

Committee: **Executive Committee**

Date of meeting: **21st April 2021**

Report Subject: **Proposal to Consult on Pen y Cwm Capacity increase**

Portfolio Holder: **Cllr Joanne Collins, Executive Member Education**

Report Submitted by: **Corporate Director of Education – Lynn Phillips**

Directorate Management Team	Corporate Leadership Team	Portfolio Holder / Chair	Audit Committee	Democratic Services Committee	Scrutiny Committee	Executive Committee	Council	Other (please state)
22.3.21	23.3.21	13.04.21			1.4.21	21.4.21		

## 1. Purpose of the Report

The purpose of the report is to request Executive Committee approval to consult in relation to the proposal to extend the capacity of Pen y Cwm Special School from 120 to 175 pupils, accommodating the demand for places. Education and Learning Scrutiny Committee will be a statutory consultee, should proposal to proceed to consultation be granted by Executive Committee.

## 2. Scope and Background

- 2.1 Blaenau Gwent County Borough Council is responding to the increasing need for special school placements for children and young people within the Borough. Pen y Cwm is one of two special schools in Blaenau Gwent (the only one of its kind), the other being the River Centre 3-16 learning community. Pen y Cwm caters for pupils between the ages of 3-19 years across a broad spectrum of complex special educational needs. Placement is granted for both Blaenau Gwent pupils as well as pupils from other local authority areas.
- 2.2 The school is presently over capacity and currently has 141 pupils on roll. Pen y Cwm Special School caters 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. Pupils have a Statement of Special Educational Needs or an Individual Development plan (IDP). This is the only setting in Blaenau Gwent that caters for pupils with SLD and PMLD. The school mission is: ***'To empower and support individuals to be resilient and independent and to develop skills to reach their potential'***.
- 2.3 The school population has grown by almost 30% since relocating to a new build in November 2012. As a result, there is no flexible space and each of the specialist areas (including the specialist rooms for Secondary age teaching and learning) have had to be reconfigured to facilitate general teaching spaces for additional pupils.
- 2.4 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. A provision such as Pen y Cwm Special School is essential for pupils with complex learning needs to enable them to fulfil their potential.

### **The Proposal**

2.5 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.

2.6 Should nothing change, the Local Authority 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 additional cost, outside of their community and with increased travel time. This does not support Blaenau Gwent's Vision for Education:

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

2.7 Expected benefits and advantages of this proposal when compared with the status quo (do nothing):

- 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

2.8 The Council's Education Transformation team has a proven track record of delivering complex school organisation proposals, along with successful delivery of the Band A 21<sup>st</sup> Century Schools Programme, which concluded in March 2019, when the Band B programme came into effect.

### **Consultation Requirements**

2.9 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.

2.10 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 as set out within the School Organisation Code (Version 2, 2018), 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.

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

- Consultation to commence on –Monday 26<sup>th</sup> April 2021
- Consultation to conclude on – Sunday 6<sup>th</sup> May 2021 (inclusive of 20 school days)

### **3. Options for Recommendation**

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

- **Option 1** – Executive Committee considers and accepts the report, associated document and agrees to formally consult upon the proposal.
- **Option 2** – Executive Committee provide comments in relation to improvements that can be made in relation to the associated 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 the Council to undertake statutory consultation with all interested and affected parties. This is necessary due to the fact that, as set out within the School Organisation Code (Version 2, 2018) 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. The Council, therefore, intends to increase the capacity from 120 to 175, which is an increase of 55 pupil places.
- 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**

Capital

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 has no cost pressure implications for the Council's Capital Programme.

5.1.2 Revenue

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 £2,277,494 (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.

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

5.1.4 Blaenau Gwent currently has 20 ALN pupils that are educated outside the Local Authority at a cost of £896,000. Of the 20 pupils placed Out of County all have statements of SEN and have been placed due to their recognised needs and legal entitlements. 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, for modelling purposes, we have assumed that approximately 5 of the existing 20 Out of County placements could return to Blaenau Gwent should the capacity of Pen y Cwm Special School increase. However, all placements will be subject to review within the next 12 months. This said, it is recognised that in some cases, pupils will continue to receive their education Out of County in line with their specialist needs.

- 5.1.5 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.
- 5.1.6 Sensitivity analysis around the mix of pupils from the above areas is attached as **Appendix 2**. The sensitivity analysis indicates a range of funding options from the ISB reserve. Best case scenario it indicates a minimal contribution of £14,000 from the reserve, and the most likely scenario indicates a contribution of £135,000 from the ISB reserve. The latter is well within existing revenue estimates.
- 5.1.7 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.
- 5.1.8 Costs associated with home to school transport are increasing, however, the growth bid for this provision was approved at Full Council for circa £100,000. 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** - 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.
- 5.2.1 There is also a financial risk that Out of County Placements are not reduced and additional income from other LEA's is not increased. This could be largely mitigated by a full review of Out of County placements, along with potential increased in-county placement options, with a view to generating additional income.

- 5.3 **Legal** – There are no direct legal implications associated with this proposal.
- 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 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**), for the date performance data relating to the proposal.
- 6.2 **Expected outcome for the public (This section is mandatory)** - 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** - 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** - 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** - The proposal seeks to secure integration for new and existing pupils supporting growth and sustainability of provision.
- 6.8 **EqIA** - 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** – 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. In addition, 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** – Blaenau Gwent Proposal Consultation Document – Increase the Capacity of Pen y Cwm Special School

**Appendix 2** – Sensitivity Analysis (Pupil Additionality)