

Committee: **Cabinet**

Date of meeting: **19th April 2023**

Report Subject: **Proposal to Consult on Additional Learning Needs Resource Base Capacity**

Portfolio Holder: **Cllr Sue Edmunds, Cabinet Member for People and Education**

Report Submitted by: **Joanne Watts, Service Manager Education Transformation and Business Change**

Reporting Pathway								
Directorate Management Team	Corporate Leadership Team	Portfolio Holder / Chair	Governance Audit Committee	Democratic Services Committee	Scrutiny Committee	Cabinet	Council	Other (please state)
16.3.23	30.3.23	14.04.23			Consultees 28.4.23	19.4.23		

1. Purpose of the Report

- 1.1 The purpose of the report is to seek the approval from Cabinet to proceed to consultation in relation to the proposal to increase the capacity of Resource Bases across the County Borough, accommodating the demand for places in both Primary and Secondary settings.
- 1.2 Should the proposal (**Appendix 1**) proceed to consultation by the Council, the People Scrutiny Committee will be statutory consultees, as a result the reporting pathway requires Cabinet approval for permission to consult prior to a report being submitted to the next People Scrutiny Committee on the 28th April 2023.

2. Scope and Background

- 2.1 There are currently Resource Bases across Blaenau Gwent accommodating 61 learners in Primary settings and 62 at Secondary settings. There is an increasing need for Resource Base placements in mainstream settings for children and young people within the Borough both at Primary (aged 3-11) and Secondary settings (aged 11-16).
- 2.2 All current resource bases in the County Borough are full to capacity. The recent Estyn inspection highlighted 'In the planning of provision for pupils with additional learning needs (ALN), data is not always used effectively enough to inform long-term planning'. The Education Transformation and Inclusion teams have therefore undertaken a review of the current provision and have used this data to project the demand going forward, under this proposal Education are seeking to set up new bases in line with the projected demand (**Appendix 2**), with the aim of also reducing Out of County placements in the medium term and having a more localised strategy for learners.

2.3

The Council is committed to providing all children and young people with high quality education and training tailored to meet their needs, which will develop their potential, extend aspirations, promote social inclusion and contribute to the economic regeneration of the area. Resource Bases are essential for pupils with identified ALN requirements to enable them to fulfil their potential.

2.4

The implementation of the ALN legislation from September 2021 has resulted in changes in the statutory processes required. Statements maintained by the LA will now be phased out over a 4-year period. Not all Individual Development Plans (IDPs) will be maintained by the Local Authority; only those for children accessing Resource Bases /Special School /Detained or those accessing out of county placements. School based IDPs will be maintained by the home school.

2.5

Both Welsh Government and the Authority's Welsh in Education Forum (WEF) partnership have identified that there is no ALN provision for Welsh medium education across the Borough, this can result in learners having to transfer into English medium settings when an additional learning need is identified, therefore highlighting the need for a Welsh medium resource base to be established.

2.6

The Proposal (Appendix 1) - Blaenau Gwent County Borough Council propose to increase the capacity for Additional Learning Needs (ALN) Resource Bases across the County Borough in both Primary and Secondary settings for Autism Spectrum Disorder (ASD) and Additional Learning Needs Resource Bases (ALNRB) pupils. The Council will work with the schools to develop a long-term plan to support sustained growth and development. Therefore, this proposal will be delivered in 2 phases:

2.7

Phase 1 - To increase resource base capacity in primary schools from 61 to 86 places (including 15 Welsh-medium places) and to increase secondary school capacity from 62 to 80 places, as follows:

- To recognise the transition group established in Ebbw Fawr 3-16 Learning Community-Secondary Phase as a 6 place LRB from September 2023
- To create a 6-8 place ASD Resource Base at Tredegar Comprehensive School from September 2023
- To create a 10 place ASD/ALN Resource Base at Sofrydd Primary School from September 2024/25
- To create a 15 place ASD/ALN Resource Base at Ysgol Gymraeg Bro Helyg from September 2024
- To create an SEBD/ASD Resource Base at The River Centre 3-16 Learning Community for 6 pupils from September 25

2.8

Phase 2

The development of a Medium-term plan to secure additional capacity to facilitate sustained growth and development in Primary and Secondary settings. This will include provision at the following schools between 2025 and 2029:

- To create an ASD/ALN Resource Base at Brynmawr Foundation School for 10 pupils
- To create an ASD/ALN Resource Base at Cwm Primary School for 10 pupils
- To create, if required, an ASD/ALN Resource base at a faith based primary school in Blaenau Gwent (yet to be determined) for 10 pupils
- To create an ASD/ALN Resource Base at Abertillery 3-16 Learning Community - Roseheyworth Road Primary Campus for 10 pupils

2.9

It should be noted some/all of these will only be implemented if required following a review of the impact of Phase 1.

2.10

In addition, the Council will remodel learning environments to create additional classroom space and associated facilities to accommodate the proposal and will also develop nurture provisions in schools in order to create a more inclusive environment and to support the majority of learners with additional learning needs in a mainstream setting.

2.11

Should nothing change, the Local Authority will be unable to meet the needs of many learners (**Appendix 3**), particularly those with Autistic Spectrum Disorder (ASD) or Additional Learning Needs (ALN) within Blaenau Gwent. Therefore, they would need to be placed Out of County. The costs of Out of County specialist provision would increase significantly year-on-year, and learners are likely to be travelling longer distances to receive specialist education extending their school day, care etc. and placing further pressures on the Home-to-School Transport budget which is already significantly overspent and so represents a risk to the Council.

2.12

Expected Benefits and Advantages

- Creation of a local solution which will address the increased demand for ALN provision.
- Continuity and sustainability in terms of local education for learners with specialist and medical needs.
- The structure will build confidence and self-esteem in pupils' parents and staff.
- A local option for pupils transitioning from mainstream school to resources bases.
- Reduce the costs associated with out of county placements and home to school transport, whilst securing local investment within the Blaenau Gwent school estate.
- Improve access to and facilities for learners who meet the criteria for ALN provision across the county borough.
- Reduced travel time for learners and the carbon footprint.

2.13

Consultation Requirements (Appendix 3)

The Welsh Government School Organisation Code Second Edition (2018), dictates that proposals **must** be published for the following elements of school reorganisation:

1. the opening of a maintained school (including a special school);

2. the closing of a maintained school (including a special school);
3. to make a regulated alteration to a maintained school; and,
4. to change the category of a maintained school.

2.14

The proposal to increase the capacity for Additional Learning Needs (ALN) Resource Bases across various Primary & Secondary School settings will involve changes to a maintained school. Section 48 of the 2013 Act requires that before school organisation proposals are published under sections 41-45, they **must** first be subject to consultation.

2.15

The proposed consultation document and timeline takes account of the publication and other statutory requirements as set out within the code. The proposed consultation timeline - if approved, is as follows:

- Consultation to commence on – **Monday 24th April 2023**
- Consultation to conclude on – **Tuesday 6th June 2023** (inclusive of 20 school days)
- Outturn Report to Cabinet to proceed to Statutory Notice (28 days) – June 2023
- Objections report from Statutory Notice to Cabinet for decision to implement – September 2023
- Implementation - September 2023

3. **Options for Recommendation**

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

- 3.2
- **Option 1** – Cabinet considers and accepts the report, associated consultation document and course of action.
- 3.3
- **Option 2** – Cabinet provides comments in relation to improvements that can be made in relation to the associated consultation document and proposed course of action, in consideration of the School Organisation Code (2018) and established timeline.

4. **Evidence of how 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 Councils to consult upon and publish school reorganisation proposals. Education is a strategic priority within the Corporate Plan. In order to enable people to 'Maximise learning and skills for all to create a prosperous, thriving, resilient Blaenau Gwent'.

4.2 In addition, the proposal would support the Education Directorate's purpose to deliver:

'Better Schools, Better Citizens and Better Communities'

5. **Implications Against Each Option**

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

There are capital financial implications associated with Phase 1 of this proposal for the Council of approximately £300,000. This will be met via

contributions from the Welsh Government ALN Grant funding and Sustainable Communities for Learning Programme over a 3-year period.

5.1.1

Blaenau Gwent currently has 11 ALN pupils that are educated outside the Local Authority at a cost of £600,000 per year (2022/23 price base), the budget for 2023/24 is £720,000. If Blaenau Gwent was able to increase capacity in resource base provisions, there would be opportunities to consider making education provision for some of the 11 pupils back in Blaenau Gwent

5.1.2

Revenue implications associated with Phase 1 of the project have been modelled - If pupils are unable to be placed locally in a resource base, then they would need to be placed in Out County placements which could see these annual costs incrementally increase in line with the projected demand by approximately £1.3m by the 2025/26 financial year **(See table below)**

5.1.3

Revenue costs associated with Phase 1 of the project have been modelled **(Appendix 4)** and are as follows:

Financial Year	Additional Revenue Costs	Anticipated Virement from Out County Placements Budget	Shortfall (compared to current budget)	Do Nothing - Likely Increase in Cost of Out County Placements*
2023/24	£73,184	0	£73,184	£297,192
2024/25	£269,665	£138,096	£131,569	£1,157,568
2025/26	£399,585	£276,192	£123,393	£1,313,964
2026/27	£442,786	£414,288	£28,498	£1,313,964
2027/28	£442,786	£442,786	£0	£1,313,964
Total	£1,628,006	£1,271,362	£356,644	£5,396,652

**Based upon mid level costs*

5.1.4

It is anticipated the proposal will begin to impact on the requirement for Out County placements from the 2024/25 financial year as highlighted in the table above, therefore reducing this expenditure and allowing funding to be vired accordingly. In the short term there will likely be a shortfall each year when compared to the current budgets however it is predicted to avoid significant cost increases in terms of Out of County placements. It is proposed these additional costs be funded from a combination of the ALN Implementation grant (this is specifically given to Local Authorities to support the implementation of ALN reform and the financial pressure this causes), the ALN reserve and Invest to Save funding (if required).

5.1.5

Costs associated with home to school transport for out county placements are increasing for ALN pupils, the costs are forecast to be £274,352 for the 2022/23 financial year. These costs are regularly reviewed and subject to change in line with pupil placement. Should the proposal be implemented the Council would also see an incremental reduction in the transport costs associated with Out County placements every year.

5.1.6 The financial implications associated with Phase 2 of the project will be considered in full once Phase 1 has been completed and the impact assessed.

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 ALN resource bases provision in and Out of County for learners, and the associated increased cost of Home to School Transport.

5.3 ***Legal***

Legal advice has been sought in relation to the consultation document, any changes recommended as part of this will be incorporated.

5.4 ***Human Resources***

The proposed increase in pupil numbers will require the Governing Body of all affected schools to plan for the workforce requirements in readiness for the respective expansions. Organisational Development will provide advice, support and guidance to the Governing Bodies 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**) 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. The consultation process will involve the following meetings:

26th April 23 – Joint Consultative Committee

28th April 23 – Scrutiny Committee

2nd May 23 – Abertillery drop-in Session for schools, public, parents etc

3rd May 23 – Tredegar drop-in Session for schools, public, parents etc

9th May 23 – Brynmawr drop-in Session for schools, public, parents etc

10th May 23 - Ebbw Vale drop-in Session for schools, public, parents etc

In addition, in line with the code the pupils will be consulted via the school councils of the affected schools.

6.4 ***Thinking for the Long term (forward planning)***

The consultation details a proposal which looks to secure additional provision for both Autistic Spectrum Disorder (ASD) and ALN Resource Base (ALNRB)

provision in line with local demand for places for the long-term development, and sustainability of the education system in Blaenau Gwent.

6.5 ***Preventative focus***

The proposal seeks to address sustainability issues associated with the future growth and development of the ALN reform Act and resource base placements in the County Borough.

6.6 ***Collaboration / partnership working***

The consultation along with the development of the proposal have been developed collaboratively with both the Inclusion Team, Headteachers, Finance, and Community Services.

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

The proposal seeks to secure integration for new and existing pupils in ALN placements supporting growth and sustainability of provision for the future needs of learners.

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

By having provision locally, it will address the Green Agenda reducing carbon emissions for learners travelling excessively for their educational needs.

6.9 ***Integrated Impact Assessment***

Not required for this proposal.

7. **Monitoring Arrangements**

7.1 Should the consultation proceed, there will be extensive monitoring in line with the consultation processes, responses and outcomes which would be answered, analysed and taken via the Council's political processes

Background Documents / Electronic Links

- **Appendix 1** – Proposal to consult – ALN Resourced Base capacity
- **Appendix 2** – *Demand Analysis Table*
- **Appendix 3** – School Organisation Code Checklist
- **Appendix 4** - *Financial Analysis*