

Report

Leader of the Council

Part 1

Date: 26 November 2018

Item No:

Subject **School Reorganisation Proposal – Establishment of a Learning Resource Base at Caerleon Lodge Hill Primary School**

Purpose To move to the publication of a statutory notice on the school reorganisation proposal “to establish a generic 10-place Learning Resource Base class for pupils aged between 4 years and 11 years with additional learning needs at Caerleon Lodge Hill Primary School with effect from April 2019”

Author Education Service Manager

Ward Caerleon

Summary Formal consultation has now concluded on the school reorganisation proposal “to establish a generic 10-place Learning Resource Base class for pupils aged between 4 years and 11 years with additional learning needs at Caerleon Lodge Hill Primary School with effect from April 2019”.

This formal consultation was carried out between 5th September 2018 and 16th October 2018. Following conclusion of this process a consultation report, which describes the consultation process and feedback received in some detail, has been drafted and is attached at Appendix 1. The report has also been published on the Newport City Council website and shared with stakeholders as outlined in the statutory School Organisation Code.

This report references those findings, the result of which recommends that the Council moves to publish a statutory proposal. During this statutory proposal period, legal objections can be lodged by any stakeholder, and will need to be considered before any final determination is taken.

Proposal **To move to the publication of a statutory notice for a period of 28 days in respect of the proposal “to establish a generic 10-place Learning Resource Base class for pupils aged between 4 years and 11 years with additional learning needs at Caerleon Lodge Hill Primary School with effect from April 2019”.**

Action by Chief Education Officer

Timetable Immediate

This report was prepared after consultation with:

- Strategic Director - People
- Education Senior Management Team

- Senior HR Business Partner
- Senior Finance Business Partner
- Schools Resources Manager
- Headteacher, Caerleon Lodge Hill Primary School
- Chair of Governors, Caerleon Lodge Hill Primary School

Signed

Background

A formal consultation on the proposal to establish a generic 10-place Learning Resource Base class for pupils aged between 4 years and 11 years with additional learning needs at Caerleon Lodge Hill Primary School with effect from April 2019 was carried out between 5th September 2018 and 16th October 2018. Following conclusion of this process a consultation report was prepared, published on the Newport City Council website and shared with stakeholders as outlined in the statutory School Organisation Code.

There is now a requirement to consider the content of this report and determine whether or not it is appropriate to move to the next stage in the school reorganisation process which is the publication of a statutory proposal. During this statutory proposal period, legal objections can be lodged by any stakeholder, and if any are received will need to be considered before any final determination is taken.

A copy of the Consultation Report is attached at Appendix 1 but there now follows a synopsis of the feedback received.

Stakeholder Engagement

An invitation to take part in the statutory consultation was issued to an extensive list of stakeholders, with two separate drop-in events arranged where people directly affected by the proposal could attend to find out more information and share their views. Both of these events were held at the school. Five people attended the first drop-in session, four of which were parents of children currently attending the school. The fifth was a member of staff employed by Aneurin Bevan Health Board (ABHB). Two parents joined the second session, one of whom had also attended the first drop-in. The questions raised during the sessions are outlined within the Consultation Report at Appendix 1 (pages 10-12 of this report).

Learner Voice

The Council was keen to gain the views of learners, and this was facilitated through a specific meeting between the School Council and two members of staff from the Education Service which was held on Tuesday 16th October 2018 at Caerleon Lodge Hill Primary School. The Council is very grateful to the staff and pupils who took part in this session and would like to thank them for their valuable contributions to this process.

Twelve children in total attended the meeting and all agreed that introducing a LRB class to the school was a good idea as it would help children with additional learning needs to feel part of a whole school. Their specific comments and questions are outlined within the Consultation Report at Appendix 1 (pages 12 and 13 of this report).

Consultation Responses

Three formal responses were received during the consultation period. Two respondents supported the proposal whilst one opposed it on the basis of the possible disruption that might be caused to her children and the school. These responses are outlined in more detail within the Consultation Report at Appendix 1 (page 13 of this report).

Estyn

The formal response from Estyn concluded that the proposal "is likely to maintain the standard of education provision in the area, and maintain or improve the standard of provision for pupils with additional learning needs."

However the response also stated that:

- there was not sufficient consideration of alternative locations for the new LRB;
- there was a need for more clarity regarding home to school transport arrangements;
- in relation to the educational aspects, the information presented in relation to pupil achievement and attendance is only noted up to the end of the 2016/17 academic year and there is no commentary on the quality of leadership and management at the school;
- there was no consideration on the likely impact on delivery of the full curriculum, and;
- the local authority does not identify specifically how it will minimise the disruption to learners.

These comments, along with the relevant Local Authority responses, are outlined in full within the Consultation Report at Appendix 1 (pages 14 and 15 of this report).

Financial Summary

Capital

The total cost of the re-build project is estimated to be approximately £6,392,000, funded jointly by the Council and Welsh Government through Band A of the 21st Century Schools Programme. This can be presented as a cost of approximately £18,315 per full time equivalent pupil place, including the Learning Resource Base.

Revenue

This will increase the costs against the overall 'Individual School's budget' and therefore will put pressure on that budget and within individual schools.

This increase in costs comes from additional staff required to appropriately support the Learning Resource Base class. The proposal will however provide additional supported placements across the city for pupils with additional educational needs and will potentially enable some pupils to be taught at schools nearer to their home, thus reducing home to school transport costs. Increased costs include those associated with the employment of a Teacher and two Teaching Assistants (at Level 3 and Level 2 respectively). These costs are estimated to be £82,905 based on staff at the top of their respective pay scales as at September 2018.

An amount of £64,000 is allocated to host school budgets to meet the costs associated with operating a 10-place Learning Resource Base. In addition, the school will receive the Age Weighted Pupil Unit (AWPU) costs for each pupil who is allocated a place in the base. This AWPU funding is based on the age of the individual pupils placed at the provision. This additional funding will be sufficient to run the new LRB.

This additional funding will need to be met from the Individual Schools Budget (ISB) and essentially, will be re-allocated funds from other schools funding. Until allocations are made, it is not known which individual schools may be impacted from funding re-allocation.

Risks

Risk	Impact of Risk if it occurs* (H/M/L)	Probability of risk occurring (H/M/L)	What is the Council doing or what has it done to avoid the risk or reduce its effect	Who is responsible for dealing with the risk?
Failure to move to statutory notice	L	L	This risk has been mitigated by carrying out a full consultation process in accordance with the statutory School Organisation Code. The proposal cannot be progressed without publishing a statutory notice.	Chief Education Officer

* Taking account of proposed mitigation measures

Links to Council Policies and Priorities

Wellbeing of Future Generations (Wales) Act 2015

Corporate Plan

Council Improvement Plan (*Aspirational People* theme)

Education Service Plan

Options Available and Considered

Option 1: to move to the next stage in this school reorganisation process, which is the publication of a statutory proposal (notice) for a period of 28 days, and is the opportunity at which any legal objections can be lodged against the proposal.

Option 2: to withdraw the proposal following consideration of the feedback received during the formal consultation period and outlined in detail within the attached Consultation Report.

Preferred Option and Why

The preferred option is Option 1. The publication of a statutory notice is the next stage in this school reorganisation proposal. This 28-day period will provide all consultees and stakeholders with an opportunity to further consider, and if necessary lodge legal objections to, the proposal.

Comments of Chief Financial Officer

The capital budget is approved for the project as detailed above.

The financial summary above provides details of the revenue budget pressures. This proposal will increase the overall cost that goes against the Individual Schools budget (ISB). Schools are already significantly overspending against their individual allocations within the total ISB and this will then put further pressure on schools funding.

Additional funding will be allocated to this new provision and it will come from the existing ISB. As funding follows the pupil, then it cannot be known at this point where funding will come from but schools that lose funding if pupils move to this new provision will need to make savings to compensate for loss of funding.

Comments of Monitoring Officer

The proposed action is in accordance with the statutory school reorganisation procedures set out in the School Standards and Organisation (Wales) Act 2013 and the School Organisation Code. The proposal to establish a Learning Resource Base at the new Caerleon Lodge Hill Primary School is a regulated alteration and, therefore, has to be the subject of formal statutory consultation under the Code. In accordance with the statutory procedures, a detailed consultation document was prepared, setting out the educational reasons for the proposals, and meaningful consultation has been carried out with key stakeholders, including children and young people, who are likely to be affected by the changes. Three formal responses were received during the consultation period, two of which were supportive of the proposal and only one objection was received from a parent based upon the perceived disruption to her children at the school. The formal response from Estyn identified certain issues regard the impact of the proposals but concluded that they would maintain educational provision in the area and maintain or improve the standard of ALN provision. The Leader is now required to consider whether, in the light of the consultation responses, the Council should proceed with the necessary statutory notices. If agreed, then the proposal will need to be published by way of formal statutory notice, on the Council's website and by public notices, and a period of 28 days (including, at least, 15 school days) will need to be allowed for statutory objections. If no objections are received during the statutory consultation period, then the Leader can take the final decision about whether to proceed with the proposed LRB but, if there are any unresolved objections, the final determination will have to be referred to full Cabinet, acting as the Local Determination Panel. Because the Cabinet Member for Education and Skills is a Local Authority appointed member of the School Governing Body, then she has a "personal interest" in this matter and, therefore, this decision need to be taken by the Leader.

Comments of Head of People and Business Change

The proposed new Learning Resource Base at Caerleon Lodge Hill Primary offers sustainable development gains which include: supporting the increasing demand for specialist education provision across the primary school sector and enabling pupils to attend a school more local to their home address; increased availability of places to accommodate pupils from across the city who require supported mainstream placements; increased opportunities for pupils accessing supported provision to reintegrate into mainstream classes; more effective use of space within the new school building and improved parental and community engagement. The proposed development supports the "A prosperous Wales", "A more equal Wales" and "A Wales of cohesive communities" Well-being Goals. In addition this proposal supports the Newport City Council Well-being Objective "To improve skills, educational outcomes and employment opportunities".

The report outlines the findings of the formal consultation undertaken in the autumn which are followed by the proposal to move to publish a statutory notice to establish the LRB at Caerleon Lodge Hill Primary School. A Fairness and Equalities Impact Assessment has been undertaken in respect to this proposal.

The preferred option will see an increase in numbers of staff, providing valuable job opportunities within the organisation. Both Teacher and Teaching Assistant posts are established roles within the Council with agreed job descriptions and terms and conditions of employment. Any posts should be filled through standard recruitment processes including potential redeployment for relevant staff.

There may be a requirement for the Governing Body to review the pay ranges of members of the school leadership team to take into consideration the increase in pupil numbers, in line with policies and procedures.

Local issues

Comment from Councillor Gail Giles, Caerleon Ward Member

I fully support this proposal to establish a LRB at Caerleon Lodge Hill Primary School, in a modern, appropriate environment. I have noted the overwhelming positive response, including the 'pupils' vote', following extensive consultation as well as the benefits this education resource will provide for all pupils in the Caerleon/ St Julian's clusters.

Comment from Councillor Joan Watkins, Caerleon Ward Member

I am very happy for this initiative to move forward given it will be a valuable asset and resource for children needing additional support to assist their learning. I wish the project well and look forward to seeing it operational.

Scrutiny Committees

None

Equalities Impact Assessment

The Equality Act 2010 contains a Public Sector Equality Duty which came into force on 06 April 2011. The Act identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership. The new single duty aims to integrate consideration of equality and good relations into the regular business of public authorities. Compliance with the duty is a legal obligation and is intended to result in better informed decision-making and policy development and services that are more effective for users. In exercising its functions, the Council must have due regard to the need to: eliminate unlawful discrimination, harassment, victimisation and other conduct that is prohibited by the Act; advance equality of opportunity between persons who share a protected characteristic and those who do not; and foster good relations between persons who share a protected characteristic and those who do not. The Act is not overly prescriptive about the approach a public authority should take to ensure due regard, although it does set out that due regard to advancing equality involves: removing or minimising disadvantages suffered by people due to their protected characteristics; taking steps to meet the needs of people from protected groups where these differ from the need of other people; and encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

A Fairness & Equality Impact Assessment (FEIA) has been updated and is attached at Appendix 2.

Children and Families (Wales) Measure

Consultation with Children and Young People is outlined in the *Learner Voice* section of this report and the attached Consultation Report.

Wellbeing of Future Generations (Wales) Act 2015

Report writers need to indicate how they have considered the five things public bodies need to think about to show they have applied the sustainable development principle put into place by the Act. You will need to demonstrate you have considered the following:

- Long term: the importance of balancing short- term needs with the need to safeguard the ability to also meet long – term needs: ***By supporting the increasing demand for specialist education provision across the primary school sector and enabling pupils to attend a school more local to their home address.***
- Prevention: How acting to prevent problems occurring or getting worse may help us meet our objectives: ***The need for specialist education provision has grown significantly over the past 5-10 years and there is currently no primary Learning Resource Base provision within the Caerleon or St Julian’s cluster areas. The proposal will therefore benefit pupils living locally but will not be exclusive to those living in these areas. The new provision will be available to be accessed by pupils living across the city to support specific education needs in an appropriate and secure environment. This will enable children to attend a school more local to their home address.***
- Integration: Consider how the proposals will impact on our wellbeing objectives, our wellbeing goals, other objectives or those of other public bodies: ***A formal statutory consultation has been carried out with key stakeholders, the outcome of which is detailed within the consultation report. This proposal supports the “A prosperous Wales”, “A more equal Wales” and “A Wales of cohesive communities” Well-being Goals and has no adverse effect on any of the other Well-being Goals. In addition this proposal supports the Newport City Council Well-being Objective “To improve skills, educational outcomes and employment opportunities”.***
- Collaboration: have you considered how acting in collaboration with any other person or any other part of our organisation could help meet our wellbeing objectives: ***A formal statutory consultation has already been carried out. A FEIA has also been prepared and updated to consider the impact of the proposal.***
- Involvement: The importance of involving people with an interest in achieving the wellbeing goals, and ensuring that those people reflect the diversity of the City we serve: ***A formal statutory consultation has already been carried out. A FEIA has also been prepared and updated to consider the impact of the proposal.***

Crime and Disorder Act 1998

Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.

Consultation

Stakeholder consultation has been carried out and is outlined in some detail in the attached consultation report.

Background Papers

Consultation Report (attached at Appendix 1)

Updated FEIA (attached at Appendix 2)

Dated: November 2018

Newport City Council

School Reorganisation Proposal

Consultation Report

Proposal to establish a Learning Resource Base at Caerleon Lodge Hill Primary School

Formal Consultation Period:
5th September 2018 – 16th October 2018

Purpose

This report is published in line with the requirements of the School Standards and Organisation (Wales) Act 2013 and the School Organisation Code, July 2013.

This consultation report includes the following sections:

- The Proposal
- Stakeholder Engagement
- Everyday Summary Version – Children & Young People
- Learner Voice
- Consultation Responses
- Estyn
- Recommendations

The Proposal

To establish a generic 10-place Learning Resource Base class for pupils aged between 4 years and 11 years with additional learning needs at Caerleon Lodge Hill Primary School with effect from April 2019.

Stakeholder Engagement

An invitation to take part in the statutory consultation was issued to the stakeholders outlined below, with either a link to the consultation pack on the Council's website and an electronic version of the pack sent by e-mail, or alternatively by hard copies of the consultation material being issued:

- Teachers, staff and the governing body of Caerleon Lodge Hill Primary School;
- Parents, carers and guardians of pupils attending Caerleon Lodge Hill Primary School;
- Pupils at Caerleon Lodge Hill Primary School;
- The Headteachers and Governing Bodies of all schools within the Caerleon Comprehensive School cluster: Caerleon Comprehensive School, Charles Williams Church in Wales Primary School and Langstone Primary School;
- The Headteachers and Governing Bodies of those schools in Newport that currently host Learning Resource Base provision: Alway Primary School, Crindau Primary School, Gaer Primary School, Kimberley Nursery School, Llanmartin Primary School, Malpas Court Primary School, Monnow Primary School, Pillgwenlly Primary School, Ringland Primary School, Rogerstone Primary School, St Andrews Primary School, The John Frost School and St Julians School;
- All Newport City Council elected members;
- The Welsh Ministers;
- Assembly Members (AMs) and Members of Parliament (MPs) representing the area served by the schools subject to the proposals;
- Other Local Authorities across the South East Wales Consortium region, including relevant Transport departments;
- The South East Wales Education Achievement Service;
- The Church in Wales, Diocese of Monmouth;
- Roman Catholic Archdiocese;
- Estyn;
- Teaching and staff trade unions representing teachers and staff at Caerleon Lodge Hill Primary School;
- The Police and Crime Commissioner for Gwent;
- Gwent Police;
- South Wales Fire and Rescue Service;
- Aneurin Bevan Health Board;
- Public Health Wales;
- Newport Serennu Centre;
- SNAP Cymru;
- Gwent Association of Voluntary Organisations;
- Preventative Services.

The following consultation events were arranged and were publicised via a letter to stakeholders and via the consultation documentation. This information was also shared on the Council website:

Location	Date & Time	Event Type
Caerleon Lodge Hill Primary (former Junior building), Lodge Hill, Caerleon, NP18 3BY	Tuesday 11 th September 2018 3.45pm – 5.45pm	Drop-in event
Caerleon Lodge Hill Primary (former Junior building), Lodge Hill, Caerleon, NP18 3BY	Thursday 27 th September 2018 3.45pm – 5.45pm	Drop-in event

Five people attended the first drop-in session, four of which were parents of children currently attending the school. The fifth was a member of staff employed by Aneurin Bevan Health Board (ABHB). This session was supported by the Special Educational Needs (SEN) Manager, a SEN and Inclusion Officer and an Education Information and Development Officer. The second session was also supported by the same two SEN representatives along with the Education Service Manager (Planning & Resources). The Headteacher and Deputy Headteacher were also in attendance. Two parents joined this session, one of whom had also attended the first drop-in. The following questions were raised during the two sessions:

Admissions

How does a child gain a space in the LRB?

Pupils will not be able to apply for a place at the Learning Resource Base via the Council's usual admission arrangements. Instead, admission will be based on individual need following an assessment undertaken by the Education Inclusion Team. All pupils attending the base will have a statement of Special Educational Needs. The Council will determine admission taking parental preference into consideration and following consultation with the Headteacher and Governing Body as to the appropriateness of the placement. There are no plans to change these arrangements under this proposal.

Will this pupil take a space of another child on the waiting list for the school?

No, the LRB has no effect on the published admission number for the school.

Can a child gain a space in mainstream at the school after being in the LRB?

Pupils who attend LRB placements have opportunities for inclusion within mainstream classes. This will be undertaken for any subjects that they are able to access. The desired outcome for all pupils within LRBs is that they will be able to re-integrate back into a mainstream class on a full time basis following a period of intervention within the LRB. If a LRB pupil is deemed appropriate to reintegrate back into a mainstream class, the expectation is that the pupil will return to their original school. However, if a parent/carer decides to make an application for continuation of placement at an alternative school, this will be progressed in accordance with the Council's School Admissions Policy.

Will mainstream statemented pupils be able to access the LRB?

Mainstream pupils will not be able to access the LRB unless agreed via the LA's SEN Panel.

How quickly will the LRB class be filled?

Placements in the LRB will be allocated subject to demand.

Will admission to the LRB be restricted to pupils who live in the catchment area?

If approved, this LRB will primarily serve pupils living within the Caerleon cluster although placements will be available to wider Newport pupils if required.

Staffing

Will the additional funding that the school receives be sufficient to meet the costs associated with the LRB?

An amount of £64,000 is allocated to host school budgets to meet the costs associated with operating a 10-place LRB. In addition, the school will receive the Age Weighted Pupil Unit (AWPU) costs for each pupil who is allocated a place in the base. This AWPU funding is based on the age of the pupil. The allocated funding will be sufficient to meet the costs of operating the LRB.

How many teachers and teaching assistants will be in the class?

It is usual that a 10-place LRB is supported by one Teacher and two Teaching Assistants.

How will staff sickness, PPA and break times be covered?

Any sickness of staff within the LRB will be covered as per agreed school processes and arrangements. This will include flexible use of existing staff or engaging agency staff as required. PPA and break time cover is organised by the Headteacher and this will be extended to include the LRB.

Will all staff at the school receive additional training to support the needs of these pupils?

Staff within the LRB and the wider school will be able to access a range of training and consultation opportunities to support pupils within the LRB such as:

- Invitations to attend LA ALN training which may include general sharing of information, updates on processes and procedures, and training which focuses on specific interventions;
- Annual LA conference on ALN;
- Annual LA facilitated Training Day for all LRB staff;
- Termly ALN Clinics operated by the LA's Inclusion Enrichment Team;
- Incidental open days with key speakers;
- Attendance at monthly 'bite-size' sessions which will provide tasters on new training and reinforce existing training, and;
- Specific requests via Cluster Network meetings.

Will the LRB affect the amount of time the Senior Leadership Team (SLT) spends with the rest of the school? Is there a budget consideration for this?

The LRB will be part of the whole school. Any time that is spent supporting the LRB will be considered as part of the overall roles and responsibilities of the Senior Leadership Team.

School Organisation

As the LRB will be able to accommodate pupils across a variety of ages, how will this be organised?

The LRB will be within one standard classroom with opportunities to use the multi-purpose room which is adjacent to the LRB. The classroom set-up will be determined by the class teacher taking into account the pupils placed and their individual needs. The delivery of work will be differentiated to meet individual pupil and relevant curriculum needs.

Will LRB pupils have the same break time and lunch time as the rest of the school?

The LRB pupils will operate to the same times as the rest of the school. This reflects the inclusive practice of the LRBs across Newport. Pupils who access the LRB may however have the opportunity to access the canteen earlier than mainstream peers if for example they have particular sensory issues and are sensitive to increased levels of noise.

Will the LRB affect the school's insurance?

The schools building insurance will be reviewed in preparation for the move to the new building. There is no additional premium associated with hosting a LRB.

How will damage costs be recovered?

Any damage will be managed by the Governing Body which, along with the Headteacher, is responsible for maintaining the building and considering any actions.

Class Base

What security is on the classroom door?

The internal door to the classroom will have fob security access. The external door will be fitted with two thumb turn locks, one of which will be placed at a higher level. The door will be fitted with one deadlock as per current standards for additional security.

How is the classroom soundproofed?

Soundproofing measures have been included as part of the school building design in accordance with building regulation requirements.

Is the outside canopy area fenced?

Yes, this area is within the school's boundary fence to ensure pupils are not able to leave the site without permission. There will also be some additional fencing to provide a secure external learning environment for pupils.

Additional Needs

Will the pupils in the LRB have access to therapeutic services?

Access to any therapeutic services will be dependent on each individual pupil's identified need and the provision that is required to meet those needs.

Everyday Summary Version – Children & Young People

An Everyday Summary Version of the main consultation document was also published and was targeted specifically at children and young people.

Learner Voice

The Council was keen to gain the views of learners, and this was facilitated through a specific meeting between the School Council and two members of staff from the Education Service which was held on Tuesday 16th October 2018 at Caerleon Lodge Hill Primary School. The Council is very grateful to the staff and pupils who took part in this session and would like to thank them for their valuable contributions to this process.

Twelve children in total attended the meeting and all agreed that introducing a LRB class to the school was a good idea as it would help children with additional learning needs to feel part of a whole school. The following specific questions were also raised by those present:

Question	Answer
Will the LRB classroom be soundproofed as if the pupils are noisy, it may be distracting for other learners?	All classrooms in the new school will be built to modern standards and will be much more soundproofed than those in the current school buildings.

Question	Answer
Will the children in the LRB share the same playground and playtimes as other pupils?	The LRB class will have a dedicated small safe play area immediately outside the classroom. Some of the children attending the class might not like busy spaces or loud noises so the main yard wouldn't be suitable for them at the same time as the rest of the school. If they are able to however, yes they will join the rest of the school. This will be decided by the teacher and the pupils themselves.
What age will the children be in the new class?	The LRB can have up to 10 children aged between 4 years to 11 years.
How many teachers will there be in the new class?	There will be 1 teacher and 2 teaching assistants in the new class.
Will we get to use the LRB?	The LRB class will be designed exactly like the other classes in the school and therefore there will be no special facilities that other pupils will need to use. However, there will be shared facilities around the school that everyone will be able to use.
Why have you chosen this school for a LRB?	The Council is trying to ensure that all new school builds include a LRB class so that pupils who need additional help can attend a local school.
Will the children do the same work as the other pupils in the school?	The children in the LRB may be unable to do the same work as the pupils in other classes, but the work will be suitable for them.
Will the teacher in the LRB class have special experience?	The governing body will want to ensure that they pick the best possible person to teach this class. This may be someone who has experience of teaching in another LRB or of working with children with additional needs.
What will happen if one of the children is very disruptive?	The teacher will deal with behaviour in the same way as your teachers would in your classes at the moment.
When will the children start coming to the school?	The LRB is planned to open in April 2019 (after the Easter holidays) and pupils will start attending the class shortly after this.
Can the children move from the LRB into the other classes in the school if they are doing well?	Possibly, but this will be decided jointly by the Headteacher and the council.

Consultation Responses

Three formal responses were received during the consultation period. Two respondents supported the proposal whilst one opposed it on the basis of the possible disruption that might be caused to her children and the school.

The responses in support of the proposal outlined that the LRB would bring enormous benefits to pupils with additional learning needs. The Council supports this position and is committed to providing such facilities in all new school builds as it supports a more inclusive approach for pupils with additional learning needs. There is also a desire to move to a position where there is at least one Learning Resource Base class in each cluster of primary schools. There is currently no such provision within the Caerleon cluster, or in the neighbouring St Julian's cluster.

In terms of the response opposing the proposal, the Council has been clear that the LRB will not be a provision for pupils with behavioural problems. The proposal will not have any detrimental impact on mainstream education provision at Caerleon Lodge Hill Primary School. The Council considers that this will bring long term benefits for both the school and the wider community.

Estyn

The formal response from Estyn concluded that the proposal “is likely to maintain the standard of education provision in the area, and maintain or improve the standard of provision for pupils with additional learning needs.”

It also outlines that the Council has outlined a clear rationale for the proposal and sets out clearly and fairly the expected benefits and disadvantages when compared with the current situation along with some risks. However, whilst other alternatives have been outlined, they do not appear to have been considered well enough, particularly the possibility of placing the LRB anywhere other than at Caerleon Lodge Hill Primary School.

LA Response: *The Council is committed to meeting the growing need for specialist provision across the city of Newport and as such wants to establish a LRB in all new school buildings. The 21st Century Schools funded project to re-build Caerleon Lodge Hill Primary School represented an opportunity to create specialist provision in a cluster that otherwise does not benefit from a LRB.*

The response then makes reference to the need for clarity in relation to home to school transport arrangements.

LA Response: *The Council's Home to School Transport for mainstream pupils is based solely on a distance criterion from the catchment or nearest available school. Where the Council's SEN Panel determines that the needs of a specific child can be best met in a LRB placement, consideration is given to transport arrangements. In certain cases, the SEN Panel may decide that Home to School Transport should be facilitated on either a temporary or permanent basis and this will be communicated with parents / carers.*

In relation to educational aspects of the proposal, Estyn has noted pupil achievement and attendance is only noted up to the end of the 2016-2017 academic year, and does not comment on the quality of leadership and management at the school.

LA Response: *This data was the most up-to-date information available when the consultation document was prepared in the summer term of 2018. Further information is now available as follows:*

- *The 3 year average FSM % for Caerleon Lodge Hill Primary was 14.5% in 2018, placing the school in the 8-16% FSM benchmark group for comparison of achievement.*
- *Attendance was 95.9% in 2018, which is above the Newport average of 94.6%.*

In terms of leadership and management, the most recent school categorisation report has confirmed that the Headteacher and Senior Leadership Team provide strong leadership with a shared vision that influences practice across the school. A record of raising pupil achievement has been maintained over time and the Headteacher is clear in her expectations for future achievement. The governing body is very effective in holding the school to account, and well established performance management systems ensure that staff members are held to account for pupil progress and wellbeing.

Estyn also noted that the proposal does not consider the likely impact on the delivery of the full curriculum at the foundation phase and at key stage 2.

LA Response: *The LA view is that the proposal will support the delivery of curriculum to pupils with Additional Learning Needs through expanding provision to learners who attend the Learning Resource Base. These learners will benefit from a more appropriate learning environment. Mainstream learners will not be impacted by the proposal.*

The response ends by stating that the local authority does not identify specifically how it will minimise the disruption to learners, for example those pupils with a statement of special educational needs who will move to this resource base class. However, it does show that it plans to 'provide the governing body with sufficient time to recruit appropriate teaching and support staff and will also ensure that pupil transition can be effectively facilitated'.

LA Response: *The SEN Panel will determine placements at the LRB following consultation with parents / carer and with existing provisions to determine the appropriateness of the proposed placement. A period of transition will be facilitated to minimise disruption to the learner.*

Recommendations

It is recommended that permission be sought to move this proposal forward by publishing a statutory notice. This decision will be referred to the Leader of Newport City Council and taken through the Council's agreed democratic process.

In accordance with the School Organisation Code (2013) this report is published electronically on Newport City Council's website at www.newport.gov.uk/schoolreorganisation

To request a hard (paper) copy of this document please contact Newport City Council's Education Information and Development Officer on 01633 656656 or email school.reorg@newport.gov.uk

APPENDIX 2

Fairness and Equalities Impact Assessment (FEIA)

Version 3.6 May 2017

The purpose of this assessment is to provide balanced information to support decision making and to promote better ways of working in line with equalities (Equalities Act 2010), Welsh language promotion (The Welsh Language (Wales) Measure 2011), sustainable development (Wellbeing of Future Generations (Wales) Act 2015), and the four parameters of debate about fairness identified by the Newport Fairness Commission (NFC Full Report to Council 2013).

Completed by: Deborah Weston **Role:** Education Service Manager

Head of Service: Sarah Morgan **Date:** 07/11/2018

I confirm that the above Head of Service has agreed the content of this assessment

Yes / No

When you complete this FEIA, it is your responsibility to submit it to
impact.assessment@newport.gov.uk

1. Name and description of the policy / proposal being assessed. Outline the policy's purpose.

The purpose is to seek permission to move to the publication of a statutory notice for a period of 28 days in respect of the proposal "to establish a generic 10-place Learning Resource Base class for pupils aged between 4 years and 11 years with additional learning needs at Caerleon Lodge Hill Primary School with effect from April 2019"

2. Outline how you have/ will involve stakeholders who will be affected by the policy/proposal

The consultation period was undertaken in accordance with the requirements of the statutory School Organisation Code. An invitation to take part in the statutory consultation was issued to an extensive list of stakeholders, with two separate drop-in events arranged where people directly affected by the proposal could attend to find out more information and share their views. Both of these events were held at the school. Five people attended the first drop-in session, four of which were parents of children currently attending the school. The fifth was a member of staff employed by Aneurin Bevan Health Board (ABHB). Two parents joined the second session, one of whom had also attended the first drop-in. Given that the proposal is for a 10-place provision, and 5 different parents attended the drop-in sessions, this represents a good ratio of stakeholder engagement.

The Council was keen to gain the views of learners, and this was facilitated through a specific meeting between the School Council and two members of staff from the Education Service which was held on Tuesday 16th October 2018 at Caerleon Lodge Hill Primary School. Twelve children in total attended the meeting.

The statutory notice will now give stakeholders an opportunity to place legal objections if they feel it is necessary.

3. What information/evidence do you have on stakeholders? e.g. views, needs, service usage etc. Please include all the evidence you consider relevant.

The statutory Code outlines the key stakeholders who should be consulted with as part of this process. This list is not exclusive however, and the Council has identified and added to this as a result of feedback received in relation to previous proposals. An invitation to take part in the statutory consultation was issued to the stakeholders outlined below, with either a link to the consultation pack on the Council's website and an electronic version of the pack sent by e-mail, or alternatively by hard copies of the consultation material being issued:

- Teachers, staff and the governing body of Caerleon Lodge Hill Primary School;
- Parents, carers and guardians of pupils attending Caerleon Lodge Hill Primary School;
- Pupils at Caerleon Lodge Hill Primary School;
- The Headteachers and Governing Bodies of all schools within the Caerleon Comprehensive School cluster: Caerleon Comprehensive School, Charles Williams Church in Wales Primary School and Langstone Primary School;
- The Headteachers and Governing Bodies of those schools in Newport that currently host Learning Resource Base provision: Alway Primary School, Crindau Primary School, Gaer Primary School, Kimberley Nursery School, Llanmartin Primary School, Malpas Court Primary School, Monnow Primary School, Pillgwenlly Primary School, Ringland Primary School, Rogerstone Primary School, St Andrews Primary School, The John Frost School and St Julians School;
- All Newport City Council elected members;
- The Welsh Ministers;
- Assembly Members (AMs) and Members of Parliament (MPs) representing the area served by the schools subject to the proposals;
- Other Local Authorities across the South East Wales Consortium region, including relevant Transport departments;
- The South East Wales Education Achievement Service;
- The Church in Wales, Diocese of Monmouth;
- Roman Catholic Archdiocese;
- Estyn;
- Teaching and staff trade unions representing teachers and staff at Caerleon Lodge Hill Primary School;
- The Police and Crime Commissioner for Gwent;
- Gwent Police;
- South Wales Fire and Rescue Service;
- Aneurin Bevan Health Board;
- Public Health Wales;
- Newport Serennu Centre;
- SNAP Cymru;
- Gwent Association of Voluntary Organisations;
- Preventative Services.

Engagement with pupils was facilitated through the school council. A Consultation Report has now been prepared and published on the Council website. Publication of a statutory notice will enable stakeholders to lodge legal objections against the proposal.

4. Equalities and Welsh language impact

Protected characteristic	Impact:			Provide further details about the nature of the impact in the section below. Does it: 1. Promote equal opportunity 2. Promote community cohesion 3. Help eliminate unlawful discrimination/ harassment/ victimisation?
	Positive	Negative	Neither	
Age	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The establishment of a new Learning Resource Base will support the increasing demand for English-medium primary specialist education provision across the city of Newport, a need which has grown significantly over the past 5-10 years. There is currently no such Learning Resource Base provision within the Caerleon or St Julian's cluster areas. This proposal will therefore benefit young people living locally but is not exclusive to those living within this cluster area. It can be accessed by young people across the city to support specific education needs in an appropriate and secure environment. All staff employed at the school will be treated equitably regardless of their status within this protected characteristic.
Disability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The Council is committed to providing Learning Resource Base facilities for pupils with Additional Learning Needs in all new school builds as this supports a more inclusive approach for pupils who require additional support within a mainstream environment. There is also a desire to move to a position where there is a least one Learning Resource Base class in each cluster of primary schools. There is currently no such provision within the Caerleon cluster, or in the neighbouring St Julian's cluster. The new school building will be fully DDA compliant. All staff employed at the school will be treated equitably regardless of their status within this protected characteristic.
Gender reassignment/ transgender	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Any pupils, parents / carers and staff falling into this protected characteristic will be treated equitably in line with the relevant policies as adopted by the governing body of the school. The policies surrounding the LRB will be developed to support any pupils, parents / carers and staff falling into this protected characteristic.
Marriage or civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	All staff employed at the school will be treated equitably regardless of their status within this protected characteristic.

Protected characteristic	Impact:			Provide further details about the nature of the impact in the section below. Does it: 1. Promote equal opportunity 2. Promote community cohesion 3. Help eliminate unlawful discrimination/ harassment/ victimisation?
	Positive	Negative	Neither	
Pregnancy or maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	All staff employed at the school will be treated equitably regardless of their status within this protected characteristic. The policies surrounding the LRB will be developed to support any pupils, parents / carers and staff falling into this protected characteristic.
Race	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The establishment of a new Learning Resource Base will support the increasing demand for primary specialist education provision across the city of Newport, a need which has grown significantly over the past 5-10 years. There is currently no such Learning Resource Base provision within the Caerleon or St Julian's cluster areas. This proposal will therefore benefit pupils living locally but is not exclusive to those living within this cluster area. It can be accessed by pupils across the city to support specific education needs in an appropriate and secure environment. All pupils attending the school and staff employed at the school will be treated equitably regardless of their status within this protected characteristic. There is no evidence that suggests that there is a higher probability of additional learning needs affecting BAME pupils.
Religion or Belief or non-belief	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Caerleon Lodge Hill Primary School is a community primary school. However the school follows all aspects of the national curriculum. All pupils attending the school and staff employed at the school will be treated equitably regardless of their status within this protected characteristic.
Sex/ Gender Identity	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The establishment of a new Learning Resource Base will support the increasing demand for primary specialist education provision across the city of Newport, a need which has grown significantly over the past 5-10 years. There is currently no such Learning Resource Base provision within the Caerleon or St Julian's cluster areas. This proposal will therefore benefit pupils living locally but is not exclusive to those living within this cluster area. It can be accessed by pupils across the city to support specific education needs in an appropriate and secure environment. All stakeholders associated with the school and all will be treated equitably regardless of their status under this protected characteristic. Statistically, there is a higher probability of additional learning needs affecting male children over female children.

Protected characteristic	Impact:			Provide further details about the nature of the impact in the section below. Does it: 1. Promote equal opportunity 2. Promote community cohesion 3. Help eliminate unlawful discrimination/ harassment/ victimisation?
	Positive	Negative	Neither	
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Any stakeholders falling into this protected characteristic will be treated equitably in line with the relevant policies as adopted by the governing body of the school.
Welsh Language	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Caerleon Lodge Hill Primary School is an English-medium school. While, it does follow all aspects of the national curriculum in relation to Welsh as a Second Language, it is unlikely to make a meaningful contribution to Newport's 5-Year Welsh Language target of increasing the number of Welsh speakers in the city.

5 How has your proposal embedded and prioritised the sustainable development principle in its development?

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? Describe how.
 <p>Long Term</p> <p>Balancing short term need with long term needs</p>	<p><i>Yes by supporting the increasing demand for specialist education provision across the primary school sector and enabling pupils to attend a school more local to their home address.</i></p>

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? Describe how.
 <p>Working together to deliver objectives</p>	<p><i>This proposal was discussed in detail with the governing body of Caerleon Lodge Hill Primary School before being pursued. An invitation to take part in the statutory consultation was issued to the stakeholders outlined below:</i></p> <ul style="list-style-type: none"> • <i>Teachers, staff and the governing body of Caerleon Lodge Hill Primary School;</i> • <i>Parents, carers and guardians of pupils attending Caerleon Lodge Hill Primary School;</i> • <i>Pupils at Caerleon Lodge Hill Primary School;</i> • <i>The Headteachers and Governing Bodies of all schools within the Caerleon Comprehensive School cluster: Caerleon Comprehensive School, Charles Williams Church in Wales Primary School and Langstone Primary School;</i> • <i>The Headteachers and Governing Bodies of those schools in Newport that currently host Learning Resource Base provision: Alway Primary School, Crindau Primary School, Gaer Primary School, Kimberley Nursery School, Llanmartin Primary School, Malpas Court Primary School, Monnow Primary School, Pillgwenlly Primary School, Ringland Primary School, Rogerstone Primary School, St Andrews Primary School, The John Frost School and St Julians School;</i> • <i>All Newport City Council elected members;</i> • <i>The Welsh Ministers;</i> • <i>Assembly Members (AMs) and Members of Parliament (MPs) representing the area served by the schools subject to the proposals;</i> • <i>Other Local Authorities across the South East Wales Consortium region, including relevant Transport departments;</i> • <i>The South East Wales Education Achievement Service;</i> • <i>The Church in Wales, Diocese of Monmouth;</i> • <i>Roman Catholic Archdiocese;</i> • <i>Estyn;</i> • <i>Teaching and staff trade unions representing teachers and staff at Caerleon Lodge Hill Primary School;</i> • <i>The Police and Crime Commissioner for Gwent;</i> • <i>Gwent Police;</i> • <i>South Wales Fire and Rescue Service;</i> • <i>Aneurin Bevan Health Board;</i> • <i>Public Health Wales;</i> • <i>Newport Serennu Centre;</i> • <i>SNAP Cymru;</i> • <i>Gwent Association of Voluntary Organisations;</i> • <i>Preventative Services.</i> <p><i>Engagement with pupils was facilitated through the school council. Publication of a statutory notice will enable stakeholders to lodge legal objections against the proposal.</i></p>

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? Describe how.
 <p>Involvement</p> <p>Involving those with an interest and seeking their views</p>	<p><i>Two separate drop-in events arranged where people directly affected by the proposal could attend to find out more information and share their views. Both of these events were held at the school. Five people attended the first drop-in session, four of which were parents of children currently attending the school. The fifth was a member of staff employed by Aneurin Bevan Health Board (ABHB). Two parents joined the second session, one of whom had also attended the first drop-in. Given that the proposal is for a 10-place provision, and 5 different parents attended the drop-in sessions, this represents a good ratio of stakeholder engagement.</i></p> <p><i>The Council was keen to gain the views of learners, and this was facilitated through a specific meeting between the School Council and two members of staff from the Education Service which was held on Tuesday 16th October 2018 at Caerleon Lodge Hill Primary School. Twelve children in total attended the meeting.</i></p> <p><i>The statutory notice will now give stakeholders an opportunity to place legal objections if they feel it is necessary.</i></p>
 <p>Prevention</p> <p>Putting resources into preventing problems occurring or getting worse</p>	<p><i>The need for specialist education provision has grown significantly over the past 5-10 years and there is currently no primary Learning Resource Base provision within the Caerleon or St Julian's cluster areas.</i></p> <p><i>This proposal has the following advantages:</i></p> <ul style="list-style-type: none"> • <i>Creation of a primary Learning Resource Base within the Caerleon cluster;</i> • <i>Increased availability of places to accommodate pupils who require supported mainstream placements;</i> • <i>Increased opportunities for pupils accessing supported provision to reintegrate into mainstream classes;</i> • <i>Effective use of space within the new school building;</i> • <i>Better use of resources;</i> • <i>Increased opportunities for staff development;</i> • <i>Improved parental and community engagement.</i> <p><i>The proposal will benefit pupils living locally but will not be exclusive to those living in these areas. The new provision will be available to be accessed by pupils living across the city to support additional learning needs in an appropriate and secure mainstream environment. This will enable children to attend a school more local to their home address.</i></p>

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? Describe how.
 <p data-bbox="153 412 245 434">Integration</p> <p data-bbox="49 450 363 584">Considering impact on all wellbeing goals together and on other bodies</p>	<p data-bbox="392 271 1410 533"><i>A formal statutory consultation has been carried out with key stakeholders, the outcome of which is detailed within the consultation report. The proposal supports the “A prosperous Wales”, “A more equal Wales” and “A Wales of cohesive communities” Well-being Goals and has no adverse effect on any of the other Well-being Goals. In addition this proposal supports the Newport City Council Well-being Objective “To improve skills, educational outcomes and employment opportunities”.</i></p>

6 Will the proposal/policy have a disproportionate impact on a specific geographical area of Newport?

The Council is committed to providing Learning Resource Base facilities in all new school builds as this supports a more inclusive approach for pupils with additional learning needs. There is also a desire to move to a position where there is a least one Learning Resource Base class in each cluster of primary schools. There is currently no such provision within the Caerleon cluster, or in the neighbouring St Julian’s cluster.

This proposal will therefore benefit pupils living locally but is not exclusive to those living within this cluster area. It can be accessed by pupils across the city to support specific education needs in an appropriate and secure environment.

7 How does the proposal/policy relate to the parameters of debate about Fairness identified by the Newport Fairness Commission

This proposal supports the increasing demand for specialist education provision across the city of Newport, a need which has grown significantly over the past 5-10 years. There is currently no such Learning Resource Base provision within the Caerleon or St Julian’s cluster areas. This proposal will therefore benefit pupils living locally but is not exclusive to those living within this cluster area. It can be accessed by pupils across the city to support specific education needs in an appropriate and secure environment.

8 Taking this assessment as a whole, what could be done to mitigate any negative impacts of your policy and better contribute to positive impacts?

The proposal was subject to full stakeholder consultation and any feedback was taken into consideration when deciding how to proceed. The stakeholders will now have the opportunity to make legal objections at the statutory notice stage.

9 Monitoring, evaluating and reviewing

The impact of the proposal will be evaluated following full implementation. This FEIA has been reviewed and updated following the formal consultation process and this will be done again before the next stage of the proposal.

10 Involvement

A full programme of stakeholder engagement was implemented to support the formal consultation and included drop-in sessions where people could find out more about the proposal. There was also an opportunity to hear the pupil voice through the school council.

11 Summary of Impact (for inclusion in any report)

Equality Act 2010 AND Welsh Language

The Council is committed to providing Learning Resource Base facilities in all new school builds as this supports a more inclusive approach for pupils with additional learning needs. There is also a desire to move to a position where there is a least one Learning Resource Base class in each cluster of primary schools. There is currently no such provision within the Caerleon cluster, or in the neighbouring St Julian's cluster.

In order to support teaching pupils with additional learning needs where full-time mainstream education is not deemed appropriate, the Local Authority has numerous Learning Resource Bases across the City, hosted by individual schools. These Learning Resource Bases are attached to mainstream schools and provide learning environments that have fewer pupil numbers with enhanced adult ratios. The Learning Resource Bases are generic in nature and meet the needs of pupils with a range of difficulties. The ethos is to provide targeted support to the individual pupils based on their needs with the intention of integrating the pupil back into mainstream classes as appropriate. There is an on-going demand for primary Learning Resource Base placements across Newport.

This proposal supports the increasing demand for specialist education provision across the city of Newport, a need which has grown significantly over the past 5-10 years. There is currently no such Learning Resource Base provision within the Caerleon or St Julian's cluster areas. This proposal will therefore benefit pupils living locally but is not exclusive to those living within this cluster area. It can be accessed by pupils across the city to support specific education needs in an appropriate and secure environment.

Caerleon Lodge Hill Primary School is an English-medium community school. The school will continue to promote the Welsh language in all ways possible and will follow all aspects of the national curriculum.

Wellbeing of Future Generations (Wales) Act 2015

In summary this proposal supports wellbeing by supporting a more inclusive approach for pupils with additional learning needs. The Council is committed to providing Learning Resource Base facilities in all new school builds. There is also a desire to move to a position where there is a least one Learning Resource Base class in each cluster of primary schools. There is currently no such provision within the Caerleon cluster, or in the neighbouring St Julian's cluster. The establishment of this Learning Resource Base will enable pupils with additional learning needs to be taught in schools more local to their home addresses.