

Committee: **Cabinet**

Date of meeting: **21<sup>st</sup> June 2023**

Report Subject: **Outturn Report - Consultation on ALN Resource Base Capacity**

Portfolio Holder: **Cllr Sue Edmunds, Cabinet Member for 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)
						21.6.23		

## 1. Purpose of the Report

- 1.1 The purpose of the report is to provide a detailed overview of the statutory consultation undertaken by Education in relation to the proposal to increase the capacity of ALN Resource Bases. The report provides an overview of the consultation:
- methodology;
  - process; and,
  - outcomes including key themes emerging from the responses received.
- 1.2 A determination is sought from Cabinet in line with the proposal to proceed to Statutory Notice consultation outcome.

## 2. Scope and Background

### 2.1 Consultation Process and Methodology

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.

- 2.2 Therefore, the proposal 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 **must** be subject to a formal consultation.

- 2.3 The consultation was initiated and conducted via a formal consultation document and accompanying online survey (please refer to **Appendix 1** for the consultation document), which was fully compliant with the statutory

requirements set out within the aforementioned Code. The purpose of consultation was to establish the views and opinions of consultees in relation to the proposal, in order to inform the Council's political decision-making process, along with the next steps associated with the proposal.

2.4 In accordance with the Welsh Government School Organisation Code, the Authority is required to publish a consultation report (at least 2 weeks prior to the publication of statutory notice) which:

- summarises the issues raised by consultees;
- responds to these by means of clarification, amendment to the proposal or rejection of the concerns, with supporting reasons;
- sets out Estyn's response to the consultation in full; and,
- responds to Estyn's response by means of clarification, amendment to the proposal or rejection of the concerns, with supporting reasons.

2.5 Formal consultation commenced on Monday 24<sup>th</sup> April 2023, upon publication of the formal consultation document on the Council's website. The process then concluded on Tuesday 6<sup>th</sup> June 2023 at 5:00pm. Consultees were asked to provide their views, opinions and feedback via one or more of the following methods:

- attending a drop in session;
- completion of an on-line survey; and/or,
- in writing via the 21st Century School's email address.

2.6 The Council targeted consultees as directed by the Welsh Government School Organisation Code (please refer to **Appendix 2** for a comprehensive list of consultees who were provided with the necessary documentation). Electronic letters and links to the consultation document were distributed along with a link to the online survey to:

- all Blaenau Gwent schools to staff, parents and pupils;
- all Governing Bodies of affected schools via the Education Achievement Service; and,
- other consultees as detailed within Appendix 2.

In total, 0 formal responses were received via letter, there were 2 emails received and 71 survey responses received.

## 2.7 **Public Engagement Overview**

The Council opted to run 4 drop-in sessions over two weeks in Abertillery, Brynmawr, Ebbw Vale and Tredegar to engage with consultees. There were no telephone enquires pertaining to the consultation from consultees. Education held 2 pre-planned sessions with the JCC and People Scrutiny Committee. These sessions were attended by 33 consultees (for more information please refer to **Appendix 3**). During the aforementioned sessions, a series of questions were posed and addressed by Council officers, for a detailed overview of both the questions posed and Council responses, please note **Appendix 4**.

## 2.8 **Written Response Overview**

The Council received 2 responses in total via email, both supported the proposal, as presented in the consultation document and finally, the response from Estyn is of the opinion that this proposal is likely to at least maintain the standard of provision, with the possibility of improving access to provision in the short and medium term. Please see more information within section 2.19 below. Please refer to **Appendix 5** for the redacted correspondence log.

2.9 The Council received 71 survey responses in total, an overview of which can be found in **Appendix 6**. However, the data below provides an overview of the correspondence outcomes in terms of the level of support for the proposal:

- Fully support the proposal - **60 (84%)**
- Partially support the proposal - **9 (13%)**
- Do not support the proposal - **2 (3%)**

2.10 **42 (59%)** respondents provided additional comments relating to the proposal. There were **29 (41%)** participants choosing not to comment, however all 29 were in full support for the proposal. Out of all the respondents, the split in terms of representation for these consultees is detailed below:

- 6 non-teaching staff
- 8 Governors
- 23 parents
- 20 Teachers
- 1 Pupil
- 1 Local resident
- 12 Other – including
  - 1 Headteacher
  - 3 TA's
  - 1 HTLA
  - 1 Diocesan
  - 1 Inclusive Practice Service
  - 1 ALNCo
  - 1 Retired Teacher
  - 1 Town Council

## 2.11 **Social Media Engagement**

The Corporate Communications team were able to establish social media interactions and engagement with consultation posts, a summary of which is detailed below:

A total of 8 Council posts (outbound) were made via Facebook, an assessment of which revealed:

- 8 posts
- 2 shares
- Facebook reach 3,675

Webpages:

- The ALN Consultation webpage reached: 565 views and the ALN There were 14 Views via Welsh-medium.

2.12 The Consultation news story reached: 136 views and there were 4 Welsh-medium views.

### 2.13 **Thematic Analysis**

The Education Transformation team employed a thematic analysis methodology in assessing the views of the consultees. This method is one of the most common used in qualitative research and is utilised to identify patterns emergent throughout a dataset i.e. key themes such as language. The emergent themes and patterns are important to the questions posed, in highlighting the impact of the proposal, which in turn will support Cabinet to make an informed decision on how to proceed. This process is interpretive; however, interpretation risks are largely mitigated by the presentation of all responses received (please refer to **Appendices 5, 6 and 7** for an overview of all comments, views and responses).

The primary themes arising from the analysis of responses along with the frequency of each of the aforementioned themes is detailed in **Appendix 7**. The top 5 themes were:

- This proposal will meet demand, increase capacity for ALN and cater for children's needs in both primary and secondary provision with an implementation timeline. This also allows children to stay in mainstream schools. The offer of Welsh and English provision is encouraging. There is a diverse range of schools considered across the county borough including Faith Based provision - 33
- The capacity in existing provision is full and there is a lack of specialist provision in mainstream settings, these can fail children especially when full class sizes are being affected by children who desperately need the ALN provision, as there is not enough provision - 12
- Accessing learning environments for ALN learners in the correct way with highly skilled staff and training opportunities is the right approach - 7
- There is a need to consider early years settings for ALN in mainstream settings, as a result of Covid and increased diagnosis of children - 6
- Adequate funding is required to support the delivery for ALN as there has previously been a lack of investment - 6

2.14 The themes centred around the consultees reinforcing what they felt to be the most important considerations and aspects of the proposal for the Council to take forward.

2.15 During recent years, school organisation consultations have received a higher proportion of negative than positive responses. However, it is important to note that this consultation received a greater level of support

than challenge, with the primary challenge focusing on the need for sustained high quality provision.

## 2.16 **Children & Young People's responses**

The young person's version of the consultation document was shared with all School Councils via the Council's Policy and Partnerships team to ensure children and young people had the opportunity to engage in the consultation process. In order to support the engagement of both children and young people, virtual sessions were arranged with both the Youth Forum and the Grand School Council.

## 2.17 **Youth Forum Responses:**

- "I think this is amazing, it's giving all C & YP equal rights to education and I am so pleased this is going to happen so soon. I wish this had happened sooner as my good friend had to change schools for this support which had a huge impact on his friendships" (Deputy Youth Mayor)
- "I think it's amazing that C & YP with ASD or Autism don't have to travel, they can stay local and benefit by staying with their friends" (Youth Forum Member)
- "I am completely for this change especially the fact the C & YP from Faith or Welsh language schools being offered the same opportunities, I also echo everything the others have said" (Youth Mayor)

## 2.18 **School Council Response**

Unfortunately, the Grand School Council meeting that was scheduled for 17<sup>th</sup> May was postponed until June 15<sup>th</sup> which is after the closure of the consultation. Therefore, no comments were captured. Sessions were offered to all 10 affected School's School Councils.

## 2.19 **ESTYN Response**

A formal Estyn response was received during the consultation period and based on the consultation document. The full response is provided in **Appendix 5** (response no. 1). Estyn concluded that:

- 'this proposal is likely to at least maintain the standard of provision, with the possibility of improving access to provision in the short and medium term.'
- 'The Council has provided a clear rationale for the proposal.'
- 'Future projections, based on patterns in trends over time, show an increase in demand over the next few years. This proposed increase in capacity would meet the increase in numbers.'
- 'The Council also provides outline information about any capital investment to improve resources and adapt the current accommodation ... but there could be more detail explaining how the Council arrived at these estimates.'
- 'The projections give good consideration to any costs for providing for pupils out of county and, similarly, any income from accommodating

pupils from other counties. A forecast of transport costs has been provided appropriately.'

- 'The Council has provided sufficiently detailed descriptions of the proposals and the projected timetable for statutory procedures and implementing the proposal. However, it does not detail the precise actions that will be needed to meet the implementation, particularly when action is required in September 2023.'
- 'The council has identified the potential disadvantages and risks appropriately and it appears that it has outlined some appropriate mitigation measures.'
- 'The Council has given clear consideration to pupils' travel arrangements as a result of this proposal. It has committed to ensuring that all pupils have fair access to the home to school transport policy.'
- 'The Council has given suitable consideration to the effect of the proposal on standards; well-being and attitudes to learning; teaching and learning experiences; care, support and guidance; and leadership and management. It has come to the conclusion that the plan will continue to provide a high-quality learning environment for pupils and that standards will be maintained.' Estyn have provided some further considerations to strengthen this area, which will be key to formulating implementation planning moving forward. In particular implementation planning will need to 'provide sufficient detail about any specific work or support that the council will need to provide to the individual schools in the plan ... and steps should be outlined to mitigate any disruptions to *'pupils'* ... learning and wellbeing during the transition'.
- Estyn have suggested that it would be beneficial for the Council to provide further details on 'quality assurance processes and any specific measures taken to address potential inequalities or challenges.'
- 'The Council states that it does not anticipate any negative effect from the proposal on any local school and, on the contrary, that it will be a positive change for pupils. This appears to be a reasonable and fair statement.'

## 2.20 **The Council's Response:**

Within the consultation document on page 23 the Council stated that the estimated amount which would be required for the capital investment. These estimates have been reviewed by the Community Services Division, the Architect Manager has looked at the rooms which were identified by schools where appropriate and provided estimates against the work schedule that would need to be carried out. For instance, in phase 1 it is anticipated spend will be around £300,000. With a potential in Phase 2 to be in the region of £270,000 for those premises that were identified with the exception of Faith Based provision as a premises has not been identified yet.

The staggered implementation plan to deliver these provisions will enable the Education Transformation team and Inclusion Service to have a detailed project action plan which will be adopted and developed in line with the delivery of this proposal and its timelines.

Estyn raised a valid point regarding the quality assurance process and addressing potential inequalities or challenges. A full detailed Equality Impact Assessment will be undertaken as part of the implementation planning.

## 2.21 **Consultative Conclusion**

In conclusion, the consultation process has demonstrated that the proposal has widespread support from key stakeholders. There is recognition by both consultees and the Council of the need to address the short, medium and long-term capacity requirements. Education remains committed to the delivery of the proposal, as do all the schools that are mentioned within the consultation document. The two phased approach will support delivery of a sustainable ALN provision in Phase 1 whilst also planning additional capacity for Phase 2, in the development of an effective and sustainable long-term solution for Blaenau Gwent vulnerable learners.

### **Options for Recommendation**

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

3.2 • **Option 1** – The Cabinet considers and accepts the out-turn report, associated documents and course of action, including proceeding to Statutory Notice.

3.3 • **Option 2** – The Cabinet provide comments in relation to improvements that can be made in relation to the proposed course of action, (proceed to Statutory Notice) 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 (22/23 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.

5.1.3 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 Statutory Notice. 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***

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.

In addition, in line with the code, pupils will be consulted via the Youth Forum, Grand School Council and school councils of the affected schools where possible.



- 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***  
See **Appendix 8** attached.
7. **Monitoring Arrangements**
- 7.1 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**

<b>Appendix 1</b> Consultation Document
<b>Appendix 2</b> Consultee List
<b>Appendix 3</b> List of Sessions (including the number of participants)
<b>Appendix 4</b> Consultee Questions and Council Responses
<b>Appendix 5</b> Redacted Correspondence Log
<b>Appendix 6</b> Online Survey Overview
<b>Appendix 7</b> Thematic Analysis
<b>Appendix 8</b> Integrated Impact Assessment