y Cwm Special School, the Council is required to undertake statutory consultation with all interested and affected parties. This is necessary due to the fact that the proposal will see an increase in the number of pupils at the school, which when coupled with previous capacity increases, would increase the

number of pupils by 10% or the relevant number of such pupils (whichever is the lesser). This section provides an overview of the consultation process.

This consultation, will provide consultees with the opportunity to learn more about, understand and express their views on the Council's proposal, which will inform the final decision as to how the proposal is taken forward. The feedback and comments captured throughout the consultation process will be collated, analysed and reported via the Councils political processes. The Councils Executive Committee will then make the final decision based on the outcome of and feedback associated with the consultation.

Who we are Consulting with?

This Consultation Document will be distributed, in accordance with the Welsh Government's School Organisation Code Version 2 (November 2018). **Appendix 1** details the full list of consultees who will be targeted during the statutory consultation period.

Consultation Overview

The consultation period for this proposal will commence on **Monday 26th April 2021**, concluding on **Sunday 6th June 2021**. Consultees can submit their views on the proposal, however, it should be noted that responses received during this period will not be logged as objection. Should the proposal proceed, and consultees wish to make an objection, they will need to do so in writing during the statutory notice period outlined on page 14/15.

The Council would like you to consider the information set out in this document and provide your views on the proposal. If you have any questions or queries on the information contained within this document, please contact us either by using the email address below, or by calling us on (01495) 355470.



21stcenturyschools@blaenau-gwent.gov.uk

You are also welcome to complete the on line survey using the following link
<https://wh1.snapsurveys.com/s.asp?k=161701999055>

All consultation responses should be received by **5pm on Sunday 6th June 2021 at the latest**.

The Education Transformation team has planned virtual meetings with school staff, governors, Trade Union representatives, pupils and other interested parties. A frequently asked questions page will be developed and updated throughout the consultation period.

Due to the ongoing implications of the COVID-19 pandemic, the Council will not be offering drop in sessions. Should you feel the need to and/or feel strongly about discussing the proposal in person, please contact us via the 21st century schools email address as follows: 21stcenturyschools@blaenau-gwent.gov.uk and a virtual meeting can be arranged.

Consultation with Children and Young People

There will be an opportunity for the pupils of Pen y Cwm Special School, along with other children and young people to participate in the consultation process. All information gathered from the consultation process will form part of the consultation out-turn report.

Section 3: The Proposal

Blaenau Gwent County Borough Council propose to extend the capacity at Pen y Cwm Special School from 120 to 175 places, with effect from September 2021. In order to facilitate the extended capacity, the Council will remodel the existing learning environment to create additional classroom spaces and associated facilities i.e. toilets. In addition, and alongside this, the Council will work with the school to develop a long-term plan to support sustained growth and development. Therefore, this proposal will be delivered in 2 parts:

- Part 1, to increase the capacity of Pen y Cwm Special School from 120 to 175 places in preparation for 2021/22 academic year, which would involve physical works to the existing building including:
 - Re-location of the Post 16 base (including 3 classrooms, a common room, life skills room, toilets and hygiene facilities)
 - Re-location of the current administrative area and office space (including a staff room, PPA room, conference facility and a small meeting room)
 - Creation of 2 additional primary classrooms
 - Creation of 1 additional secondary classroom and associated facilities
 - Re-location of the soft-play area to the ground floor
 - Re-development of the Science and Technology room
- Part 2, the development of a long-term plan to secure additional capacity to facilitate sustained growth and development.

The proposal would support the Blaenau Gwent's Vision for Education as follows:

‘Securing excellent achievement and wellbeing for all learners through a partnership, school-led self-improving system’.

The proposal is in keeping with Blaenau Gwent's 21st Century Schools investment objectives which are:

- **Investment Objective 1:** to raise standards and achievement in line with localised targets at Foundation Phase, KS2, KS3 and KS4; and secure improved transition into post 16 learning
- **Investment Objective 2:** to create a sustainable model for the 21st Century school estate in consideration of both capital and revenue investment, along with the condition and suitability of buildings
- **Investment Objective 3:** to establish effective management and provision of school places, by having the right schools of the right size in the right place
- **Investment Objective 4:** to implement the 21st Century Schools Programme in line with local, regional and national school organisation policy; ensuring synergy between progression, development and implementation
- **Investment Objective 5:** meeting the needs of vulnerable learners

Rationale and Background Information - Why Change is Necessary



Pen y Cwm is a Special School catering for learners across the 3-19 age range, with a wide range of disabilities and difficulties ranging from Severe Learning Difficulties (SLD) to Profound and Multiple Learning Difficulties (PMLD), Autistic Spectrum Disorder (ASD), Visually Impaired (VI), Hearing Impaired (HI) pupils. The school provides accessible accommodation and facilities for those who have a physical disability alongside their learning difficulty.

The new Pen y Cwm Special School opened in 2012, and replaced the former 1960's school building located in Beaufort. The new school was designed to be bigger, better and to provide many additional facilities including specialist rooms for Food Technology, Science and Design Technology, Art – specified as needed for effective delivery of the curriculum for Secondary learners by ESTYN, as part of the inspection process in 2004 and 2010 respectively. Additional facilities were created to include a parent room, an outreach/inclusion base, a common room for Post 16 learners, a 'flat' to support the development of independent living skills, a multi-purpose 'learning bay' and several other small ancillary and administrative spaces, including staff PPA areas etc. The school was built with a capacity of 120 places and based upon pupil numbers and associated predication at the time, 120 places was deemed to be suitable and sufficient. However, over the course of the last 4 years' demand for places has increased considerably, with 141 pupils currently on roll.

The school population has grown by approximately 36% since relocating November 2012. As a result, there is now very limited if any flexible space, and each of the specialist areas (including the specialist rooms for Secondary age teaching and learning) have been reconfigured to facilitate general teaching spaces for additional pupils. Therefore, each of the phases (Foundation Phase/Primary/Secondary/Post 16) are now compromised in terms of flexibility and space.

Whilst the school has gained additional floor space following the re-location of the formerly co-located Integrated Children's Centre in 2016, this space - due to suitability, has been predominantly used to house and facilitate the work of school's Business and Administration team/functions. In addition, the space has a conferencing facility which supports training and engagement with other professionals and families.

Additionally, timetabling has become compromised with allocated times in each of the specialist facilities e.g. art, food technology, gym, hydro pool and outdoor fitness area limited, due to the additional numbers of pupils. Staff welfare facilities also require address as the current staff room accommodates approximately 16 staff (pre-COVID restrictions), with a staff numbers having grown and now in excess of 90.

Pupil numbers and demand for places at Pen y Cwm Special School have significantly increased over the course of last four years, resulting in the school being oversubscribed, along with a waiting list, which as at March 2021, has 10 children and young people awaiting placement. There are a number of factors relating to this increase, including higher survival rates for children with

complex disabilities, more cases and/improved diagnosis and an increase in complex medical conditions. Therefore, the Local Authority is seeking to increase the capacity (in terms of the number of places) at the school from 120 to 175.

As at September 2020, there were 150 learners in the school with 2 placement requests awaiting allocation, since this time 9 pupils have left. However, as detailed above demand continues to increase. Pen y Cwm Special School provides a highly specialist learning environment and curriculum for children and young people with profound and multiple learning difficulties. All those attending the school will have needs that cannot be met in a less specialised and/or mainstream school. Most pupil's also have a range of secondary needs which include medical, speech and language, physical or ASD needs.

The Local Authority is projecting a continued upward trend in terms of demand/pupil numbers going forward. Demand for places at the school continues and is subsequently putting pressure on the local authority to place pupils Out of County, should we not be able to secure additional places locally.

The Blaenau Gwent County Borough Council seeks to address the aforementioned issues by increasing the capacity of Pen y Cwm Special School to facilitate the increased demand for places and secure medium-term growth. In order to facilitate the increased capacity, remodelling works will need to be undertaken within the current school site to increase the number of classrooms for Foundation Phase, Primary, Secondary and Post 16 learners.

Demand for Places

Within Blaenau Gwent, the number of children with Additional Learning Needs (ALN) has increased. At present, 18.8% (8,385) of Statutory School Age pupils in the County Borough have an Additional Learning Need/SEN Status. There are currently around 275 children with a Statement of ALN in Blaenau Gwent of Statutory School Age.

Figure 1 on page 11 provides both historic and predictive information relating to placement trends and anticipated future placement requirements at the school.

Figure 1 – Pen y Cwm Pupil Placement 6-year Trend and Projections

	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	Total	Average over years	Prediction based on Six year Trend			
									2021/22	2022/23	2023/24	2024/25
Number of requests	25	35	33	23	28	23	167	28	28	28	28	28
Number of requests agreed	17	25	25	17	19	19	122	20	20	20	20	20
Number of leavers	13	11	11	9	13	5	62	10	8	13	12	10
Net Increase	4	14	14	8	6	14	54	10	12	7	8	10

No agreed model currently exists for the planning of special school places that we know of, therefore, actual projected pupil numbers are difficult to predict. In an attempt to develop a model with the aim of predicting the number of places required, the Council has used historic data and associated trends. We have considered the number of requests for special school placement over the last six academic years, along with the number of those requests which were agreed. As a

result, we know that on average, over the last six years, there have been 28 requests for special school placement. We also know that on average, the number of special school placements agreed has been 20. We have considered this in relation to the number of special school leavers on an annual basis. By subtracting the number of leavers from the number of places agreed, we were able to establish the net increase on an annual basis. Based on the current numbers on roll, and the information above, we have predicted demand forward. Our expectation is that the capacity required in 2024/25 will be in the region of 170-180 pupils.

Demand has risen and is likely to continue to do so in line with inward migration, increased survival rates of children with complex needs and finally, placement requests from other Local Authorities with sufficiency issues. Blaenau Gwent Council is aware that the growth and demand for specialist education placements is on the increase throughout Wales. Neighbouring Authorities have undertaken consultation upon growth of special school capacity to facilitate demand, or are considering doing so, due to sufficiency of places. If Blaenau Gwent Council does not secure sufficient places for its pupils, it is unlikely that neighbouring Local Authorities will have capacity to accommodate them, resulting in potentially very high Out of County placements, increased traveling time and decreased accessibility to local education options for the most vulnerable pupils with the highest level of need.

Early Years and Nursery Provision

There are no plans for the Council to create a separate facility to facilitate pre-school provision. Nursery children are currently accommodated at Pen y Cwm Special School. Therefore, it is not anticipated that there will be any impact upon this provision, or changes to the current childcare arrangements and integrated approach which is in place. As the provision is specialist, there will be no impact upon mainstream, Welsh-medium and/or provision of religious character. Nor will there be any impact upon private or third sector provision of this nature.

Additional Learning Needs Provision

The proposal to extend the capacity and undertake physical changes to the building whilst also developing a long-term growth and sustainability plan, would create equality of access to a high-quality, 21st Century learning environment for children and young people with severe and complex learning disabilities.

Options Considered

A detailed option appraisal was undertaken in order to explore ways in which the requirement for additional specialist education places could be addressed. Factors such as location, site and type of provision were considered.

The long list of options detailed within Figure 2 below, were later re-evaluated and a short-list drawn up, so that the benefits, risks, timelines, costs etc. could be explored in much greater detail.

The key factors are securing places in the short to medium-term, which can be delivered over the course of the next academic year, to secure additional places from September 2021 onwards

Figure2 – Long List of Options

	Option 1	Option 2	Option 3	Option 4	Option 5	Option 6
Description:	Business as Usual- maintain the status quo	Build an extension on to the Pen y Cwm School site	Build another special school in Blaenau Gwent	Send Pupils to a special school Out of County	Remodel the existing school site in order to create an additional 55 places, within the existing footprint of Pen y Cwm Special School, whilst working on the development of a long-term plan to secure additional capacity to facilitate sustained growth and development.	Co-location on an English-medium school with internal surplus capacity to accommodate a satellite provision.
Conclusion:	<p>This is a standard baseline comparator which must be considered, but not an option, as it does not address the identified need.</p> <p>Discounted</p>	<p>Merits further consideration, but site constraints, special requirements and programming would not permit effective and timely implementation.</p> <p>Possible</p>	<p>Merits further investigation in line with a detailed exploration of sites, availability of land and overall programme budget.</p> <p>Possible</p>	<p>No spare capacity exists and this would not support the vision for education in securing localised, accessible and high quality provision.</p> <p>Discounted</p>	<p>Preferred way forward in addressing medium and long-term growth.</p> <p>Possible</p>	<p>Potential for disruption to both schools at a challenging time. Requires monitoring in order to address sustainability.</p> <p>Possible</p>

The short list included:

- Option 1 (business as usual)- Maintain the status quo
- Option 5 (do maximum) - Remodel the existing school site in order to create an additional 55 places, within the existing footprint of Pen y Cwm Special School, whilst working on the development of a long-term plan to secure additional capacity to facilitate sustained growth and development.
- Option 6 (intermediate) - Co-location on an English-medium school with internal surplus capacity to accommodate a satellite provision.

Options 1 and 6 have been discounted as they would potentially:

- Not address the immediate and medium-term need
- Cause disruption within the existing education system on both school sites
- Require extensive remodelling and physical works that could not be delivered within the existing timeline
- Negatively affect provision and access to specialist facilities and services i.e. medical and therapy

Risks and Mitigation

Blaenau Gwent County Borough Council has a proven track record of managing both school build and school organisation projects – including the requirement to increase school capacity. The following risks can be managed and largely mitigated as follows:

Figure 3 – Risks and Mitigation

Risk	Mitigation
If the proposal is not taken forward, there is both a placement and a financial risk in terms of securing suitable Out of County provision for learners	The Local Authority is working closely with key colleagues to provide a local solution that is cost effective, and reduces the number of pupils travelling to and accessing already limited Out of County placements. However, the LA has a proven track record of working to secure appropriate placements for learners throughout the region.
The consultation process does not address stakeholder perspective and understanding of the proposal. Therefore, the proposal is not supported and does not progress.	Blaenau Gwent Council's Education Directorate are experienced in and have recently undertaken consultation upon proposals, whilst being fully compliant with the Welsh Government School Organisation Code (Version 2, 2018).
The proposal to expand the school is delivered late and/or over budget.	Delivery plans are in place and can be facilitated at pace in line with outcome of the statutory processes associated within this proposal i.e. consultation and statutory notice. Capital funding has been secured to deliver the proposal.
Insufficient capacity for future demand.	The purpose of this proposal is to build extra capacity to meet a previously unforeseen demand and to allow the Council to monitor and explore long-term options to secure sustainable growth.
The project capital/construction costs exceed the budget.	The site, services and facility are well known to the Blaenau Gwent Project team who built the school, and so the cost estimates are based upon actual knowledge and understanding, with contingency built in to address any potential unknowns. Budget monitoring is undertaken regularly, along with value engineering and change management processes.
Contributes high Carbon Dioxide (CO2) emissions.	Target cost effective low CO2 technologies that are compatible with the existing school technologies. Securing a localised solution will also reduce the Council's carbon footprint.

Delays and additional costs due to pandemic.	Comparable schemes are already under implementation and have informed the cost estimates for this proposal; therefore, cost implications associated with the pandemic are relatively well known.
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Benefits of Proposal

This proposal would ensure equality of opportunity for all pupils - particularly those with the greatest level of need, to be educated locally. The proposal further facilitates inclusion and an inclusive approach within Education, ensuring access to high quality specialist education facilities and support for children with disabilities within the Borough. It will also go some way to addressing the barriers parents perceive in accessing specialist education and reducing the Council's carbon footprint associated with travel for education purposes, but securing development on an existing school site.

Should nothing change, the Council will be unable to meet the needs of all learners particularly those with profound and multiple learning difficulties within Blaenau Gwent. Therefore, they would need to be placed Out of County at significant cost, with learners having to manage longer school journeys affecting families and socialisation for many pupils.

Expected Benefits and Advantages (when compared with the status quo):

- Creation of a local solution which will address the increased demand for special education provision
- Continuity and sustainability in terms of local education for learners with specialist and medical needs
- A local option for pupils transitioning from mainstream school, and resources bases
- Reduce the costs of out of county placements for learners, whilst securing local investment within the Blaenau Gwent school estate
- Improve access to and facilities for learners who meet the criteria for the specialist provision which Pen y Cwm offers
- Increased capacity and sustainability of placement
- Reduced travel time and carbon footprint

Disadvantages:

There are no disadvantages associated with this proposal.

Governance Model

There will be no changes to the existing governance model and structure within Pen y Cwm Special School.

Learner Travel Arrangements

The Council's Home to School and Post 16 Transport Policy states that free home to school transport will be provided as follows:

The Council will provide transport assistance for pupils with ALN:

- if existing transport arrangements are deemed unsuitable in line with learners needs, alternative arrangements will be determined by the Inclusion Service;
- if it is not appropriate for the pupil to walk to school due to the nature of their additional learning need and/or disability; and/or,

- if it is determined by ALN Panel that there is no appropriate education provision within the County Borough suitable to meet pupil need.

The above arrangements will be subject to review in line with changes to circumstances relating to the pupil(s) transport requirements.

Pupils requiring Additional Learning Needs (ALN) transport who live:

- over 1.5 miles (for those under 8 years of age); and/or,
- over 2 miles (for those aged between 8-16 years of age)

from their nearest suitable ALN provision, will automatically qualify for free home to school transport. *Please note in instances where the school is a parental choice and not the provision determined by the ALN Panel, no transport will be provided.

The Council has established a process in order to assess the travel needs of children who may require ALN transport, as follows:

- All requests to ALN Panel for consideration of change of placement will firstly be considered by the Transport team to determine their eligibility for transport on distance grounds.
- The Council's ALN Panel will then consider the request for change of placement, and if agreed, determine the appropriate placement and identify if transport is required to access the agreed placement.
- If it is identified that transport is required, a Pupil Transport Request Form will be completed by the ALN team. The form will be returned to the Transport Officer within 5 working days of the Panel meeting taking place. The Transport Officer will then make the necessary arrangements and complete a journey risk assessment.
- Individual pupil risk assessment forms will only be completed if requested by a parent/carer, or if the pupil has needs that warrant completion of a form such as profound and multiple learning difficulties. The ALN team will coordinate completion of the form. The form will identify the pupils transport needs and the type of transport required.
- The Transport Team require 15 school days upon receipt of the Pupil Transport Request Form, in order to arrange transport.

Where transport has been agreed, the Transport Officer will contact the parent and inform them of the arrangements. In cases where transport requests are refused, parents/carers will receive notification from the ALN team, also indicating their right of appeal.

The current school location and infrastructure accommodates bus and taxi drop off and pick-up at the start and finish of the school day, with sufficient parking for staff and key partners to visit.

Section 4: Consultation Outcome and Next Steps

Consultation Report: Feedback from the consultation will be collated, analysed and presented in a Consultation Out-turn Report to the Council's Executive Committee in June 2021. The report will be available on the Council's website 2 weeks prior to a decision being made to proceed or not to proceed to statutory notice. Hard copies can be obtained on request via the email addresses detailed above.

Statutory Notice: Should this proposal be approved at Executive Committee; the Council will then go out to statutory notice in July 2021. The statutory notice period will run for 28 days, during this time, you will be able to make formal objections should you wish to do so, via the email

address provided in this consultation booklet. Any issues raised by interested parties will then be summarised and presented to the Executive Committee for a final decision to be made. Should the proposal proceed, a copy of the Statutory Notice will be displayed on the Council's website and at Pen y Cwm Special School. Hard copies of the statutory notice will be available upon request.

Determination of the Proposal: Blaenau Gwent County Borough Council will determine the proposal based on the outcome of the statutory notice period. This may lead to the approval, rejection or approval of the proposal with modifications.

Decision Notification: Once a decision has been made, an electronic copy of determination will be sent out to all interested parties and published on Blaenau Gwent's County Borough Council's website within 7 days of the decision.

Figure 4 - The Statutory Process Timeline

April 2021	May 2021	June 2021	July 2021	August 2021	September 2021
Consultation Period					
		Consultation report to Executive Committee			
			Statutory Notice		
				Objections Report	
				Decision Notification	
					Implementation September 2021

Section 5: Details of Affected Schools



Pupil Place Data

The school's capacity is currently 120, the Council. At present, there are more pupils with significant needs who require a place within Pen y Cwm, than there are places available.

There will be no direct effect on mainstream schools in the County Borough, neither will this proposal have any impact on The River Centre 3-16 Learning Community.

Section 6: Other Considerations

Finance

Revenue Costs

Pen Y Cwm Special School is funded in accordance with Blaenau Gwent Council's Fair Funding policy, and will receive resources on the same basis as any other school within Blaenau Gwent, based upon pupil numbers and the area of the school building. It is difficult to accurately project the costs associated within the capacity increase, due to the following variables: the reduction in funding for mainstream settings as a result of pupil placement, the level of cost avoidance as a result of pupil placement within Out of County settings from within Blaenau Gwent; and finally, the level of recoupment realised as a result of Out of County placement within Pen y Cwm School. Blaenau Gwent currently has 20 pupils that are educated outside the Local Authority at a cost of £896,000. As an example of the funding required in line with pupil placement, the current position (based upon 141 pupils) for 2020/21 was approximately £2.4 million (Age Weighted Pupil Unit and Category funding).

As the remodelling is proposed to take place within the existing footprint of the school, therefore, it is not anticipated that there will be any significant premises costs. There will be leadership implications, however, these are deemed to be relatively small based upon leadership pay scales which are reflective of the pupil population.

Capital Costs

There are capital financial implications associated with this proposal for the Council, which are circa £250,000. This will be met via contributions from within the Council's own resources.

Transport Costs

Costs associated with home to school transport are increasing. The transport costs associated with Out of County placement for 2019/20 were £134,000, whereas in 2020/21 and due to Covid-19, costs were in the region of £95,000. Pen y Cwm Special School transport costs for 2019/20 were £278,990 whereas for the 2020/21 academic year this rose to £292,000. These costs are regularly reviewed and subject to change in line with pupil placement.

Admission Arrangements

Admission to Pen y Cwm Special School is managed via the ALN Panel, which is made up of representatives from schools, the Inclusion Service and wider Education representatives. Referrals to the ALN Panel are made via the ALN Team.

Impact of the Proposal on the Welsh Language

This proposal does not impact upon the number and availability of Welsh-medium school places within Blaenau Gwent. The Council does not expect any negative impact on the Welsh Language as a result of this proposal. Welsh is taught in English-medium and Special Schools in line with the National Curriculum. The proposal will therefore have no impact upon the Welsh Language Measure (2011).

Equality Impact Screening

An Equality Impact Screening Assessment has been undertaken in order to assess the impact of key proposals and decisions upon protected characteristics. The assessment determined that none of the protected characteristics will be negatively affected, whilst disability will be positively affected (Please refer to **Appendix 2** for more information).

Community and Welsh Language Impact Assessment

A community impact assessment has been undertaken in order to assess the impact of key proposals and decisions upon stakeholders and the wider community (Please refer to **Appendix 3** for more information).

United Nation Rights of the Child (UNCRC)

The Council in all its corporate responsibilities ensure that they will always engage positively with children and young people. If this proposal is implemented, it will realise benefits for children and young people in accordance with the seven core aims of the United Nations Convention on the Rights of the Child, specifically:

Core aim 1 - have a flying start in life;

Core aim 2 - have a comprehensive range of education and learning opportunities;

Core aim 3 - enjoy the best possible health and are free from abuse, victimisation and exploitation;

Core aim 4 - have access to play, leisure, sporting and cultural activities;

Core aim 5 - are listened to, treated with respect, and have their race and cultural identity recognised;

Core aim 6 - have a safe home and a community which supports physical and emotional wellbeing; and

Core aim 7 - are not disadvantaged by poverty.

Engagement of Children and Young People in this Consultation

As part of this consultation process, the Education Transformation team in partnership with school, will consult with pupils that are affected by the proposal, as well as engaging with both the Blaenau Gwent Youth Forum and Schools Grand Council.

Capital Costs/Capital Receipts

Should the proposal be approved, it will address the current shortfall in capacity at Pen y Cwm Special School. There will be a capital costs associated with the proposal in facilitating the remodelling work within existing school building. No buildings will be transferred as a result of the proposal.

Housing Developments

On average over the course of the last 5 years, 90 houses have been built in Blaenau Gwent each year. This level of growth is expected to continue. These potential homes either already have planning permission, are seeking legal agreement or are included in the Local Development Plan. This is likely to have an impact upon pupil place planning. The Education Transformation team monitor the impact upon schools. Figure 2 - illustrates the number of housing Developments which are currently in the Local Development Plan (LDP)

	According the Housing Land Availability Study which looks at a 5-year timescale the following figures are identified for Tredeggar Valley .					According the Housing Land Availability Study which looks at a 5-year timescale the following figures are identified for Ebbw Fawr Valley .					According the Housing Land Availability Study which looks at a 5 year timescale the following figures are identified for Ebbw Fach Valley .				
	2020	2021	2022	2023	2024	2020	2021	2022	2023	2024	2020	2021	2022	2023	2024
Housing Associations:	23	18	0	0		13	13	33	0		0	16	20	0	0

Private Sector Housing:	8	7	6	6		34	104	92	32		3	53	40	17	12
Total	31	25	6	6		47	117	125	32		3	69	60	17	12

For more information please visit the following webpage: <https://www.blaenau-gwent.gov.uk/en/resident/planning/local-development-plan/ldp-allocations/>

The above data tells us that there are over 472 housing development planned between 2020 – 2024. There is a potential for this to increase demand within both mainstream and special schools going forward.

Human Resources

There are no significant HR implications arising from the proposal. The proposed increase in pupil numbers will require the Governing Body of Pen y Cwm School to plan for the workforce requirements in readiness for the respective extension.

Organisational Development will provide advice, support and guidance to the Governing Bodies for the workforce planning and consequential recruitment processes. Where the Governing Bodies have adopted the Council's School Redeployment and Redundancy Policy, any new vacancies arising as a consequence of an increase in numbers on the role will provide opportunities for school based staff on the school redeployment register.

Partnerships

The 'Blaenau Gwent We Want' engagement programme is about local people, businesses and organisations having a say on how we can improve Blaenau Gwent for our future generations.

In its 1st year the group have already engaged with over 1,500 people from throughout Blaenau Gwent to find out what they would like the area to be like in the future. Their feedback has been used to help us put together a number of priorities that we will work on over the next few years to help us create the Blaenau Gwent that we all want.

Our Well-Being Plan outlines our objectives for improving well-being in Blaenau Gwent and meeting our duties under the Future Generations Act (2015). The 5 objectives in the plan have been developed to reflect that Blaenau Gwent Wants....

- **The best start in life for everyone**
- **Safe and friendly communities**
- **To look after and protect the natural environment**
- **To forge new pathways to prosperity**
- **To encourage healthy lifestyles**

These well-being objectives are ones we consider to have real power to bring about change, that are the most urgent and that the evidence tells us need the combined force of the Public Services Board partners to deliver and improve well-being.

Section 7: Present Arrangements

ESTYN

Schools are inspected as part of a national programme of school inspection. The purpose of an inspection is to identify good features and shortcomings in schools in order that they may improve the quality of education offered and raise standards achieved by their pupils (Estyn).

Pen Y Cwm Special School last Estyn inspection was undertaken in 2016. The results of which are tabled below:

Questions	Results
The school's current performance	Good
The school's prospects for improvement	Good
Key Question 1: How good are outcomes?	
Standards	Good
Wellbeing	Good
Key Question 2: How good is provision?	
Learning experiences:	Good
Teaching:	Good
Care, support and guidance:	Good
Learning environment:	Good
Key Question 3: How good are leadership and management?	
Leadership:	Good
Improving quality:	Good
Partnership working:	Good
Resource management:	Good

If a school is judged as adequate or unsatisfactory, they will be subject to monitoring by Estyn or the Local Authority until such time as they are judged to have made sufficient progress to be removed from the list of schools requiring improvement. Overall, this assessment is a good result for the school, only having 4 recommendations for improvements.

- **R1** Improve assessment for learning strategies to support pupils' learning throughout the school
- **R2** Make sure that target-setting is cohesive
- **R3** Improve the quality and consistency of reports to parents
- **R4** Make sure that staff performance management procedures are used consistently to inform improvements

Some of the comments from the inspection are below:

- Pupils make good progress in their learning in relation to their abilities and recognised needs
- There are highly effective arrangements to support pupils' health and wellbeing
- Pupils are offered a broad and balanced range of relevant learning experience within and beyond school
- Leaders and managers have strong commitment to school improvement

Quality and Standards in Education: The quality and standards of schools in Blaenau Gwent are monitored by the Council, in line with the national system of school categorisation and guidance in respect of schools causing concern. Estyn is the Office of Her Majesty's Chief Inspector of Education and Training in Wales and is established under the 1992 Education Act. Standards and the quality of provision are also monitored periodically through the Estyn Inspection Framework for the inspection of schools.

Since 2012, the Council has commissioned the Education Achievement Service (EAS) to support school improvement in Blaenau Gwent's schools. The EAS provide school improvement support to the following Councils: Blaenau Gwent, Caerphilly, Monmouthshire, Newport and Torfaen. As part of this proposal, the Council will work in partnership with the EAS to secure increased levels of support for the schools. This will ensure appropriate support is in place during the period of transition.

Standards: The proposal will not affect the standards in Pen y Cwm Special school. The school will continue to receive the appropriate level of challenge and support.

Wellbeing and Attitudes to Learning: The provision of additional pupil places at is expected to enable more children to attend school in their local community. Pupil wellbeing is a priority for Pen y Cwm Special school which is monitored and reported. The proposal will not impact wellbeing and attitudes towards learning.

Teaching and Learning Experiences: The teaching at Pen y Cwm Special School will follow the national curriculum with English as the language of teaching and learning. The proposal will not impact the teaching and learning experiences.

Care, Support and Guidance: Pen y Cwm has highly effective policies and strategies for promoting care, support and guidance that have a strong emphasis on supporting pupils' behaviour, communication and emotional wellbeing. As a result, nearly all pupils behave well and engage enthusiastically in their learning. The school offers an appropriate range of activities that link well to pupils' interests and abilities. The school promotes pupils' social, moral, spiritual and cultural development effectively. The personal and social education programme provides pupils with valuable, age-appropriate information about a wide range of issues including sex and relationships, e-safety and personal hygiene. The programme helps pupils to develop their self-awareness and positive attitudes towards personal safety.

The school works closely with external agencies ensuring effective collaboration planning that will support and advise staff about individual pupils' needs. All pupils have an IEP and a majority have personal handling plans. However, the link between targets in plans is not always clear and the quality of IEP targets varies too much across the school. For example, not all IEPs have targets that are specific and measurable.

Leadership and Management: The headteacher has a clear vision and high expectations for the school there is clear and effective communication with governors, pupils, parents and staff. The senior leadership team are effective, understand their roles and responsibilities and undertake their work efficiently. All staff contribute to the positive ethos of providing high quality learning experiences in a caring environment. Generally, meetings provide suitable opportunities for all staff to contribute to the strategic direction of the school. There is a clear focus on improving outcomes through improved data tracking and the provision of rich and stimulating experiences for pupils.

Impact of the proposal

Should the proposal be approved, it will continue to provide a high quality learning environment in support of enhanced outcomes for all learners. The proposal will ensure that the already excellent standards will be maintained.

Much research and ALN reform has demonstrated that learners achieve better outcomes with they are fully engaged in learning and in an environment that is suitable for their needs.

Section 8: Overview of the Proposal

The table below details the category, language, age range and other relevant details relation to the proposed new school:

Capacity Proposal Overview	
Admission no and arrangements	Admissions to this school are co-ordinated by Blaenau Gwent's Inclusion team on the basis of need.
Age range	3-19 years
Pupil places	There are currently 141 pupils on roll as of March 2021, meaning that the school is over subscribed.
Capacity of the school	120 with the proposal to increase to 175 in September 2021
Location	Pen y Cwm Special School Strand Annealing Lane, Ebbw Vale, Blaenau Gwent NP23 6AN
Category school and language	Special School English-medium
Schedule of accommodation	To be determined post consultation
Transport arrangements and policy	Transport will be delivered in accordance with the Blaenau Gwent Home to School and Post 16 Transport Policy 2020/21. Please refer to Section 1 for more information.
Cost per Pupil 2020/21	£16,925
School Categorisation (2019)	Green
Estyn Inspection Results	https://www.estyn.gov.wales/system/files/2020-08/Pen-Y-Cwm%2520Special%2520School.pdf
Building Condition Categorisation	A
Building Suitability Categorisation	B

School Catchment Area

The School catchment area of Pen Y Cwm Special School is all of Blaenau Gwent as the only special school that caters for pupils aged 3 – 19 with severe or profound and multiple learning difficulties. This will not change as part of this proposal.

Transition Arrangements

There will be no change for pupils, currently at the school.

Frequently Asked Questions

Question	Response
When would building work start?	If this proposal is approved the aim is to start the first phase of physical work on site during the latter part of the summer and autumn of 2021.
What about staff?	There should be no impact on staff as the school is simply extending its capacity. As pupil numbers increase in the future, however, there will be new opportunities and any new appointments to the staff structure would have to be approved by the Governing Body and the Council through the formal Organisational Development (OD) arrangements as is presently the case.
How safe will the pupils and staff be with the physical works? How will the school manage with all the noise and dust from the building work?	The Council has an exceptional record of coordinating the building of school buildings on “live” sites. The construction areas will be completely separate from the day to day operation of the school, with safety of the pupils and staff of paramount importance. Physical works will be phased in order to minimise disruption, with planned works taking place and in around the school day, and during holiday periods to ensure that there is no disruption for pupils.

Section 9: Consultation Pro-forma

Ysgolion a Cholegau yr 21ain Ganrif
21st Century Schools and Colleges



Consultation Questionnaire

Please provide your comment on the proposal to extend the Capacity for learners of Pen Y Cwm Special School <https://wh1.snapsurveys.com/s.asp?k=161701999055>

You may also wish to indicate which of the following reflects your views:

I fully support the proposal	
I do not support the proposal	

Your comments:

Name: _____ Date: _____

E-mail: _____

Address: _____ Postcode: _____

Please indicate if you are:

Primary: Teacher/Non-Teaching School Staff / Governor / Parent / Pupil /Local Resident / Other (please state) _____

Secondary: Teacher/Non-Teaching School Staff / Governor / Parent / Pupil /Local Resident / Other (please state) _____

Thank you for your time and contribution to the consultation. Your views, comments and responses will be recorded and reported to the Council's Executive Committee in the Consultation Outcome Report.

Please detach this form and return by Emailing: 21stcenturyschools@blaenau-gwent.gov.uk

All comments to be received no later than 5:00pm on Sunday 6th June 2021

Appendix 1 - Distribution List for the Consultation Document

Parents (and where possible prospective parents) carers and guardians, and staff members of schools affected by the proposals	The Welsh Ministers
In the case of proposals affecting secondary provision, parents of pupils attending primary schools from which pupils normally transfer to that secondary school	Constituency and Regional Assembly Members (AMs) and Members of Parliament (MP's) representing the area served by/intended to be served by any school which is the subject of the proposals
The maintaining or proposed maintaining authority for any school likely to be affected by the proposals	ESTYN
Any other local authority (including those in England where appropriate) likely to be affected – including in the case of dedicated ALN provision, any authority placing or likely to place pupils with ALN in it to distribute to schools in their areas as appropriate	Teaching and staff trade unions (NUT; NASUWT; ATL; UCAC; UNISON; GMB) representing teachers and other staff at any school which is the subject of the proposals
The Church in Wales and Roman Catholic Diocesan Authority for the area in which any school likely to be affected is located	The relevant Regional Education Consortium
Any other appropriate religious body for any school likely to be affected by the proposals	The Police and Crime Commissioner for the area served by/intended to be served by any school which is the subject of the proposals
The Governing body of any school which is the subject of the proposals	Any community or town council for the area served by/intended to be served by any school which is the subject of the proposals
The Governing body of other schools which the proposer consider are likely to be affected by the proposal;	In the case of proposals affecting nursery provision, any independent or voluntary providers who may be affected including Mudiad Meithrin. Also all Registered Private/Voluntary Early Years Settings /Providers in Blaenau Gwent;
In the case of proposals affecting nursery provision, the Early Years Development and Childcare Partnerships where present	In the case of proposals affecting ALN provision, any relevant health or third sector bodies with an interest
In the case of proposals affecting secondary provision, any further education institutions serving the area of the school (Coleg Gwent)	In the case of proposals affecting Welsh Language provision, the Welsh Language Commissioner

In addition to the above, the following are also included in the distribution:

The Headteacher of each school maintained by Blaenau Gwent LEA	Other Directorates of Blaenau Gwent County Borough Council
All Elected Members of Blaenau Gwent County Borough Council	Blaenau Gwent Association of School Governors
The Careers Service	Libraries
RhAG (Parents for Welsh Medium Education)	SNAP Cymru

Appendix 2– Equality Impact Screening

Screening Form

Service Area Contact Information: <i>(Please complete all fields)</i>				
Name of Person Completing Form: Sharon Northall	Department/Service Area: Education Directorate		Service Manager: Claire Gardner	Date: 09/03/2021
Contact Details: sharon.northall@blaenau-gwent.gov.uk			Name of Proposed Policy: N/A	
Policy Information				
Are you screening for the Equality Impact on a new policy, or an existing policy: N/A Choose an item.			Comments: This EIA screening is in connection with the proposal to increase capacity at Pen Y Cwm Special School along with changes to the school day.	
What are the aims and objectives of the policy: There are no associated policy developments, however, the Council is consulting upon a proposal to increase Capacity of the Pen Y Cwm Special School within the Borough.				
Assessment of Impact of the Policy / Practice on Protected Characteristics				
Protected Characteristic	Positive Impact	Negative Impact	Neutral Impact	Provide reasons and any mitigation required
Age (children, young people, the elderly)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Disability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The remodelling works will ensure improved access to a high-quality, fully accessible teaching and learning environment, in line with 21st Century School standards, whilst also being DDA compliant. The additional facilities will ensure the health and safety of , along with improved wellbeing for a greater number of pupils in need of specialist provision.
Gender	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
Marriage and Civil Partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Pregnancy and Maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Race	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Religion and Belief	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>				
Sex (male, female)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Click here to enter text.			
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Click here to enter text.			
<u>Additional Indicators of Equality Risk</u>							
Please indicate if you believe this policy / practice has a high, medium or low risk as follows (1 = No Impact; 2 = Minimal Impact; 3 = Potential Impact; 4 = Likely Impact; 5 = Inequality Impact)							
Children and / or young people up to the age of 18	1	Please indicate any planned methods aimed at mitigating these risks Click here to enter text.					
The dynamics of a given community	1	Please indicate any planned methods aimed at mitigating these risks There will be more options for parents to consider based on their child's schooling. English medium, Faith Based and Welsh-medium.					
<u>Meeting the Equality Objectives</u>							
Please indicate below if / how your proposal will contribute to the Equality Objectives							
Objective 1 – Making equality vital in decision making and service provision	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>					
Objective 2 – Be an equal opportunity employer, with a workforce that is aware of and understands the equality agenda	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Click here to enter text.				
Objective 3 – Do our best to engage, protect and support those people in our community that need it the most	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Click here to enter text.				
Objective 4 – Promote understanding and acceptance of diversity within our communities	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>					
<u>Evidence and Consultation</u>							
Have you undertaken any consultation and engagement activities with protected groups in order to mitigate any risks of discrimination	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Please describe the engagement activities undertaken as part of this process Formal consultation will be undertaken with all relevant stakeholders in order to gather their views.				
Please highlight any additional evidence which might demonstrate consideration of the needs to protected groups in relation to this particular proposal							

Appendix 3 - Pen y Cwm Special School Community Impact Assessment

Community Impact Assessments are a structured way for the Council to fully understand the implications of our decisions and whether they are detrimental or discriminatory to certain groups or sections of the community. They help us to consider the impact of Council decisions and policies within and between communities more generally. The Community Impact Assessment process will ensure that our decision making process is robust and impacts on all communities within Blaenau Gwent ensuring that they are fully considered in Council decision making processes.

By carrying out impact assessments, the Council is working to promote equality for all our service users, employees and the wider community that we serve.

Pen y Cwm Special School is located in the Ebbw Fawr South Ward, the ward profile can be viewed by clicking on the following link: https://www.blaenau-gwent.gov.uk/fileadmin/documents/Council/Statistics_and_Data/Ebbw_Vale_South_Ward.pdf

Ebbw Fawr South Ward has several areas of deprivation according to the Welsh Index for Multiple Deprivation (2019)

<https://wimd.gov.wales/explore?lang=en#&domain=overall&z=12&lat=51.7770&lng=-3.2185>

Proposed Development

If approved the proposal would secure an additional 55 places for pupils requiring specialist education provision. The increase would bring significant benefits to current and new pupils to the school along with benefits for the wider community and families of pupils.

Proportion of Pupils:

The Council's proposal seeks to ensure a continued high quality learning environment for pupils in our special school, by extending the capacity of the school the Council will be able to cater for many of the Borough's learners who are/or would otherwise be placed Out of County in line with their needs and/or availability and sufficiency of pupil places. The school building is co-located with Ebbw Fawr Primary Learning Community Campus and Little Stars Pre-school within the Ebbw Fawr Valley. It is surround by lush green mountains and woodland, whilst also being located near to the Enterprise Zone. The school building is 9 years old.

There are approximately 19 pupils from outside the County Borough being educated at Pen y Cwm Special School. This represents 13% of the total school population with the majority of its pupils, residing within Blaenau Gwent. Future availability of places for "out of county" pupils will be subject to demand from within Blaenau Gwent in the first instance.

Current facilities and/or services offered

The following facilities are offered at Pen y Cwm School:

- Hydro pool
- ICT facilities
- Sensory Rooms
- Rebound Therapy Room
- Gym and Learning Bay
- Augmentative and Alternative Communication

- Specialist teaching areas such as: food technology rooms and art and craft room

The above provision/services will be not be affected by the remodelling work.

Travel Time

Given the proposal is to remodel the existing premises on its existing site there will be no impact on travel distances for existing pupils. As the catchment area covers the entire County Borough, the maximum distance likely to be travelled is no more than 8 miles, approximately 20 minutes by car/bus. Distances/travelling times will increase for those pupils with a placement from further afield.

How would parents' and pupils' engage should the proposal be agreed?

The Council recognises the importance of an effective and smooth transition process to ensure there is little if any disruption should the proposal to expand capacity at Pen y Cwm Special School be approved. The school will form part of the project team and will contribute to the overall development of the new provision.

Parents/carers and pupils will be provided with relevant information to aid their understanding of the proposal and the most appropriate support they can offer their children during the period of transition. The school will also work together with other services and where necessary, in identifying families who may need additional support. Parental and community engagement will remain a key priority throughout this process.

The wider implications the changes would have on public transport provisions.

The proposal is not expected to have any significant implications for public transport provision in the area given pupils' transport is largely provided by contracted vehicles.

Wider community safety issues.

The proposal would have no direct impact on the wider community for a building perspective;

- The school will remain in its current location.
- It will benefit families of pupils with profound or multiple learning difficulties by their child having the education within the County Borough within which they reside.
- Will provide designated spaces in the school for key partners such as health care professionals to offer individual support for learners.

No significant safety issues are anticipated.

What would be the impact on health and well-being?

As a special school, the focus is on children with complex specialist needs, so the proposal is expected to have a very positive impact on the health and wellbeing of those who attend, who will have access to the highest standard in terms of facilities, education and care.

Transport Impact Assessment

The Learner Travel (Wales) Measure 2008 places a duty on the council to assess the travel needs of learners under the age of 19. In addition to those children who qualify for free transport provision due to meeting the eligibility criteria, the council is under a legal obligation to assess the travel needs

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of learners who walk to school. There will likely be an impact upon transport and travel, however, any implications on transport arrangements will be more positive than if the Council were to use provision from outside of the borough to meet the children's needs.

Staff Impact Assessment

There will be no impact on existing staff albeit the increase in capacity may provide new and different opportunities not available in a smaller school. Nevertheless, in addition to their role as statutory consultees, meaningful consultation will take place with any affected staff and recognised trade unions on the possible impact and outcome of the statutory consultation. Discussion will take place through agreed joint consultative processes with recognised trade unions (JCC) and collective consultation.

Additional Learning Needs Provision

This proposal specifically addresses sufficiency issues in relation to the number of places available for children with ALN in the Borough and will therefore, have a positive impact.



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STATUTORY NOTICE

Blaenau Gwent County Borough Council, Education Directorate, Floor 8 Anvil Court, Abertillery, Blaenau Gwent, NP13 1DB.

Notice is given in accordance with section 42 of the School Standards and Organisation (Wales) Act 2013 and the School Organisation Code that Blaenau Gwent County Borough Council, having consulted such persons as required, proposes to alter Pen y Cwm Special School, Strand Annealing Lane, Ebbw Vale, Blaenau Gwent NP23 6AN for boys and girls aged 3-19 so as to extend the capacity of the school. The school is currently and will continue to be maintained by Blaenau Gwent County Borough Council. The school will have no denominational religious character.

Blaenau Gwent County Borough Council undertook a period of consultation before deciding to publish this proposal. A consultation report containing a summary of the issues raised by consultees, the proposer's responses and Estyn's full response is available on:-

<https://www.blaenau-gwent.gov.uk/en/council/consultations/proposal-to-extend-the-capacity-at-pen-y-cwm-special-school/>

It is proposed to implement the proposal on 1st September 2021. Blaenau Gwent County Borough Council propose to extend the capacity at Pen y Cwm Special School from 120 to 175 places, with effect from September 2021. In order to facilitate the extended capacity, the Council will remodel the existing learning environment to create additional classroom spaces and associated facilities i.e. toilets. In addition, and alongside this, the Council will work with the school to develop a long-term plan to support sustained growth and development.

Blaenau Gwent County Borough Council will be the admission authority via the Council's Additional Learning Needs (ALN) panel. The new school's pupil capacity will be 175 pupils of statutory school age (4-16). The school also has a Post 16 provision up to the age of 19 years old.

Pupils will be provided with transport in accordance with the Council's Home to School transport policy. The Council has established a process in order to assess the travel needs of children who may require ALN transport. Pupils requiring Additional Learning Needs (ALN) transport who live:

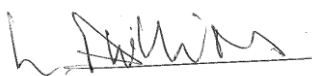
- over 1.5 miles (for those under 8 years of age); and/or,
- over 2 miles (for those aged between 8-16 years of age)

from their nearest suitable ALN provision, will automatically qualify for free home to school transport. *Please note in instances where the school is a parental choice and not the provision determined by the ALN Panel, no transport will be provided.

Within a period of 28 days of the date on which the proposal was published, that is to say by 23rd July 2021 any person may object to the proposals.

- Objections by e-mail should be sent to 21stcenturyschools@blaenau-gwent.gov.uk.
- Objections in writing should be sent to Lynn Phillips, Corporate Director of Education, Blaenau Gwent County Borough Council, Floor 8 Anvil Court, Abertillery, Blaenau Gwent, NP13 1DB.

Signed



**Corporate Director of Education
Blaenau Gwent County Borough Council.
25th June 2021**

EXPLANATORY NOTE

Pen y Cwm is a Special School catering for learners across the 3-19 age range, with a wide range of disabilities and difficulties ranging from Severe Learning Difficulties (SLD) to Profound and Multiple Learning Difficulties (PMLD), Autistic Spectrum Disorder (ASD), Visually Impaired (VI), Hearing Impaired (HI) pupils. The school provides accessible accommodation and facilities for those who have a physical disability alongside their learning difficulty.

The school population has grown by approximately 36% since relocating November 2012. As a result, there is now very limited if any flexible space, and each of the specialist areas (including the specialist rooms for Secondary age teaching and learning) have been reconfigured to facilitate general teaching spaces for additional pupils. Therefore, each of the phases (Foundation Phase/Primary/Secondary/Post 16) are now compromised in terms of flexibility and space.

The consultation period for this proposal commenced on **Monday 26th April 2021** and concluded on **Sunday 6th June 2021**.

Therefore, this proposal will be delivered in 2 parts:

- Part 1, to increase the capacity of Pen y Cwm Special School from 120 to 175 places in preparation for 2021/22 academic year, which would involve physical works to the existing building including:
 - Re-location of the Post 16 base (including 3 classrooms, a common room, life skills room, toilets and hygiene facilities)
 - Re-location of the current administrative area and office space (including a staff room, PPA room, conference facility and a small meeting room)
 - Creation of 2 additional primary classrooms
 - Creation of 1 additional secondary classroom and associated facilities
 - Re-location of the soft-play area to the ground floor
 - Re-development of the Science and Technology room
- Part 2, the development of a long-term plan to secure additional capacity to facilitate sustained growth and development.

The consultation report is available on Blaenau Gwent County Borough Council's website.

Further information on this proposal can be found here:

<https://www.blaenau-gwent.gov.uk/en/council/consultations/proposal-to-extend-the-capacity-at-pen-y-cwm-special-school/>

END OF NOTICE

Pen y Cwm Objections Report

2 responses via the survey stating they did not support the proposal

No		Response	BGCBC Comments
1.	16/07/2021 04:23:32	Plans are not detailed. Will Post 16 learners have a vocational space and a common room. How many extra classes will there be? Will there be more specialist areas or less? Have fire safety or ventilation been considered in the new area?	<p>As discussed at each consultation session and highlighted within the consultation booklet, the plan is to create a short to medium-term capacity increase, whilst also developing medium to long-term plans with the school and relevant partners.</p> <p>The short-term plan is currently in development in consultation with senior leaders within the school and with the involvement of Technical and Health and Safety teams, as well as Education. This plan, should the proposal proceed, will create additional capacity within all phases, whilst also relocating Post 16 provision inclusive of 3 classrooms, a common room, life skills room, toilets and hygiene facilities.</p> <p>The aim in the short-term will be to reinstate the specialist areas which are currently accommodating learners, with a view to creating further additionally in the medium to long-term. The aim is to reconfigure the existing learning environment to meet the needs of both staff and pupils in the short-term, whilst developing the medium to long-term growth strategy.</p> <p>Yes, fire safety and ventilation are part of the design development phase and associated processes. The</p>

			Council are experienced in the delivery of large-scale capital build and remodelling programmes.
2.	16/07/2021 04:27:10	According to building bulletins Post 16 should have a common room and vocational area. Are these in the plans? Where will extra hygiene rooms go?	<p>The Council have experienced Architects and Technical Officers, along with Education staff who are well versed in the use and application of relevant building bulletins. Building Bulletin 102 which details the provisions required for specialist schools, will be used to guide and inform design development.</p> <p>Yes, additional hygiene facilities will be established as required in each phase – should the proposal proceed. They have been built into the draft schedule of accommodation, which is being developed and refined in partnership with the Senior Leadership team at the school.</p>

Agenda Item 5

Executive Committee and Council only

Date signed off by the Monitoring Officer: 18.08.21

Date signed off by the Section 151 Officer:

Committee: **Special Executive Committee**

Date of meeting: **1st September 2021**

Report Subject: **Request for additional annual leave day for workforce**

Portfolio Holder: **Councillor Nigel Daniels**

Report Submitted by: **Andrea J Prosser, Head of Organisational Development**

Reporting Pathway								
Directorate Management Team	Corporate Leadership Team	Portfolio Holder / Chair	Audit Committee	Democratic Services Committee	Scrutiny Committee	Executive Committee	Council	Other (please state)
	x	18.08.21				01.09.21		

1. Purpose of the Report

- 1.1 The purpose of this report is for the Executive to consider the request from the Joint Trade Unions (Unison, GMB and Unite) to grant an additional days leave (one off) for the 31st December 2021 for the workforce (not those employed by schools).

2. Scope and Background

- 2.2 The Joint Trade Unions at a consultation meeting with the Corporate Leadership Team and the Executive on the 28th July 2021 requested that the Council consider granting the 31st December 2021 as an additional days leave as acknowledgement to the workforce for their excellent response to the Covid 19 pandemic.
- 2.3 The Council closes its buildings for the Christmas week and normally staff are expected to use a day out of their annual leave allowance for the 31st of December. Where staff in frontline services are required to work they are paid at their normal rate of pay and do not take a day's leave. Schools are closed during this period and those employed by schools do not work during this week.

3. Options for Recommendation

3.1 Option 1

That the Executive support the trade union request and grant the 31st December 2021 (this year only) as an additional days leave.

- 3.2 **Option 2**
That the Executive do not support the granting of an additional days leave for the workforce for the 31st December 2021.
4. **Evidence of how does this topic supports the achievement of the Corporate Plan / Statutory Responsibilities / Blaenau Gwent Well-being Plan**
- 4.1 The trade union in their request said that the additional day's leave would be acknowledgement of the workforce's commitment in responding to the Covid pandemic and prioritising the delivery of services to the Community.
5. **Implications Against Each Option**
- 5.1 ***Impact on Budget (short and long term impact)***
There is no direct impact on the budget, however, the additional day's leave would mean that the workforce would not be delivering services for an additional day in the year 2021/2022.
- 5.2 ***Risk including Mitigating Actions***
Those services that need to be delivered on the 31st December would still be delivered and those working will take the additional days leave at another time.
- 5.3 ***Legal***
N/A
- 5.4 ***Human Resources***
This applies to the Council's workforce (with the exception of those employed by schools) who are requested to take a mandatory leave day for the 31st December 2021.
6. **Supporting Evidence**
- 6.1 ***Performance Information and Data***
N/A
- 6.2 ***Expected outcome for the public***
N/A
- 6.3 ***Involvement (consultation, engagement, participation)***
This request has come from the Joint Trade Unions.
- 6.4 ***Thinking for the Long term (forward planning)***
This is a one off request for the year 2021.
- 6.5 ***Preventative focus***
N/A
- 6.6 ***Collaboration / partnership working***
N/A

6.7 ***Integration (across service areas)***

N/A

6.8 ***Decarbonisation and Reducing Carbon Emissions***

Buildings are normally closed for this week during Christmas.

6.9a ***Socio Economic Duty Impact Assessment***

6.9b. ***Equality Impact Assessment***

This proposal applies to the workforce that would normally be asked to take a mandatory leave day on the 31st December 2021.

7. **Monitoring Arrangements**

7.1 This is a one off request and will not require monitoring.

Background Documents /Electronic Links

N/A

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