

Report

Cabinet Member for Education & Skills

Part 1

Date: 1 October 2018

Item No:

Subject **School Reorganisation Proposal – Expansion of Ysgol Bryn Derw**

Purpose To request permission to move to formal consultation on a school reorganisation proposal “to expand the Ysgol Bryn Derw site and therefore provide additional pupil places by increasing the capacity of the school from 48 to 68 with effect from September 2019” subject to confirmation of full capital funding from the Gwent Integrated Care Fund (ICF) Capital Investment Plan.

Author Education Service Manager

Ward All

Summary Ysgol Bryn Derw is one of two special schools within the City, accommodating pupils aged between 3 years and 19 years who have a diagnosis of Autistic Spectrum Disorder (ASD) and associated learning difficulties whose needs cannot successfully be met within either mainstream or Learning Resource Base (LRB) provision. The school, with capacity to accommodate 48 pupils, opened in September 2017. The demand for places however continues to be higher than this provision.

There is an annexe building within the grounds of the school which is currently empty. It is proposed that this building is refurbished to provide additional teaching space. This would support the development of additional facilities without any detrimental impact on provision at the school, and indeed at any other school within the City. This proposal will benefit pupils across the whole of the Newport as additional facilities will be provided to support children who have specialist needs in an appropriate and secure environment.

This report recommends moving to a period of formal consultation on this proposal in accordance with the requirements of the statutory School Organisation Code.

Proposal **To move to a period of formal consultation on a school reorganisation proposal to expand the Ysgol Bryn Derw site and therefore provide additional pupil places by increasing the capacity of the school from 48 to 68 with effect from September 2019 subject to confirmation of full capital funding from the Gwent Integrated Care Fund (ICF) Capital Investment Plan**

Action by Chief Education Officer

Timetable Immediate

This report was prepared after consultation with:

- Senior Leadership Team
- Education Senior Management Team

- Senior HR Business Partner
- Assistant Head of Finance
- Strategic Finance Business Partner
- Lead Finance Business Partner
- Headteacher, Ysgol Bryn Derw
- Chair of Governors, Ysgol Bryn Derw

Signed

Background

Ysgol Bryn Derw was established in September 2017 to create a special school providing 48 full-time school places for children with ASD and associated learning difficulties across the Nursery to Year 14 groups (3-19 age range).

As per the January 2018 Pupil Level Annual School Census (PLASC) submission, there were 47 children registered as attending the school. The last remaining place was allocated for a September 2018 admission.

A re-assessment of the school capacity in the summer term of 2018 identified that an additional 8 pupils could potentially be accommodated from September 2018. All the original and additional places were filled in September 2018 and a waiting list is now in place. The school is therefore oversubscribed in the second year of opening.

The current pupil cohort indicates that there will potentially be no further movement out of the school for another four years as the oldest pupils are currently in Year 10. Given this position, and the fact that pupils can remain on roll at the school until the age of 19, there will be limited opportunities to admit further pupils during the forthcoming academic years. This could lead to those pupils currently needing a specialist ASD placement who are in our local Primary LRBs having to be placed in out of county provisions, which are costly and can be a significant distance away from a pupil's home address.

School Organisation

There is an annexe building within the grounds of the school which was previously used by the Additional Educational Needs team but is currently empty. A feasibility study has been carried out, the results of which indicate that the building could be refurbished to provide additional teaching space for 12 pupils. This would support the development of additional facilities without any detrimental impact on provision at the school, and indeed at any other school within the City.

The proposal seeks permission therefore to increase the capacity of Ysgol Bryn Derw from 48 to 68 through consolidation of the main site and refurbishment of the annexe building. Increasing capacity will reduce the potential for future out of county placements, resulting in longer term revenue savings.

Quality & Standards

The Council firmly believes that this proposal will have a positive impact on the provision and quality of educational outcomes in the special school sector. Ysgol Bryn Derw is already well-equipped to deliver a full curriculum across all year groups from Nursery to Year 14, and increasing the number of places available within the school community will not have any detrimental impact on this provision. The proposal will result in additional facilities being provided to support children who have specialist needs in an appropriate and secure environment.

Perceived benefits of the proposal include:

- Provision of additional specialist education places in an appropriate dedicated school where placement in supported mainstream environments is not deemed appropriate;
- The subsequent potential availability of places in LRBs to support pupils who require supported mainstream environments;
- Development of an existing school site;
- Reduction in current and / or future out-of-county placements and an opportunity for pupils who are currently attending out-of-county provision to re-integrate back into their local area to continue their education;
- Reduced travel time for pupils who are attending out-of-county placements;
- Provision of a wider range of spaces for pupils with ASD who find noisy and busy areas difficult.

Governance Issues

There will be no changes to school governance arrangements as a result of this proposal. The governing body will continue in its current form.

Human Resources Issues

There may be staffing implications for Ysgol Bryn Derw in terms of appointing any additional teaching and support staff necessary to support an increase in pupil numbers. This can be managed effectively through existing staff recruitment arrangements.

School Reorganisation Process & Timelines

All school reorganisation proposals are taken forward through a statutory consultation process in accordance with Welsh Government's statutory School Organisation Code. This entails the following steps and approximate timescales:

Decision to move to Formal Consultation	October 2018
Formal Consultation	November – December 2018
Decision to move to Statutory Proposal	January 2019
Publication of Statutory Proposal	February 2019
Final Determination of Proposal	March 2019
Implementation of Proposal	September 2019

Financial Summary

The feasibility study has been carried out and identified that the required refurbishments could be carried out at a cost of approximately £300,000 (this equates to a value of £25,000 per learner based on 12 additional learners). This is significantly lower than the cost for out-of-county provision, which averages at £45,000 per learner, plus associated transport costs.

The Council has submitted a bid to the Welsh Government Integrated Care Fund (ICF) Capital Investment Plan for Gwent for full capital funding to undertake this project. The outcomes of the project clearly support two of the priorities set out by the Children & Families Strategic Partnership namely:

- *To improve outcomes for children and young people with complex needs through earlier intervention, community based support and placement closer to home.*
- *To increase the support available to children and families with complex needs to reduce the number of out of county placements and increase number of young people provided skills for living.*

The Council has yet to be advised of the outcome of this bid. However this proposal is fully dependent on its success and will not be pursued if this is turned down. There is no intent therefore to launch formal consultation until this outcome is known. The report is being taken forward in advance of the decision due to the relatively short timescale between now and September 2019, and the subsequent need to launch the proposal immediately that notification of a successful bid is received by the Council.

The proposal is considered to be cost effective in that it will support pupils living in Newport to be able to receive education suitable to their needs within the City. There will be an ongoing cost of delivery of £118,000 per annum, and this will need to be included in the Medium Term Financial Plan.

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?
Demand for provision diminishes	L	L	This is unlikely, although the school could be adapted to accommodate pupils with other additional learning needs from within the special school sector.	Chief Education Officer
Demand for provision increases	L	L	The Assistant Head of Education (Inclusion) will continue to plan for future provision across the City.	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 continue with the current arrangements, maintaining the total capacity of the school at 48, and ensuring that the number of pupils actually on roll does not exceed this figure. This would not assist in improving existing facilities or increasing specialist provision places across the City however.

Option 2: To increase the capacity of the school from 48 to 68, thereby improving existing facilities and also increasing specialist provision places across the City. This will provide additional specialist education places for children with additional learning needs.

Option 3: To increase the capacity of the school by demolishing the Gaer annexe and building an extension to the existing school. This would require significant additional capital investment however.

Option 4: To build another special school in the city at a site to be determined. This would require the identification of a suitable piece of land and significant additional capital investment however.

Preferred Option and Why

The preferred option is Option 2. This will assist in meeting current and future demand for specialist provision and will benefit children and parents across Newport. The annexe building has sufficient space to support additional capacity and this in turn will assist in achieving an enriched and improved learning environment for pupils requiring specialist provision.

Comments of Chief Financial Officer

A bid for £300,000 has been made to the Gwent Integrated Care Fund (ICF) Capital Investment Plan; confirmation whether this has been awarded is awaited.

Creating additional capacity through the Gaer Annex at Ysgol Bryn Derw, from September 2019, will have a have an associated cost of £118,000. These estimated costs will need to be included within the Council's MTFP and will be funded through the agreed ISB.

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. Because Ysgol Bryn Drew is a special school for pupils with ASD and the proposals would increase the capacity of the school from 48 to 68 pupils, then this is a regulated alteration under the Code and, therefore, has to be the subject of formal statutory consultation. In accordance with the statutory procedures, a detailed consultation document must be prepared, setting out the educational reasons for the proposals, and meaningful consultation must be carried out with key stakeholders, including children and young people, who are likely to be affected by the changes. The consultation document must allow at least 42 days to respond, with at least 20 of these being school days. At the end of the formal consultation period, and in the light of any representations or objections received, the Cabinet member can then consider whether to proceed with the proposal and issue the necessary statutory notices. At this stage, the decision to proceed to formal consultation is still subject to and conditional upon ICF capital grant funding being awarded for the project

Comments of Head of People and Business Change

The proposals to expand Ysgol Bryn Derw will increase specialist provision within an appropriate, secure and local school environment. This should help deliver wellbeing benefits relating to equalities, community cohesion, improved health and economic engagement. It is noted that the proposal would be subject to statutory consultation and this should involve the school pupils.

There may be staffing implications for Ysgol Bryn Derw in terms of appointing any additional teaching and support staff necessary to support an increase in pupil numbers. This can be managed effectively through existing staff recruitment arrangements.

Local issues

Comments of Gaer ward member, Cllr Debbie Wilcox:

The need for the expansion of school places is clearly detailed in the report and as such I fully support the proposal.

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 developed to support the decision making of this stage of the proposal. If the proposal is taken forward the FEIA will be updated at each decision stage and published on the web site.

Children and Families (Wales) Measure

Children and Young People will be consulted as part of the statutory formal consultation process.

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 Newport.***
- Prevention: How acting to prevent problems occurring or getting worse may help us meet our objectives: ***The proposal will benefit pupils across the city as additional facilities will be provided to support children who have specialist needs in an appropriate and secure environment and will also enable pupils with additional needs to attend a local school.***
- 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 will be carried out and supported at each stage by a FEIA to consider impact. 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 will be carried out with the opportunity for engagement with all stakeholders and supported at each stage by a FEIA to consider impact.***
- 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 will be carried out with the opportunity for engagement with all stakeholders and supported at each stage by a FEIA to consider impact.***

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

None at this stage but this will be facilitated with key stakeholders as part of the school reorganisation proposal.

Background Papers

None

Dated: October 2018