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## AGENDA

<b>Pwyllgor</b>	PWYLLGOR CRAFFU PLANT A PHOBL IFANC
<b>Dyddiad ac amser y cyfarfod</b>	DYDD MAWRTH, 5 GORFFENNAF 2022, 4.30 PM
<b>Lleoliad</b>	CR 4, COUNTY HALL - MULTI LOCATION MEETING
<b>Aelodaeth</b>	Cynghorydd Lee Bridgeman (Cadeirydd) Cynghorywr Boes, Davies, Ferguson-Thorne, Hopkins, Joyce, Melbourne, Simmons, Singh a/ac John  Patricia Arlotte (Cynrychiolydd Gatholig Rufeinig) a/ac Carol Cobert (Cynrychiolydd yr Eglwys yng Nghymru)

*Tua  
Amser.*

**1 Penodi Cadeirydd, Aelodaeth y Pwyllgor a Chylch Gorchwyl** 4.30 pm

Nodi y gwnaeth y Cyngor, yn ei Gyfarfod Blynyddol ar 26 Mai 2022:

- Benodi'r Cynghorydd Leigh Bridgeman yn Gadeirydd y Pwyllgor;
- Penodi'r Cynghorwyr Boes, Davies, Hopkins, Joyce, Lewis, Melbourne, Robinson a Singh;
- Cytuno ar y Cylch Gorchwyl atodedig

**2 Datgan Buddiannau**

I'w gwneud ar ddechrau'r eitem agenda dan sylw, yn unol â Chod Ymddygiad yr Aelodau.

**3 Ymddiheuriadau am Absenoldeb**

Derbyn ymddiheuriadau am absenoldeb.

**4 Cofnodion (Tudalennau 3 - 16)**

Cadarnhau bod cofnodion y cyfarfodydd blaenorol a gynhaliwyd ar 1 ac 8 Mawrth 2022 yn gofnod cywir.

**5 Cynigion Trefniadaeth Ysgolion: Darpariaeth ar gyfer Plant a Phobl Ifanc ag Anghenion Dysgu Ychwanegol (ADY) - Darpariaeth Anghenion Dysgu Cymhleth a Chyflyrau'r Sbectrum Awtistig ar gyfer Disgyblion Oed Cynradd ac Uwchradd** 4.35 pm

*(Tudalennau 17 - 114)*

Craffu cyn gwneud penderfyniad ar gynigion y Cabinet.

- 6 Cynigion Trefniadaeth Ysgolion: Darpariaeth ar gyfer Plant a Phobl Ifanc ag Anghenion Dysgu Ychwanegol (ADY) - Darpariaeth Iechyd a Lles Emosiynol ar gyfer Disgyblion Oed Cynradd ac Uwchradd** *(Tudalennau 115 - 192)* 5.15 pm

Craffu cyn gwneud penderfyniad ar gynigion y Cabinet.

- 7 Ehangu Ysgol Gynradd Pentyrch a sefydlu darpariaeth feithrin yn yr ysgol** *(Tudalennau 193 - 254)* 5.55 pm

Craffu cyn gwneud penderfyniad ar gynigion y Cabinet.

- 8 Eitemau Brys (os oes rhai)**

- 9 Y Ffordd Ymlaen** 6.35 pm

Adolygu'r dystiolaeth a'r wybodaeth a gasglwyd wrth ystyried pob eitem a chytuno ar sylwadau, arsylwadau a phryderon yr Aelodau i'w trosglwyddo i'r Aelod Cabinet perthnasol gan y Cadeirydd.

- 10 Dyddiad y cyfarfod nesaf**

Bydd dyddiad y cyfarfod nesaf yn cael ei gadarnhau ar ôl cyfarfod y Cyngor ar 21 Gorffennaf.

**Davina Fiore**

**Cyfarwyddwr, Llywodraethu a Gwasanaethau Cyfreithiol**

Dyddiad: Dydd Mercher, 29 Mehefin 2022

Cyswllt: Mandy Farnham,

02920 872618, [Mandy.Farnham@caerdydd.gov.uk](mailto:Mandy.Farnham@caerdydd.gov.uk)

CHILDREN AND YOUNG PEOPLE SCRUTINY COMMITTEE

1 MARCH 2022

Present: Councillor Bridgeman (Chairperson),  
Councillors Cunnah, Hopkins, Joyce, Melbourne, Molik and Singh

Co-opted Members: Karen Dell'Armi (Parent Governor  
Representative)

Mia John (Cardiff Council Representative)

119 : APOLOGIES FOR ABSENCE

Apologies for absence were received from Patricia Arlotte (RC Church Representative). Carol Cobert (CIW Church representative) advised that she would have to leave at 6.00 due to another commitment.

The Chair made a statement in relation to a WalesOnline article referring to comments made in a previous meeting regarding the Welsh Government policy of removing profit from the children's care sector. The Chair stated that comments made by him and the Director of Children's Services had been taken out of context and that neither were against the proposal, however it is a complex and sensitive issue that requires careful planning.

The Chair and Members sent their thoughts and prayers to the people and nation of Ukraine.

120 : DECLARATIONS OF INTEREST

No declarations of interests were received in accordance with the Members' Code of Conduct.

121 : NATIONAL ADOPTION SERVICE FOR WALES - HOSTING  
ARRANGEMENTS

The Chairperson welcomed Councillor Graham Hinchey (Cabinet Member for Families and Children), Sarah McGill (Corporate Director, People and Communities) and Deborah Driffield (Director, Children's Services) to the meeting.

The Chairperson invited Cllr Hinchey to make a statement, during which he outlined some of the information contained within the report.

The Committee was informed that it is proposed that Cardiff continue with hosting arrangements, and all 21 other LAs have confirmed that they support Cardiff continuing in the hosting role. All 22 authorities have been asked to consider whether they wish to take part in the joint committee, although it may not be created until after the Local Government Elections.

Cardiff has performed the hosting role since 2014 but due to the joint committee arrangements it is important that it is more formal. The Monitoring Officer will have a role and it is important that all necessary requirements are completed.

Members were asked to comment or raise questions on the information received. Those discussions are summarised as follows:

Members sought clarification on the cost of the hosting arrangements. Members were advised that a cost recovery model was used. The principle is that Cardiff will neither bear the cost nor derive any profit from providing the service. An annual review process has been implemented, in particular around finances, and Cardiff will be able to take any overspend or underspend to the Joint Committee.

RESOLVED:

That the Chairperson writes to the Cabinet Member on behalf of the Committee expressing their comments and observations captured during the way forward.

## 122 : YOUTH JUSTICE SERVICE UPDATE

The Chairperson welcomed Councillor Graham Hinchey (Cabinet Member for Families and Children), Sarah McGill (Corporate Director, People and Communities), Deborah Driffield (Director, Children's Services), Graham Robb (Independent Chair of the Youth Justice Board) and Angharad Thomas (Operational Manager, Youth Justice Service) to the meeting.

The Chairperson invited Cllr Hinchey to make a statement, during which he outlined some of the information contained within the report.

Graham Robb (Independent Chair of the Youth Justice Board) was invited to make a statement during which he updated the Committee on the HMIP process. There have been briefings with staff, board and partners, surveys of staff, young people and volunteers. There is to be an Advocacy Panel Meeting within the next few weeks, the case analysis will start on 21 March; 28 March is offsite review week; 29 March is a Board Focus Session; during the week of the 4 April there will be a meeting with the Board with the Chair and the Chief Executive. The publication date will be in July, with the Board HMPI action plan being released towards the end of that month.

The Chair invited questions from Members.

- Members sought clarification around the first time entrants figures and whether the reduction is a sustainable decrease or a blip because of Covid. Officers advise that there is an acceptance that Covid has affected all young people; the reason for the decrease however is due to the Bureau, it has kept running throughout the pandemic. It has allowed a more co-ordinated approach in dealing with young people before become first time entrants. It will not be sustainable, but we do not yet know the emotional impact that Covid has had and whether that has affected their involvement.



- Members reference the growth of child sexual and child criminal exploitation and how can all partners work to get those figures down. Members were referred to the Safeguarding Adolescents from Exploitation presentation, which is a partnership wide approach in dealing with the growth of that exploitation. Education; the Youth Service; and the Police, together with other partners are all part of that puzzle. Work is still ongoing; there is an optional group with sub-groups feeding into it. In relation to younger targeted intervention; whilst the age of responsibility is 10 it has to be recognised that behaviours start at a younger level. In Cardiff intervention does not start until 10 but if a young person is showing certain kinds of behaviours consideration can be given to getting the right piece of work done with those children. It is hoped that as Covid lifts the team can provide some targeted workshops in primary schools. It has to be partnership approach.
- Members discussed diversity and disproportionality and referred to the figures in respect of case loads; 83% white and 87% male and how to get those youngsters back and engaged. Officers advised the importance of have a real understanding of the young people; why they are not in school and how to get them back into school. The service needs to be as diverse as the young people involved in the system.
- Members looked at the number of offences committed when young people are re-offending, and queried whether there are any distinctions or any insight into that. Members were advised that whilst the amount of children reoffending is increasing there is less offending. There is a small amount continuing to reoffend. Members note that some of them offended and re-offended within such a short space of time that it was not possible to do any work with those children in the intervening period. There is certainly more work to be done in that area.
- Members stressed the importance of the service working with all partners and were advised that the SAFE model is not one service, it is all partners.
- Members sought clarification in respect of the serious calculation. Officers explained that the Police gravity scoring goes from 1 – 8 but Youth Justice scoring goes from 1 – 4. A 4 would be significant, for example a murder, whereas a 2 or 3 captures the majority of offences – assaults to grievous bodily harm charges as well.

#### RESOLVED:

That the Chairperson writes to the Cabinet Member on behalf of the Committee expressing their comments and observations captured during the way forward.

123 : QUARTER 3 PERFORMANCE 2021-2022 - CHILDREN'S SERVICES

The Chairperson welcomed Councillor Graham Hinchey (Cabinet Member for Families and Children), Sarah McGill (Corporate Director, People and Communities) and Deborah Driffield (Director, Children's Services) to the meeting.

The Chairperson invited Cllr Hinchey to make a statement, during which he outlined some of the information and data contained within the report.

The Committee was informed that efforts were being made to improve the timeliness of assessments and visits. Candidates for a new Senior OM post are being interviewed. The new postholder is expected to provide robustness in understanding and monitoring the timeliness of assessments. The timeliness of CLA reviews and Child Protection conferences has improved.

Members were asked to comment or raise questions on the information received. Those discussions are summarised as follows:

Members wondered whether there was any cause for concern regarding the budget efficiency saving target and whether there were any plans to mitigate those concerns in the short term. Officers advised that there was always concern because some factors were out of the Council's control. A portion of the uplift has been earmarked for building capacity within contract monitoring and quality assurance systems. An OM has been identified who will oversee contract monitoring and progression planning for children in regulated placements.

Members wished to know whether capacity pressures were easing. Officers advised that the pressure was still intense. A system review has been commissioned to investigate ways to increase efficiency. The additional capacity will improve planning and oversight. Officers expressed confidence that pressures will ease.

Members were concerned that the return to face-to-face working might lead to the loss of staff and of some of the efficiencies from remote working. Officers advised that it was important to retain efficiencies from reductions in time spent travelling to face-to-face meetings. Equally it is important for newly qualified social workers to have face-to-face meetings with families and teams for the sake of learning. A balance needs to be struck with blended working. Remote reviewing has been carried out by staff living in London or the north of England. Some agency staff have been unwilling to conduct face-to-face meetings and have been let go. Flexible working is offered but it is not possible for social workers to always work remotely.

Members discussed the correlation of vacancies with retention rates. Officers referred to a graph on page 51 of the agenda pack which indicated the net result of social workers starting and leaving the service. Workforce data indicating how long social workers have been with the service will be presented at the forthcoming meeting of the Committee.

Members referred to the data presented on page 39 of the agenda pack indicating the percentage of children reoffending within 6 months of their previous offence, and expressed a desire to see similar data for 12 month and 24 month intervals.

Members expressed a view that the KPIs in the report did not demonstrate how children are benefiting from decisions being taken. Officers recognised the importance of measuring the differences made to children and families but advised that they are hard to report on as they are qualitative. Officers will investigate whether there are ways to do it but they would not be KPIs and would not be reported nationally.

Members questioned why the SW vacancies target was set at 24% and not zero. Members were advised that it was felt that the service was setting itself up to fail by setting the target too low and that a more realistic target was suggested. The target had at one time been 33% and while it was right to set a challenge it had to be realistic. The situation is volatile and zero would be unrealistic. There would always be a need for agency staff. Feedback from staff indicated an improvement in morale which was a credit to the changed culture created by officers. The vacancy target for next year has been reduced but it is important targets are realistic for budget setting purposes. Agency staff are required for their resilience and experience. Some agency staff have been with the service for a long time.

Members sought information on why sickness absence was increasing. Officers expressed satisfaction that the service was within target. There has been a slight increase due to taking back direct service provision. Staff cannot come into work if they are unwell, and there has been a difference due to Covid. Sickness is closely monitored.

Members sought clarification on the time frame within which assessments should be done and questioned why the target was not 100% instead of 75%. Officers advised that the time frame was 42 days. The target was a realistic one but was being achieved. Officers are considering transferring the responsibility for assessments to localities.

Members sought an explanation of the figures for children being registered and deregistered and wished to know what the impact on the children was. Officers advised that during Covid children could not be visited and were not attending school or being seen by health visitors. Consequently there had been an increase in the number being registered due to concerns over their safety. There had then been a review which enabled many to be stepped down. Officers expressed the hope that being registered had had a positive impact on the children.

Members sought clarification of the figure of 41% of children being registered for emotional abuse and wished to know how the decision for registration was made. Officers advised that there had been a change in emphasis with a concentration on the impact on children of domestic abuse without physical injury. Work has been and is being done on being trauma informed and the harm that ongoing trauma through for example emotional neglect does to children. Behaviours that indicate emotional harm would be picked up in early referrals and assessments, through schools and health visitors, and then investigated by SWs. The decision to register or not is made at Child Protection Conference.

Members noted that external placements were decreasing while remaining with kinship was increasing. Officers advised that there has been ongoing work in regard to the decrease in regulated placements compared to children staying with family members. There was a very large rise in kinship care in recent years. Significant change is required across the board.

Members wished to know whether more could be done before registering children for emotional abuse. Officers advised that Children's Services cannot prevent emotional abuse. However, work can be done around the whole school approach, early intervention and children and infants' mental health. There are initiatives around parenting that will have a major impact on children's emotional wellbeing.

RESOLVED: That the Chairperson writes to the Cabinet Member on behalf of the Committee expressing their comments and observations captured during the way forward.

#### 124 : WAY FORWARD

Members discussed the information received and identified a number of issues which the Chairman agreed would be included in the letters that would be sent, on behalf of the Committee, to the relevant Cabinet Members and Officers.

#### 125 : URGENT ITEMS (IF ANY)

No urgent items were tabled.

#### 126 : DATE OF NEXT MEETING

The date of the next meeting of the Committee is on Tuesday 8 March 2022 at 4.30 pm via MS Teams.

The meeting terminated at 6.30 pm

## CHILDREN AND YOUNG PEOPLE SCRUTINY COMMITTEE

8 MARCH 2022

Present: Councillor Bridgeman (Chairperson),  
Councillors Cunnah, Hopkins, Melbourne, Molik, Phillips and  
Mia Rees

Co-opted Members: Patricia Arlotte (Roman Catholic representative),  
Carol Cobert (Church in Wales Representative) and Karen Dell'Armi  
(Parent Governor Representative)

Mia John (Cardiff Youth Council Representative)

The Chair wish to thank all those involved in the Children and Young People Scrutiny Committee over the last five years for their hard work, support and dedication over that period. Councillor Merry, Deputy Leader and Cabinet Member for Education, Employment and Skills echoed those remarks in her statement.

### 127 : APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Heather Joyce.

### 128 : DECLARATIONS OF INTEREST

Councillor Mike Phillips declared a personal interest in Item 5 as his daughter is on the autistic spectrum and receives funding from the Authority. Karen Del'Armi also declared a personal interest in Item 5 as she is Chair of Governors at Llanishen High School.

### 129 : MINUTES

The minutes of the meeting on the 22 February were approved as a correct record of that meeting as proposed by Councillor Robert Hopkins and seconded by Councillor Mia Rees.

### 130 : SCHOOL ORGANISATION PLANNING: ADMISSION ARRANGEMENTS 2023/2024

The Chair welcomed Councillor Sarah Merry (Deputy Leader and Cabinet Member for Education, Employment & Skills), Melanie Godfrey (Director, Education and Lifelong Learning), Richard Portas (Programme Director, School Organisation Planning), Brett Andrewartha (School Organisation Programme Planning Manager) and Jennie Hughes (Senior Achievement Leader, Inclusion) to the meeting.

The Chair invited Councillor Merry to make a statement, during which she confirmed the nature of the report; an annual report which goes out to consultation each year and it will come into force in September 2023. It was noted that that the Bishop of Llandaff CIW High School will become part of the co-ordinated admissions scheme from September 2023.

The Chair invited questions from Members:

*This document is available in Welsh / Mae'r ddogfen hon ar gael yn Gymraeg.*

- Members queried whether all faith schools were part of the co-ordinated admissions scheme and were advised that there were two secondary schools who were not yet part of the scheme although agreement had been received from one of those schools and the other will be spoken to soon. With reference to primary schools, there were still a handful of schools who were not yet part of the scheme. Members noted that the final decision rests with the Governing Body of the school.
- Members sought further information about the 'managed move' of pupils and the review of catchment areas. Officers confirmed that the legislation in respect of managed moves has not changed, but there is a fair access protocol in place which allows for arrangements where schools are fully subscribed to be allowed to admit pupils above that published admission number where there are particularly challenging circumstances. Officers confirmed that whilst there does need to be a review of school catchment areas, Band B places need to be sorted in the first instance, no date for that has yet been set but it will happen as soon as it can do.
- Members referred to Individual Development Plans (IDP's) and whether the provision was for those on school action plus or whether it will be for those where there is a statement. Members were advised that the same arrangements apply to those with statements as long as those statements still exist. They will be converted to IDP's in due course, although Welsh Government has not yet confirmed when that is likely to happen. The new ALN code places greater emphasis on every school making a good inclusive offer, therefore in the majority of cases you would not need to name a school in an IDP; the Local Authority could do that in exceptional circumstances, but it is expected that that would largely be for children who needed to attend a resource based school. There will be no difference between what used to be school action and statemented; it is an equal approach for all. The admissions policy covers both systems, due to the current transition phase.

**RESOLVED:**

That the Chairperson writes to the Cabinet Member on behalf of the Committee expressing their comments and observations captured during the way forward.

**131 : SCHOOL ORGANISATION PLANNING: PROVISION FOR CHILDREN AND YOUNG PEOPLE WITH COMPLEX LEARNING NEEDS AND AUTISM SPECTRUM CONDITION**

The Chair welcomed Councillor Sarah Merry (Deputy Leader and Cabinet Member for Education, Employment & Skills), Melanie Godfrey (Director, Education and Lifelong Learning), Richard Portas (Programme Director, School Organisation

Planning), Brett Andrewartha (School Organisation Programme Planning Manager) and Jennie Hughes (Senior Achievement Leader, Inclusion) to the meeting.

The Cabinet Member and Programme Director provided statements confirming that the outcome of the consultation has been relatively positive across the board with a clear acknowledgement that there is a need to bring forward the proposals.

The Chair invited questions from Members:

- Members sought clarification about funding and whether the proposals will be realistically be delivered. Officers explained that in relation to the building proposals outlined, everyone is either on an existing site or there is a project which is a well-established project. Areas have been identified in order for the provision to be put in. It has been included as part of the wider asset programme. Some will not be in place for September 22 but will be in place not long after that. There is no major risk with the projects.

Members queried the amount of places that would be available in September 22. Members were advised that there are interim agreements in place where we needed, but some of these planned for September 2023 have been factored in alongside the out of county planning. There were no plans for all places to be funded and filled by September 22.

- In relation to funding and transport, the modelling around out of county and the transport position has not yet been fully worked through. It is affordable within the delegated budget currently but modelling not fully completed. It will be necessary to see whether all the projects will be progressed. The consultation responses have helped with this information. It is hoped that there will be a spread of additional learning needs (ALN) provision across the city. There would then be an expectation that the transport costs across the city per pupil would reduce. This is not a final position.
- Members sought clarification in relation to the involvement of parents in the placement of children with ALN to help ensure that schools were not passing on the responsibility of those children rather than keeping them in main stream education. Officers advised that a specialist place is not a default for children with ALN. Specialist placements are only considered if they cannot be accommodated in the school. Parents are closely consulted; they have the right to comment on placement. A number of children could be placed in either and the parent's views would tend to be given the greatest weight.
- Members referred to a number of the responses which raised some questions about staffing capacity and skill levels and the need for training and queried what forward planning has taken place to ensure that staff with the right level of skills and will be there in a sufficiently timely manner. Members were advised that meetings have taken place with the special school heads; work will

be done with schools on an individual basis as schools will have different challenges. There needs to be a tailored approach for each of the proposals. Not all places will be filled at one time, therefore staff will be staggered as well. Schools will need to be employing and developing more specialist staff over the next few years.

- Members also referred to the responses from the Welsh medium sector; generally speaking the responses were positive and favourable but there were a lot of responses raising the issue that Welsh seemed to be a less developed provision and the lack of a clear pathway for parents from foundation to secondary school. This may lead to an exodus from Welsh medium education, particularly during the transition phase between primary and secondary school. Members were advised that the Glantaf proposal is key. It is very ambitious and will push the city forward significantly. Funding information is awaited from Welsh Government in relation to that. This is not a final set of proposals, this is getting things moving in the right direction. Welsh medium SRB provision needs to be built up in the primary sector as well. Options are currently being considered. When the WESP was brought forward there was commitment to half of the schools being Welsh; there will be an expectation that there will be SRB provision in those schools as well. It will grow over time as the WESP develops.
- Members stated that several times there has been mention of this not being the final stage in the process; there is reference to a final options paper and financial evaluation. Members were advised that there are not fixed time scales at present but it will be put together over the next few months.
- Members queried how the transition would be managed when SRB provision would be put into schools that currently do not have that type of provision. In terms of no SRB in the schools currently looking to put provision, how is that going to be managed and how are you going to manage that transition? Officers advised that the development of the Court School at Fairwater will not be part of the existing school building, it will be a new build on the same site and the school and children would not transfer until such times as the school was ready for them. There would then be extra places that would grow over time. That project is not planned for delivery for a few years yet as it is a big build project. The Court School is part of Band B, for which there is a full visioning exercise, it is not just expansion.
- Members queried a comment about ALN provision being centred in areas of Cardiff where the population is predominantly white; the comment does warrant a bit of thought about the needs of the BAME community and whether that adds another level of resourcing issues to consider before the places are opened up. Members were advised that it is not the final set of proposals,



plans in certain areas are still being considered, particularly in the Fitzalan catchment area. Officers believe that they have presented a good mix. There are some areas of deprivation and other areas as well. It is important to get the spread across the city; these are the proposals being brought forward immediately but there will be others that will come forward in due course.

#### RESOLVED:

That the Chairperson writes to the Cabinet Member on behalf of the Committee expressing their comments and observations captured during the way forward.

#### 132 : SCHOOL ORGANISATION PLANNING: PROVISION FOR CHILDREN AND YOUNG PEOPLE WITH EMOTIONAL HEALTH AND WELLBEING NEEDS.

The Chair welcomed Councillor Sarah Merry (Deputy Leader and Cabinet Member for Education, Employment & Skills), Melanie Godfrey (Director, Education and Lifelong Learning), Richard Portas (Programme Director, School Organisation Planning), Brett Andrewartha (School Organisation Programme Planning Manager) and Jennie Hughes (Senior Achievement Leader, Inclusion) to the meeting.

Statements were provided by the Cabinet Member and Programme Director; firstly noting that the reports do show that the Local Authority has taken notice of the responses received during the consultation periods; and secondly that the recommendation is to proceed with the core proposal. In terms of the Greenhill proposal, there will be further reflection on some of the comments made, and a further report will come back to Committee at a later date. Primarily those comments referred to the Dutch Garden site and particularly around the proximity of the junction. There are design solutions, but it is necessary to get the balance of it being school and not looking like a prison. Further work will be undertaken about the site and the provision in place.

The Chair invited questions from Members:

- Members referred to the facilities being developed on both the Dutch Garden Centre Site and the Ty Glas site in Llanishen and noted that the facilities were very different. Members queried how students on the Ty Glas site would access the Dutch Garden site facilities. It was explained that there would be a visioning exercise which would map out what the links would be; whether pupils would be on one site or the other for all or part of their schooling; and how that would factor in with offsite provision. That process has not yet started, the consultation responses were required in the first instance. That would happen in any Band B project.

Members queried the Estyn response in relation to the Eastern High and Cardiff West Community College SRB provision; they seemed cautious about demands on Cardiff West at this time. Is the provision to be developed over a period of time to allow the college accommodate and establish the provision in a planned way? Members were advised by Karen Del'Armi, Chair of Governors at Cardiff West that the Governing Body does support

the establishment of the SRB and see it as an area for growth, although physical space may be an issue, which has been discussed with officers, staff and students. It is important to make sure that the safeguarding and health and safety elements are right.

**RESOLVED:**

That the Chairperson writes to the Cabinet Member on behalf of the Committee expressing their comments and observations captured during the way forward.

**133 : SCHOOL ORGANISATION PLANNING: EXPANSION AND REDEVELOPMENT OF PENTYRCH PRIMARY SCHOOL**

The Chair welcomed Councillor Sarah Merry (Deputy Leader and Cabinet Member for Education, Employment & Skills), Melanie Godfrey (Director, Education and Lifelong Learning), Richard Portas (Programme Director, School Organisation Planning), Brett Andrewartha (School Organisation Programme Planning Manager) and Jennie Hughes (Senior Achievement Leader, Inclusion) to the meeting.

The Cabinet Member and Programme Director provided statements. Whilst the responses were broadly supportive, an issue was raised by a non maintained nursery. There have been discussions about how the two nurseries could work together.

Members did not have any questions.

That the Chairperson writes to the Cabinet Member on behalf of the Committee expressing their comments and observations captured during the way forward.

**134 : COMMITTEE BUSINESS REPORT**

Alison Jones, Principal Scrutiny Officer provided the Committee with a correspondence update, an update on the Replacement Local Development Plan Task & Finish group findings and information in relation to the draft Scrutiny Annual Report.

**RESOLVED:**

- (1) to note the correspondence update;
- (2) to note the way forward for collating the findings and recommendations to date of the Joint Task and Finish Group inquiry into the Replacement LDP Strategic Options; and
- (3) to approve the draft Children & Young People Scrutiny Committee page of the Scrutiny Annual Report 2021/2022 and highlight the committee's greatest achievements for inclusion in that report.

135 : WAY FORWARD

Members discussed the information received and identified a number of issues which the Chairman agreed would be included in the letters that would be sent, on behalf of the Committee, to the relevant Cabinet Members and Officers.

136 : URGENT ITEMS (IF ANY)

No urgent items were tabled at this meeting.

137 : DATE OF NEXT MEETING

The date of the next meeting of the Children & Young People Scrutiny Committee will be agreed by Council at its annual meeting in May 2022.

The meeting terminated at 6.00 pm

Mae'r dudalen hon yn wag yn fwriadol

CYNGOR CAERDYDD  
CARDIFF COUNCIL

CHILDREN & YOUNG PEOPLE SCRUTINY COMMITTEE

5 JULY 2022

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**SCHOOL ORGANISATION PROPOSALS: PROVISION FOR CHILDREN AND YOUNG PEOPLE WITH ADDITIONAL LEARNING NEEDS (ALN) - COMPLEX LEARNING NEEDS AND AUTISM SPECTRUM CONDITION PROVISION FOR PRIMARY AND SECONDARY AGED PUPILS**

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**Purpose of the Report**

1. To provide Members with the opportunity to carry out pre-decision scrutiny of proposals, attached at **Appendix A**, prior to its consideration by Cabinet at its meeting on the 14 July 2022.
2. The reason for this proposal is to meet increasing demand for Specialist Resource Base and Special School places for primary, secondary and post-16 age learners with complex learning needs and autism.

**Structure of Papers**

3. Attached to this report are the following:
  - **Appendix A** – the draft Report to Cabinet – 14 July 2022. This in turn has a number appendices, namely;
    - **Appendix 1:** Cabinet Report, 10 March 2022 (*returning Scrutiny Members will have already received and considered this report*)
    - **Appendix 2:** Statutory Notices
    - **Appendix 3:** Statutory Screening tool and Equality Impact Assessments

## School Organisation Programming Process

4. If local authorities want to undertake a 'school organisation proposal' to make changes to a community school, they must meet Welsh Government requirements, as set out in the School Organisation Code. These include commitments and goals of transforming education in Wales and providing better educational outcomes. There is a statutory process that must be followed for certain proposals. The criteria for following this process are if the local authority wishes to:

- open a new school;
- make a school bigger or smaller, where the change exceeds a certain number or percentage;
- close a school and move the pupils to another school;
- add or take away a 6th form from a secondary school;
- add or take away special educational needs (SEN) units or classes;
- change the language used in school from English to Welsh or Welsh to English.

5. The specific requirements set by Welsh Government for each of the above and a full copy of the Welsh Government Code will be distributed with the Agenda and papers for this meeting. The process for undertaking school organisation proposals broadly adhere to the following steps:

- **Step 1 - Consultation** – this is undertaken at a formative stage of the proposals, setting out sufficient reasons and information for particular proposals to enable intelligent consideration and response. The timeline for this is a minimum of 6 weeks. Consultees must include governors, teachers, school staff, parents, families in the community, and children and young people.

Following the consultation period, the local authority must publish a report on the output from the consultation. The report must be published at least two weeks prior to the publication of a statutory proposals, and set out the following:

- a summary of each of the issues raised by consultees;
  - responding to these issues by means of clarification, amendment to the proposal or rejection of the concerns, with supporting reasons;
  - setting out Estyn’s response to the consultation in full; and
  - responding to Estyn’s response by means of clarification, amendment to the proposal or rejection of the concerns, with supporting reasons
- **Step 2 – Publication of Statutory Proposals** - If the local authority decides to proceed with the proposal, they must publish the proposal by way of a notice (or “Statutory Proposal”). The Proposal must include the main comments and views that the local authority got back from the consultation, and how these will affect the changes they want to make. This step gives anyone a second chance to have a say on why they think the changes should not happen or tell the local authority anything else they think they should know before they make the changes – known as the objection period. This step is open for 28 days beginning with the day on which the notice was published.
- **Step 3 - Determining Proposals** – following the 28-day objection period, the local authority must publish a summary of the statutory objections and the local authority’s response to those objections. This report must be published on the Council’s website and will explain why or why not they are making the changes to the school. The report must be communicated to a wide range of stakeholders (see Welsh Government Code pages 43 – 44 for details). Some proposals will need approval by Welsh ministers, but the majority will be approved by the local authority. The Local Authority may also determine proposals for changes to Voluntary Aided, Voluntary Controlled or Foundation Schools where objections have been received to proposals published by their Governing Bodies.

## This Proposal and Previous Scrutiny

6. This proposal is at **Step 3** in the School Organisation Planning Proposals process outlined above.
  
7. Previous Scrutiny and links to **Step 1** can be found here. *Returning CYPSC Members would have already considered this issue at the CYPSC meetings on the 13 July 2021 and 13<sup>th</sup> October 2021.*
  - 13<sup>th</sup> July 2021 - [Agenda for Children and Young People Scrutiny Committee on Tuesday, 13th July, 2021, 4.30 pm : Cardiff Council \(moderngov.co.uk\)](#)
  - 13<sup>th</sup> October 2021 - [Agenda for Children and Young People Scrutiny Committee on Wednesday, 13th October, 2021, 4.30 pm : Cardiff Council \(moderngov.co.uk\)](#)
  
8. Previous Scrutiny of **Step 2** is the Cabinet report set out in Appendix 1 to the Cabinet report attached to this report (**Appendix A**). *Returning CYPSC Members would have already considered this report at the CYPSC meeting on the 8<sup>th</sup> March 2022.*
  - 8<sup>th</sup> March 2022 - [Agenda for Children and Young People Scrutiny Committee on Tuesday, 8th March, 2022, 4.30 pm : Cardiff Council \(moderngov.co.uk\)](#)

## Reasons for the Cabinet Proposal

9. The purpose of the Cabinet report is to inform Cabinet of any objections received to the published statutory notices to:
  - establish a 20 place Specialist Resource Base for primary aged children with Complex Learning Needs at Moorland Primary School from September 2023;
  - establish a 30 place Specialist Resource Base for learners with complex learning needs at Willows High School from September 2023;
  - increase the designated number at the Llanishen High School Specialist Resource Base for learners with Autism Spectrum Condition from 20 to 45 places from September 2022;



- establish a 30 place Specialist Resource Base at Ysgol Gyfun Gymraeg Glantaf alongside the existing 30 place Specialist Resource Base for learners with Autism Spectrum Condition from September 2023;
- increase the designated number of Ty Gwyn Special School from 198 to 240 from September 2022;
- increase the designated number of The Hollies Special School from 90 to 119 from September 2022;
- further increase the designated number of The Hollies Special School from 119 to 150 from September 2023;
- increase the designated number at the Specialist Resource Base at Llanishen Fach Primary School for learners with complex learning needs from 20 to 30 places from September 2023; and
- increase the designated number at the Specialist Resource Base at Pentrebane Primary School for learners with Autism Spectrum Condition from 20 to 24 spaces from September 2022

### **Background and Process for this Proposal**

10. At its meeting on 10 March 2022 the Cabinet in accordance with the terms of the Schools Standards and Organisation (Wales) Act, approved a recommendation for the publication of statutory notices relating to the schools as set out at point 1 in the Cabinet report (*and in point 9 above in this report*).

11. The statutory notices were published on 6 May for a period of 28 days to allow for objections. The statutory notice period expired on 2 June 2022. Copies of the notices are attached at **Appendix 2** to the Cabinet report.

12. The notices were published on the Council's website, and hard copies were posted at the relevant school sites.

13. Copies of the notices were distributed via e-mail to organisations and consultees required under the School Organisation Code 2018.

14. Residents and businesses in the local areas to each school were notified of publication of the statutory notices by letter.
15. The Cabinet Report of 10 March 2022 also considered the outcome of consultations to increase the number of places at Meadowbank Special School, Marlborough Primary School and Springwood Primary School. As each of these schools had scheduled INSET days in the summer term, the publication of Statutory notices related to the proposed changes at Meadowbank Special School, Marlborough Primary School and Springwood Primary School were delayed in order to comply with the requirements of the School Organisation Code in relation to the number of school days that must be included within the objection period.
16. A further report will be provided to Cabinet in September 2022 providing details of any objections received, the proposed responses to those objections and recommendations for implementation or otherwise of these proposals.

### **Objections to the Proposals**

17. There were no objections to the published proposals for Moorland Primary School, Willows High School, Llanishen High School, Ysgol Gyfun Gymraeg Glantaf, The Holies Special School, Llanishen Fach Primary School and Pentrebane Primary School.
18. There were two objections to the published proposal for Ty Gwyn Special School and a summary of the objections received, and the Council's response can be seen at points 49 – 60 of the Cabinet report.
19. Both objections referenced possible increased traffic going to and from the school site. Each stated that traffic on Vincent Road is already at a standstill at the beginning and end of the school days, and that the proposal would further exacerbate traffic congestion in the area. A request was made for a traffic survey to take place and for an alternative route for vehicles entering and leaving the site be considered. Concern was also expressed about staff parking in the car park of the nearby park rather than the school grounds. One objector expressed concern that the Ty

Gwyn's building is not of a sufficient size to accommodate the increased number of pupils.

20. The Council's appraisal of views expressed is set out in points 53 – 60 of the Cabinet report.

### **Further Information Highlighted in the Cabinet Report**

21. The following further issues are highlighted in the Cabinet report, as at

#### ***Appendix A:***

- Section 1.3 Quality and Standards in Education (*points 15 - 20 in the Cabinet report*)
- Section 1.4 Need for Places and the Impact on Accessibility of Schools (*points 21 - 29 in the Cabinet report*)
- Section 1.5 Resourcing of Education and Other Financial Implications (*points 30 – 36 in the Cabinet report*)
- Section 1.6 Other General Factors (*point 37 in the Cabinet report*),
- Section 1.14 Additional Factors to be Taken into Account in Preparing, Publishing, Approving or Determining Proposals for the Reorganisation of SEN Provision (*points 38 - 42 in the Cabinet report*)
- Section 1.15 Factors to be taken into account in approving/determining school organisation proposals (*points 43 - 48 in the Cabinet report*)
- Changes to Admissions (*points 61 - 62 in the Cabinet report*)
- Partnerships (*points 63 - 72 in the Cabinet report*)
- Impact of the proposals on the Welsh Language (*points 73 - 85 in the Cabinet report*)
- Wellbeing of Future Generations (*points 86 - 89 in the Cabinet report*)
- Local Member consultation (point 90 of the Cabinet Report)
- Scrutiny Consideration (point 91 of the Cabinet Report)

22. The draft Cabinet report also provides details on the following areas:

- Financial Implications (*points 93 - 100 in the Cabinet report*)
- Legal Implications (*points 101 – 108 in the Cabinet report*)
- Wellbeing of Future Generations (*points 109 - 114 in the Cabinet report*)
- HR Implications (*points 115 - 123 in the Cabinet report*)

- Property Implications (*point 124 in the Cabinet report*)
- Traffic and Transport Implications (*points 125 - 137 in the Cabinet report*)
- Equality Impact Assessment (*points 138 - 140 in the Cabinet report; plus Appendix 3 to the Cabinet Report*)

## **Recommendations set out in the Cabinet Proposals**

23. Cabinet is recommended to

- (i) Approve the proposals in respect of changes to additional learning needs provision as set out in a paragraph 1 of the Cabinet report without modification.
- (ii) Authorise officers to take the appropriate actions to implement the proposals as set out in paragraph 1 of the Cabinet report.
- (iii) Authorise officers to publish the decision within 7 days of determination of the proposal.
- (iv) Delegate authority to the Director of Education & Lifelong Learning (in consultation with the Cabinet Members for Education, Employment & Skills and Finance, Modernisation & Performance, the Director of Governance and Legal Services, the Director of Economic Development and the Corporate Director for Resources) to determine all aspects of the procurement process (including for the avoidance of doubt development of all procurement documentation and selection and award criteria, commencement of procurement through to award of contracts).

## **Scope of Scrutiny**

24. The scope of this scrutiny is for Members to consider and provide comments on the draft report to Cabinet, prior to its consideration of the report on the 14 July 2022.

25. Given that the 2 objections related to traffic and transportation (*details at points 49 – 52 in the Cabinet report*), Members may wish to consider

points 53 - 60 (*appraisal of views*); and points 125 – 137 (*traffic transport implications*) in the Cabinet report in conjunction with the objections.

## **Way Forward**

26. Councillor Sarah Merry (Deputy Leader and Cabinet Member for Education Employment, Skills) has sent her apologies for this meeting, but the Chair of this Committee has agreed that Officers can present this Item to this Committee. Therefore, Melanie Godfrey (Director of Education and Lifelong learning), Richard Portas (Programme Director for the School Organisation Programme), and Brett Andrewartha (SOP Programme Planning Manager) will present the report to the Committee and be available to answer any questions Members may have.
27. This report will also enable Members to provide any comments, concerns or recommendations to the Cabinet Member prior to its consideration by Cabinet.

## **Legal Implications**

28. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters there are no direct legal implications. However, legal implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any legal implications arising from those recommendations. All decisions taken by or on behalf of the Council must (a) be within the legal powers of the Council; (b) comply with any procedural requirement imposed by law; (c) be within the powers of the body or person exercising powers on behalf of the Council; (d) be undertaken in accordance with the procedural requirements imposed by the Council e.g. Scrutiny Procedure Rules; (e) be fully and properly informed; (f) be properly motivated; (g) be taken having regard to the Council's fiduciary duty to its taxpayers; and (h) be reasonable and proper in all the circumstances.

## **Financial Implications**

29. There are no direct financial implications arising from this report. However, financial implications may arise if and when the matters under review are implemented with or without any modifications.

## **RECOMMENDATIONS**

The Committee is recommended to:

1. Review and assess the information contained in the draft Cabinet Report, attached at **Appendix A**, together with any information provided at the meeting;
2. Provide any recommendations, comments or advice to the Cabinet Member and / or Director of Education and Lifelong Learning prior to the report's consideration by Cabinet.

**Davina Fiore**

**Director of Governance and Legal Services**

**28 June 2022**

**CARDIFF COUNCIL  
CYNGOR CAERDYDD**

**CABINET MEETING: 14 JULY 2022**

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**SCHOOL ORGANISATION PROPOSALS: PROVISION FOR CHILDREN AND YOUNG PEOPLE WITH ADDITIONAL LEARNING NEEDS (ALN)**

**COMPLEX LEARNING NEEDS AND AUTISM SPECTRUM CONDITION PROVISION FOR PRIMARY AND SECONDARY AGED PUPILS**

**EDUCATION, EMPLOYMENT & SKILLS (COUNCILLOR SARAH MERRY)**

**AGENDA ITEM:**

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**Reason for this Report**

1. This report is to inform the Cabinet of any objections received to the published statutory notices to:
  - establish a 20 place Specialist Resource Base for primary aged children with Complex Learning Needs at Moorland Primary School from September 2023
  - establish a 30 place Specialist Resource Base for learners with complex learning needs at Willows High School from September 2023
  - increase the designated number at the Llanishen High School Specialist Resource Base for learners with Autism Spectrum Condition from 20 to 45 places from September 2022
  - establish a 30 place Specialist Resource Base at Ysgol Gyfun Gymraeg Glantaf alongside the existing 30 place Specialist Resource Base for learners with Autism Spectrum Condition from September 2023
  - increase the designated number of Ty Gwyn Special School from 198 to 240 from September 2022
  - increase the designated number of The Hollies Special School from 90 to 119 from September 2022

- further increase the designated number of The Hollies Special School from 119 to 150 from September 2023
- increase the designated number at the Specialist Resource Base at Llanishen Fach Primary School for learners with complex learning needs from 20 to 30 places from September 2023
- increase the designated number at the Specialist Resource Base at Pentreban Primary School for learners with Autism Spectrum Condition from 20 to 24 spaces from September 2022

## **Background**

2. At its meeting on 10 March 2022 the Cabinet in accordance with the terms of the Schools Standards and Organisation (Wales) Act, approved a recommendation for the publication of statutory notices relating to the schools as set out at paragraph 1. A copy of the Cabinet Report of 10 March 2022 is attached as Appendix 1.
3. The statutory notices were published on 6 May for a period of 28 days to allow for objections. The statutory notice period expired on 2 June 2022. Copies of the notices are attached at Appendix 2.
4. The notices were published on the Council's website, and hard copies were posted at the relevant school sites.
5. Copies of the notices were distributed via e-mail to organisations and consultees required under the School Organisation Code 2018.
6. Residents and businesses in the local areas to each school were notified of publication of the statutory notices by letter.
7. The Cabinet Report of 10 March 2022 also considered the outcome of consultations to increase the number of places at Meadowbank Special School, Marlborough Primary School and Springwood Primary School. As each of these schools had scheduled INSET days in the summer term, the publication of Statutory notices related to the proposed changes at Meadowbank Special School, Marlborough Primary School and Springwood Primary School were delayed in order to comply with the requirements of the School Organisation Code in relation to the number of school days that must be included within the objection period.
8. A further report will be provided to Cabinet in September 2022 providing details of any objections received, the proposed responses to those objections and recommendations for implementation or otherwise of these proposals.

## **Issues**

9. In accordance with the requirements of the School Organisation Code the Council Cabinet has responsibility for the determination of school



organisation proposals including those which receive objections (save for those that are required to be considered by the Welsh Government).

10. In accordance with this the Cabinet must decide whether to approve, reject or approve with modifications, the proposals. The Council must not approach the decision with a closed mind and any objections must be conscientiously considered.

### **Objections Received**

11. There were no objections to the published proposals for Moorland Primary School, Willows High School, Llanishen High School, Ysgol Gyfun Gymraeg Glantaf, The Holies Special School, Llanishen Fach Primary School and Pentrebanne Primary School.
12. There were two objections to the published proposal for Ty Gwyn Special School.
13. A summary of the objections received, and the Council's response can be seen at paragraphs 49 – 60.
14. As set out in the School Organisation Code, the following factors should be taken into account by relevant bodies when exercising their function of approving/determining proposals. The Council must at all times consider the interests of learners.

### **Section 1.3 Quality and Standards in Education**

15. The Council works closely with the governing bodies of schools to make sure that standards in schools are high, that teaching is good, and that leadership and governance is strong.
16. As set out in the consultation document, standards at the schools included in the proposals are all good. Increasing the number of specialist pupil places or establishing specialist resource base provisions at the schools would provide appropriate high quality school places for young people with complex learning needs and autism.
17. The proposals are not expected to have any negative impact on the quality of standards of education at the schools as a result of the proposed changes.
18. The proposals are not expected to have any negative impact on teaching and learning experiences at any of the schools involved in the proposals.
19. The opportunity to employ specialist staff and to work more closely with specialist services in Cardiff would have the potential to enhance the mainstream schools' capacity for inclusion and benefit all pupils in the schools.

20. Some pupils with ALN can find change difficult and may find moving to a new building on a new site unsettling. There would be sufficient time to plan and support their transition to adapt to their new settings.

#### **Section 1.4 Need for Places and the Impact on Accessibility of Schools**

21. The majority of learners with Additional Learning Needs (ALN) attend a local mainstream school and benefit from effective Additional Learning Needs Provision (ALP). These learners do not need to attend a special school or Specialist Resource Base.
22. However, the number of pupils with severe and complex needs, who need a place in a special school or specialist resource base has continued to grow.
23. This is due to a number of factors including:
- pupil population changes
  - improved survival rates for children born with significant disabilities,
  - increased complexity in needs
  - increased incidence and identification of specific needs such as autism, ADHD, physical disabilities and sensory impairments
24. The range of expertise, specialist support and facilities required in special schools and Specialist Resource Bases has also increased.
25. At the end of March 2021, there were 2,265 children in Cardiff with a statement of Special Education Needs. As the population grows, so will the number of children and young people with significant and complex Additional Learning Needs that will potentially need a specialist place.
26. In 2020/21 Cardiff Council funded 1,116 places in Specialist Resource Bases or special schools. In addition, 48 temporary places for learners were available in Wellbeing Classes and Speech and Language Classes, and 90 places were available in the Pupil Referral Unit (PRU).
27. Whilst there are a number of existing specialist settings across Cardiff, there are not enough places available. The number of children who would benefit from a place is projected to increase over coming years.
28. The proposals would increase the number of specialist resource places for primary, secondary and post-16 aged learners with complex learning needs and autism and would contribute towards meeting projected demand.
29. The proposals would also improve the overall distribution of specialist provision across Cardiff. This would mean that learners living in all areas of the city have the potential to access specialist provision closer to home, reducing the time they spend travelling to and from school.

## **Section 1.5 Resourcing of Education and Other Financial Implications**

30. The Council has a statutory duty to provide places appropriate to the needs of learners.
31. Currently, as there is insufficient specialist provision within Cardiff, the Council has funded some places at special schools in other Council areas or in independent schools. The total spend on such specialist provision was £7.3m in 2021/22. The budget for 2022/23 for these types of places is currently set at £7.6m.
32. The proposals would provide 221 additional places in Cardiff schools for learners with Complex Learning Needs and/ or Autism Spectrum Condition, which would offset the projected increase in spending on places in other Council areas or in independent schools. Without investment in additional in-county places, such spending on places would be expected to grow significantly in future years.
33. The capital cost of works to expand special schools and to establish or expand Specialist Resource Bases would be met from the Council's Education asset renewal programme. This is a five year programme which prioritises works including ALN sufficiency, condition and suitability.
34. The differential in average per-pupil revenue costs between placements in Cardiff's special schools and Specialist Resource Bases, and in alternative independent provision, vary greatly. The current differential in average per-pupil revenue costs between placements at a Cardiff special school, and in alternative independent provision, are greater than £50,000 per year, per learner, plus transport costs. However, there are not sufficient places available in other Council areas or in independent schools within a reasonable travel distance for the number of learners projected to require such support.
35. The annual cost to the Council of school transport for learners with Complex Learning Needs / Autism Spectrum Condition to within-County provision averages c£5,000 per learner. The annual cost to the Council of school transport for learners with Complex Learning Needs / Autism Spectrum Condition to alternative independent provision is c10,000 per child.
36. The distribution of the proposed additional places throughout the city seeks to better match the provision to demand. Should the proposed changes not proceed, it is anticipated that the average journey lengths to alternative provision, and costs for home to school transport, would increase.

## **Section 1.6 Other General Factors**

37. The Council does not expect the proposal to have any negative impact on the quality of standards of education for children from economically deprived backgrounds.

### **Section 1.14 Additional Factors to be Taken into Account in Preparing, Publishing, Approving or Determining Proposals for the Reorganisation of SEN Provision**

38. The lack of Specialist Resource Bases in some localities can disadvantage learners living in those areas. Some families are unfamiliar with the areas where provision is located. Parents or carers may lack the means to travel easily to those areas.
39. The proposed expansion of Specialist Resource Bases and Wellbeing Classes provision would result in a better distribution of specialist resource bases across the city would improve access for pupils. It would reduce travel times for many pupils, as well as increasing the number of places available.
40. The current expertise and inclusive practice would be maintained and built upon.
41. The additional places would help to ensure that there are sufficient places to meet increased demand arising out of a growing pupil population and a growing incidence and identification of Complex Learning Needs and Autism Spectrum Condition needs in Cardiff.
42. It is not expected that the proposed expansion/establishment of Complex Learning Needs and Autism Spectrum Condition provision at the schools subject to these proposals will impact on existing Additional Learning Needs provision. It is expected to improve distribution and appropriate placements compared to the current position.

### **Section 1.15 Factors to be taken into account in approving/determining school organisation proposals**

43. There are no related school organisation proposals.
44. The consultation on the proposed changes was carried out in accordance with the requirements of the Welsh Government School Organisation Code (November 2018).
45. The consultation documents were sent to those it should have been sent to and pupils at local schools were consulted. The required amount of time (42 days of which at least 20 are school days) was provided to respond to the consultation.
46. The consultation documents contained the prescribed information as set out in the Code.
47. The timescale and content required have been complied with in relation to the consultation report.
48. The publication of the statutory notices complied with the requirements of the Code and the notices contained all of the prescribed information.

## **Objections to the proposal**

49. The Council received two objections to the statutory notice to increase the designated number of Ty Gwyn Special School from 198 to 240 from September 2022 by the closing date. A summary of the objections and the Council's response can be seen below.
50. Both objections referenced possible increased traffic going to and from the school site. Each stated that traffic on Vincent Road is already at a standstill at the beginning and end of the school days, and that the proposal would further exacerbate traffic congestion in the area. A request was made for a traffic survey to take place and for an alternative route for vehicles entering and leaving the site be considered.
51. Concern was also expressed about staff parking in the car park of the nearby park rather than the school grounds.
52. One objector expressed concern that the Ty Gwyn's building is not of a sufficient size to accommodate the increased number of pupils.

## **Appraisal of views expressed**

53. Ty Gwyn School provides places for learners aged 3-19 with complex learning disabilities and Autism Spectrum Condition, including those with multiple or profound disabilities who require high levels of support.
54. Each of Ty Gwyn's learners qualify for free home to school transport, although some parents choose to make their own arrangements as this works for their child's individual needs and family circumstances.
55. The proposal to increase the number of additional learning needs places at Ty Gwyn Special School may require a Transport Statement which will identify measures to be included as part of the application to maximise travel by sustainable modes. Staff and school visitors would benefit from any required improvements in facilities for active travel to school or public transport facilities.
56. The Council's current Corporate Plan includes a commitment to every school in Cardiff developing an Active Travel Plan. Such a plan will identify actions by the school to support and encourage active travel to school and also any improvements to on-site and off-site infrastructure required to facilitate active journeys.
57. Increasing travel to school by active modes (walking, cycling and scooting where possible and appropriate in line with individuals needs) by ensuring safe facilities are provided will have a positive impact on health and wellbeing.
58. With the expected increased demand for Learner Transport, the site would be reviewed to ensure suitable and sufficient facilities for drop-off and pick-up are provided within the site to accommodate the appropriate numbers of vehicles and improvements made if necessary. Modifications

may be required to the arrangement of spaces with additional lighting within the drop-off and pick-up area to better accommodate increases in numbers of vehicles.

59. The Council continues to work with the Governing Body to ensure that suitable accommodation is provided for the increase in the number of pupils including the provision of additional classrooms, offices and Adult Services areas at the old Trelai Youth Centre.
60. An audit of current provision will be carried out with the school which will include consideration of class sizes. There are no plans to increase capacity beyond the current proposal. Admissions to the school by the Council would be phased, to support the sustainable growth of the school.

### **Admissions**

61. There are no plans to change the Council's policy on the admission of children to schools, as a result of or associated with these proposals.
62. Admissions to specialist provision are managed by the local authority and subject to a statement of Special Educational Needs (SEN) or Individual Development Plan (IDP) as appropriate.

### **Partnerships**

63. The [Cardiff Commitment](#) is a vision which the city of Cardiff is dedicated to realising and that seeks to ensure all children and young people have access to opportunities that deliver ambition and skills and supports them to progress into education, employment, and training.
64. The **Cardiff Commitment** through school, employer networks (in growth sectors of the economy in particular), community, further and higher education partnerships, delivers knowledge, skills and experiences for pupils to fulfil their potential and contribute to the economic growth of our capital city.
65. The **Cardiff Commitment** works with employers to support the development of learning pathways, careers and work related experiences and collaboration to co-construct authentic learning experiences with industry as per the requirements of the [Curriculum for Wales](#) with a focus on supporting children and young people who need it most.
66. Through the Cardiff Commitment, the Council has built a city-wide alliance to support educational achievement; in particular to raise the aspirations of learners, create opportunities, develop skills and support progression into the world of work. The number and breadth of partners involved has grown significantly since 2016, with over 300 partners now involved in various ways.
67. This approach enables both universal and targeted programmes to work together and stay focused upon the shared vision that any child growing

up in Cardiff should have equal opportunity to realise their potential. And importantly that the journey to independence is a continuum that should be nurtured from primary school into secondary school, and through to Post 16 education, training and employment.

68. The breadth of companies now involved with the initiative is 300+ and the significance of the pledges they make opens up a variety of opportunities for children and young people as the Cardiff Commitment is utilised as a touch stone for all Council relationships with employers.
69. The Council's proposals for Band B of the Sustainable Communities for Learning Programme (formerly 21st Century Schools Programme) and the Cardiff 2030 strategy clearly state the link between improving the environment for learning and raising standards of achievement.
70. Accelerator projects led by the Core Team and undertaken with schools are informed by data held in relation to FSM, LACE, ALN and Wales Index of Multiple Deprivation areas. The Cardiff Commitment accelerator areas aim to get most benefit and value from partnerships and look to provide sustainable and scalable approaches for schools and employers. Six Priority Areas support the development of opportunities and include creating school/business partnerships to deliver experiences of work and target skills development in the key economic growth sectors of the Cardiff Capital Region across age continuum.
71. An example of this is the Business Forum approach which sees partners from across the Growth Sectors in the region working with schools to develop opportunities and skills which support ambition and progression into education, employment and training.
72. The significant school developments proposed would provide opportunities for strong partnerships with businesses and employers from a range of sectors in the Cardiff economy. Opportunities for further partnerships are being explored and will be progressed in line with the priorities set out in the Cardiff Commitment.

### **Impact of the proposal on the Welsh Language**

73. The Council is committed to developing a Bilingual Cardiff.
74. Cardiff's Welsh in Education Strategic Plan (WESP) 2022-2031 sets out a series of ambitious commitments to build on the progress achieved to date. These will ensure that every child in the city can receive an education in the language of Welsh, the number receiving their education in Welsh-medium schools will increase, and through the significant use of Welsh in English medium education all will have the opportunity to become confident in speaking Welsh.
75. The level of special educational needs/ additional learning needs in the Welsh-medium sector has historically been lower than in the English medium sector. This has however been changing over the last 4-5 years,

with schools reporting an increased incidence of additional learning needs, in all areas of need.

76. A review of additional learning needs in the Welsh-medium sector was undertaken with Welsh medium schools in 2016 to inform the Welsh in Education Strategic Plan (WESP). Schools reported a small but significant number of examples of pupils with additional learning needs leaving the Welsh-medium sector in order to access Specialist Resource Bases or special schools.
77. There was also some anecdotal evidence to suggest that some families who would otherwise choose Welsh-medium education opt instead for English medium if their child has additional learning needs, through concern that their child may need to transfer to the specialist sector at a later date.
78. Through the WESP, Cardiff has invested in specialist provision in the sector, including some capacity to respond to growing demand and to generate more confidence in the availability of specialist provision in the sector.
79. A new primary base was established at Ysgol Gymraeg Pwll Coch, within the catchment area of Ysgol Gyfun Gymraeg Glantaf, where the secondary base is established. The two bases cater for learners with severe learning difficulties, providing a specialist curriculum and supporting a range of secondary needs including physical and medical needs, speech and language difficulties and autism.
80. As the Welsh sector continues to grow it will be important to develop additional provision in anticipation of the need, to ensure Welsh-medium education is a genuine choice for learners with complex additional learning needs.
81. Following engagement sessions with members of Cardiff's Welsh Education Forum in summer 2021, the Council formally consulted on its draft Welsh in Education Strategic Plan (WESP) 2022-2032 between 15 October 2021 and 13 December 2021.
82. Links to the plan (including the full draft WESP, the easy read summary version and the Trajectory for Growth) and survey webpage were circulated to statutory stakeholders including Cardiff schools and Cardiff's Welsh Education Forum member organisations.
83. The draft WESP sets out the strategy for the development of Welsh-medium additional learning needs provision and proposals would be brought forward as part of the implementation of the Council's Welsh in Education Strategic Plan following agreement of the strategy by the Welsh Government and formal adoption by the Council later in 2022.
84. The Cabinet approved Cardiff's WESP 2022-2031 at its meeting of 24 February 2022, for submission to the Welsh Government Ministers.



85. The ongoing development of additional learning needs provision including new and existing provision will be kept under review to ensure proposals are brought forward in a strategic and holistic way that takes into account the needs of all of our learners and reflects the additionality required to ensure parity in the Welsh-medium sector as new places are delivered throughout the proposed WESP.

### **Wellbeing of Future Generations**

86. In line with the Well-being of Future Generations Act Cardiff is committed to providing Local Schools for Local Children, together with encouraging use of sustainable modes to travel to schools, such as walking and cycling. Each School project takes into account key transport issues when they are being designed and the firm need to provide safer routes to encourage walking, cycling and other active travel modes to schools.
87. With the current investments in ICT across the city, student movements may be further reduced as mobile technology develops further allowing for flexible teaching methods. These have the potential to result in a more efficient Travel Plan and further contribute to the Council's targets to reduce its carbon emissions.
88. In order to maximise the long-term impact of this significant investment, any design taken forward for each school included in this proposal would be developed to ensure the delivery of high-quality modern facilities that are able to respond to the current pupil populations needs and support the delivery of effective teaching and learning methods. They would also incorporate the flexibility to take account of changes depending on need as time progresses, such as changing demographics and pupil numbers, changing curriculum and changing types of pupil needs.
89. The project will consult with all statutory bodies when developing a planning application to ensure that environmental and biodiversity impacts are fully considered.

### **Local Member consultation**

90. Local members were consulted during the consultation period. The consultation period for Moorland Primary School proposals ran from 11 October 2021 until 17 January 2022. The consultation period for the Complex Learning Needs and Autism Spectrum Condition Provision for learners aged 3-19 ran from 14 December 2021 until 1 February 2022.

### **Scrutiny Consideration**

91. The Children & Young People's Scrutiny Committee will consider this report on 5 July 2022. Any comments received will be circulated at the Cabinet Meeting.

## **Reason for Recommendations**

92. To meet increasing demand for Specialist Resource Base and Special School places for primary, secondary and post-16 age learners with complex learning needs and autism.

## **Financial Implications**

93. This report outlines changes to ALN provision and schools intakes within the eight schools identified. Publication of the recommended proposals does not, in itself commit the Authority to future expenditure. Whilst there are no capital financial implications directly arising from this report, once a final solution has been agreed for each site it will be necessary for a full financial evaluation to be undertaken.
94. The report sets out that future schemes will be funded through the Asset Renewal Capital budget. These schemes will need to be prioritised against other schools investments required including roof and boiler replacements, health and safety works and other priority works arising from surveys. If approved these schemes will require tight budgetary control to ensure that other priority schemes are not adversely impacted or delayed.
95. Additional places will need to be funded from the existing delegated school's budget. Previous pre consultation reports have highlighted the high-cost provision currently being incurred for this population of pupils either through Out of County Placements or enhanced Complex Needs Enhancement (CNE) payments for mainstream pupils. Further work is required to establish whether or not the savings on Out of County Placements or enhanced CNE payments will cover the additional costs of additional places and any associated transport costs.
96. Regarding revenue, there will need to be a review of the budget for each SRB or Special School which has an increase in the number of places. The due diligence undertaken must provide assurance that the additional places will be taken up and that the cost and numbers of Out of County Placements and CNE enhancements will reduce in order to ensure no significant pressure ongoing on school budgets. Over the medium term, regular review and analysis needs to be undertaken comparing the projected number of places available to places taken up. This will ensure that the optimum benefits are achieved by the financial resources used.
97. The proposal for a better spread of provision at special schools and SRBs across the city means that the transport cost per individual learner is likely to decrease. However, projections within the transport implications indicate that the overall impact on home to school transport is likely to increase over the medium term. Schools transport budgets have seen increasing pressure over the last three years and there will be a need for more robust planning to identify increased price or provision alongside additional controls to ensure any changes are affordable within existing budget allocations where possible. The decision maker needs to consider the likelihood that savings on individual placements and a more

effective management of Out of County Placements will be able to cover the additional cost of transporting the increased SRB places.

98. The covering report sets out that the number of places will incrementally grow over the next four years and further work is required to establish the cost / saving for each financial year. For 2022/23, there is a risk that overall spend on Out of County provision and enhanced CNE payments for children and young people with ALN would increase in September 2022, but this pressure can be managed within school delegated budgets. However, the need to ensure robust modelling is in place to ensure that any further pressures are identified and understood prior to implementation and are robustly modelled and factored into medium-term planning is of paramount importance.
99. Regarding capital implications, any further work required to accommodate increased pupil numbers will require full financial evaluation and an identified funding source. Should the Council be required to make a contribution towards these costs, these will need to be funded from within existing approved resources or factored into future iterations of the Council's Capital Programme. As part of the further evaluation that is required, it will be necessary to consider VAT implications arising from land and property ownership arrangements in relation to Voluntary Aided and Foundation schools. Should there be any cost associated with the required VAT treatment, these will need to be included within the overall financial envelope of the scheme.
100. The Moorland Early Years Unit is to be funded from WG Flying start grant of £1.3m, with remainder to be funded from the Education Asset Renewal budget. In order to ensure sufficient budget, there will be a need to prioritise this scheme within the current asset renewal programme, with additional funding to be made available through the invest to save allocation of the schools capital budget.

### **Legal Implications**

101. The school organisation proposals set out in the report must be considered having regard to the provisions of the School Standards and Organisation (Wales) Act 2013 ('the Act') and the School Organisation Code 2018 ('the Code'). The Code sets out the factors which should be considered in respect of different proposals, the statutory procedures, legal requirements and guidance.
102. The statutory procedures involve a public consultation, publication of a consultation report, statutory notice and a 28-day objection period, prior to determination of the proposals. The previous reports to Cabinet on these proposals are referred to in the body of the report. In March 2022, Cabinet considered the consultation report and resolved to proceed with the proposals and authorised publication of the statutory notice, with the required 28-day objection period (which ended on 2 June 2022).

103. The content of the statutory notice, manner of publication and persons to be notified are prescribed in the Code. Under section 49 of the Act, when objections have been received, the Council must publish a summary of the statutory objections and the Council's response to those objections ("the Objection Report") on its website and make this available to the interested parties listed in the Code. This Cabinet report constitutes the Objections Report.
104. The Council must decide whether or not to implement its proposals within 16 weeks from the end of the objection period (under section 53 of the 2013 Act). If the Council fails to determine the proposals within the 16-week period, it is taken to have withdrawn the proposals. When determining its proposals, the Council must be satisfied that the statutory consultation has been conducted and the proposals published in accordance with the Code; and it must conscientiously consider the Objections Report and any responses to the notice supporting the proposals, having regard to the relevant factors set out in the Code
105. The decision on whether or not to proceed with the proposals must be set out, with reasons having regard the factors set out in the Code, and issued in the form of a decision letter, published on the Council's website and notified to the Welsh Ministers, the school governing body and all interested parties listed in the Code.
106. If the proposals are taken forward, the admission arrangements for the school, including admission numbers and catchment areas, will need to be determined, following consultation, in accordance with the School Admission Code and the Education (Determination of Admission Arrangements) (Wales) Regulations 2006.
107. In considering this matter, the Council must have regard to its public sector equality duties under the Equality Act 2010 (including specific Welsh public sector duties). This means the Council must give due regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of protected characteristics. The protected characteristics are age, gender reassignment, sex, race – including ethnic or national origin, colour or nationality, disability, pregnancy and maternity, marriage and civil partnership, sexual orientation, religion or belief – including lack of belief.
108. When taking strategic decisions, the Council also has a statutory duty to have due regard to the need to reduce inequalities of outcome resulting from socio-economic disadvantage ('the Socio-Economic Duty' imposed under section 1 of the Equality Act 2010). In considering this, the Council must take into account the statutory guidance issued by the Welsh Ministers (WG42004 A More Equal Wales The Socio-economic Duty Equality Act 2010 (gov.wales) and must be able to demonstrate how it has discharged its duty.

## **Well-Being of Future Generations (Wales) Act 2015**

109. The Well-Being of Future Generations (Wales) Act 2015 ('the Act') places a 'well-being duty' on public bodies aimed at achieving 7 national well-being goals for Wales - a Wales that is prosperous, resilient, healthier, more equal, has cohesive communities, a vibrant culture and thriving Welsh language, and is globally responsible.
110. In discharging its duties under the Act, the Council has set, and published well-being objectives designed to maximise its contribution to achieving the national well-being goals. The well-being objectives are set out in Cardiff's Corporate Plan 2021-24. When exercising its functions, the Council is required to take all reasonable steps to meet its well-being objectives. This means that the decision makers should consider how the proposed decision will contribute towards meeting the well-being objectives and must be satisfied that all reasonable steps have been taken to meet those objectives.
111. The well-being duty also requires the Council to act in accordance with a 'sustainable development principle'. This principle requires the Council to act in a way which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs. Put simply, this means that Council decision makers must take account of the impact of their decisions on people living their lives in Wales in the future. In doing so, the Council must:
- Look to the long term
  - Focus on prevention by understanding the root causes of problems
  - Deliver an integrated approach to achieving the 7 national well-being goals
  - Work in collaboration with others to find shared sustainable solutions
  - Involve people from all sections of the community in the decisions which affect them
112. The decision maker must be satisfied that the proposed decision accords with the principles above; and due regard must be given to the Statutory Guidance issued by the Welsh Ministers, which is accessible using the link below:
- <http://gov.wales/topics/people-and-communities/people/future-generations-act/statutory-guidance/?lang=en>

### **General**

113. The decision maker should be satisfied that the decision is in accordance with the financial and budgetary policy.
114. The decision maker should also have regard to, when making its decision, to the Council's wider obligations under the Welsh Language (Wales) Measure 2011 and the Welsh Language Standards.

## **HR Implications**

### **HR implications relevant to the proposals for the establishment of Specialist Resource Base provision**

115. The implications below apply to the proposals to establish Specialist Resource Base provision at Moorland Primary School, Willows High School and Ysgol Gyfun Gymraeg Glantaf.
116. HR People Services will work with the Governing Body to address the HR implications arising from the establishment of a Specialist Resource Base at the school and the resulting need for additional staffing.
117. Where the Governing Body has adopted the Council's School Redeployment and Redundancy Policy, any new vacancies arising as a consequence of the establishment of the Specialist Resource Base will provide opportunities for school-based staff on the school redeployment register.

### **HR implications relevant to the proposals for the expansion of existing Special School Provision**

118. The implications below apply to the proposals to increase the capacity of Ty Gwyn Special School and The Hollies Special School.
119. The proposed increase in pupil numbers for the school will require the Governing Body to plan for the workforce requirements in readiness for the expansion. The Governing Body will be encouraged to undertake this work in line with the School Organisation Planning HR Framework. HR People Services will provide advice, support and guidance to the Governing Body for the workforce planning and consequential recruitment processes.
120. Where the Governing Body has adopted the Council's School Redeployment and Redundancy Policy, any new vacancies arising as a consequence of an increase in the numbers on roll will provide opportunities for school-based staff on the school redeployment register.

### **HR implications relevant to the proposals for the expansion of existing Specialist Resource Base Provision**

121. The implications below apply to the proposals to increase the capacity of the Specialist Resource Bases at Llanishen High School, Llanishen Fach Primary School and Pentreban Primary School.
122. HR People Services will work with the Governing Body to address any HR implications arising from the increase in the designated number of the Autism Spectrum Condition Specialist Resource Base at the school and whether there is a need for staff resources.
123. Where the Governing Body has adopted the Council's School Redeployment and Redundancy Policy, any new vacancies arising as a

consequence of the increase in the designated number of the Autism Spectrum Condition Specialist Resource Base will provide opportunities for school-based staff on the school redeployment.

### **Property Implications**

124. Strategic Estates continue to work with and support Education colleagues through the asset management process and any property matters relating and arising from proposals. There are numerous options in this paper which will in time require input as and when the consultation period completes, and we move towards business cases.

### **Traffic & Transport Implications**

125. As part of its overall strategy to affect modal shift away from car travel, the Council is seeking to reduce the proportion of school journeys made by car and to maximise opportunities for travel to school by sustainable modes including walking and cycling.

126. The Council is working to support all schools in the development and implementation of Active Travel Plans. Active Travel Plans identify actions by the school to support and encourage active travel to school – to develop a school active travel culture - and also any improvements to on-site and off-site infrastructure required to facilitate active journeys.

127. The individual needs of pupils at special schools and SRBs, together with the greater distances travelled, necessarily limit the scope for high rates of active travel compared with mainstream school pupils.

128. The Council applies the statutory qualifying walking distance criteria for pupil to qualify for free home to school transport to special schools and SRBs. Additionally, some learners who live within two / three miles of the school may be provided with free transport due to their individual learning needs and social issues.

129. The increased provision of places at special schools and SRBs across the city means out-of-county transport spending per learner may reduce or be offset as a result of these proposals. The transport cost per individual learner accessing provision within the city is anticipated to be lower compared to accessing alternative provision some of which may be in other local authority areas.

130. Overall, the costs of home to school transport for the additional places would increase as the proposed changes increase the number of pupils transported from home to specialist provision.

131. The annual cost to the Council of school transport for learners with Emotional Complex Learning Needs/ Autism Spectrum Condition averages c£5,000 per learner. The annual cost to the Council of school transport for learners with Complex Learning Needs/ Autism Spectrum Condition to alternative independent provision is c£10,000 per learner.

132. Taking account of the distribution of the proposed additional places city-wide it is anticipated that the average journey length would reduce.
133. The projected costs of transporting the additional pupils to school, as a result of these proposals, would increase by c£302k in 2023/24 rising to c£1.381m by 2025/26 as pupils are enrolled to the expanded provision, based on average annual costs for learners travelling to the current provision. However, should the proposals not proceed, transporting pupils to alternative provision would be significantly higher as the current average costs for learners travelling to this provision is approximately double.
134. It is anticipated that the continued increase in the number of pupils transported to specialist provision, including those arising from these proposals, will incur further costs of c£178k per year for supporting and managing transport. This includes compliance, administration and independent travel training (invest to save).
135. Numbers of pupils who continue to use Learner Transport for their journey to school will be likely to increase in line with the trend for increasing numbers of pupils requiring places at special schools or specialist resource bases. Each school location with new or increased demand for Learner Transport vehicles will require suitable new, improved and / or expanded facilities for drop-off and pick-up within the site. The areas required would need to accommodate appropriate vehicles. In some cases, minibuses may be suitable, but this is also dependent on individual pupil needs, home locations and co-ordination of routes.
136. Car parking provision at new schools or where accommodation at existing sites is to be expanded will need to be in line with the Council's parking standards. Allocations for special schools and specialist resource bases are agreed on a case-by-case basis but requirements are expected to generally correlate with 1 car space per typical number of pupils in a class.
137. Transport Assessments or Transport Statements will be required as part of planning applications for new school accommodation (depending on scale of development). These will identify measures to be included as part of the applications to address any potentially adverse impacts, to facilitate access and maximise travel by sustainable modes.

### **Equality Impact Assessment**

138. The EQIA prepared ahead of the consultation phase has been reviewed to take account of the responses received and any further information made available or secured since the original documents was prepared relevant to the proposal from the Council and/or its partners. No changes were found to be necessary to the document at this point.



139. In the event the proposals are able to proceed to implementation, proposal specific EQIAs will be kept under regular review as part do the planning and delivery process.

140. The Equality Impact Assessment is attached at Appendix 3.

## RECOMMENDATIONS

Cabinet is recommended to

- (i) Approve the proposals in respect of changes to additional learning needs provision as set out in a paragraph 1 of this report without modification.
- (ii) Authorise officers to take the appropriate actions to implement the proposals as set out in paragraph 1
- (iii) Authorise officers to publish the decision within 7 days of determination of the proposal
- (iv) Delegate authority to the Director of Education & Lifelong Learning (in consultation with the Cabinet Members for Education, Employment & Skills and Finance, Modernisation & Performance, the Director of Governance and Legal Services, the Director of Economic Development and the Corporate Director for Resources) to determine all aspects of the procurement process (including for the avoidance of doubt development of all procurement documentation and selection and award criteria, commencement of procurement through to award of contracts).

<b>SENIOR RESPONSIBLE OFFICER</b>	<b>Melanie Godfrey</b>
Richard Portas	Date submitted to Cabinet office

*The following appendices are attached:*

*Appendix 1: Cabinet Report, 10 March 2022*

*Appendix 2: Statutory Notices*

*Appendix 3: Statutory Screening tool and Equality Impact Assessments*

Mae'r dudalen hon yn wag yn fwriadol

**SCHOOL ORGANISATION PROPOSALS: PROVISION FOR CHILDREN AND YOUNG PEOPLE WITH ADDITIONAL LEARNING NEEDS (ALN) - COMPLEX LEARNING NEEDS AND AUTISM SPECTRUM CONDITION PROVISION FOR PRIMARY AND SECONDARY AGED PUPILS**

**EDUCATION, EMPLOYMENT & SKILLS (COUNCILLOR SARAH MERRY)**

**AGENDA ITEM: 7**

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**Reason for this Report**

1. The purpose of this report is to inform Cabinet of the responses received following public consultation on proposals to extend and realign special school and Specialist Resource Bases (SRBs) for pupils across Cardiff with Complex Learning Needs and Autism Spectrum Conditions.
2. The proposals considered in this report relate to maintained community provision. The responses received following public consultation on proposed changes to additional learning needs provision at The Marion Centre at The Bishop of Llandaff High School and to the Specialist Resource Base at Whitchurch High School will be considered by the relevant Governing Body.

**Background**

3. At its meeting on 15 July 2021 the Cabinet authorised officers to consult on proposals for the establishment of Specialist Resource Base provision at Moorland Primary School for learners with complex learning needs from September 2022.
4. At its meeting on 14 October 2021 the Cabinet authorised officers to consult on proposals to:
  - establish a 30 place Specialist Resource Base for learners with complex learning needs at Willows High School from September 2023;

- increase the designated number at the Llanishen High School Specialist Resource Base for learners with Autism Spectrum Condition from 20 to 45 places from September 2022;
  - establish a 30 place Specialist Resource Base at Ysgol Gyfun Gymraeg Glantaf alongside the existing 30 place Specialist Resource Base for learners with Autism Spectrum Condition from September 2023;
  - increase the designated number of Ty Gwyn Special School from 198 to 240 from September 2022;
  - increase the designated number of Meadowbank Special School from 40 to 98 from September 2022;
  - increase the designated number of The Hollies Special School from 90 to 119 from September 2022;
  - further increase the designated number of The Hollies Special School from 119 to 150 from September 2023;
  - increase the designated number at the Specialist Resource Base at Llanishen Fach Primary School for learners with complex learning needs from 20 to 30 places from September 2023;
  - increase the designated number at the Specialist Resource Base at Marlborough Primary School for learners with severe and complex learning needs from 20 to 30 from September 2022;
  - increase the designated number at the Specialist Resource Base at Pentreban Primary School for learners with Autism Spectrum Condition from 20 to 24 spaces from September 2022;
  - increase the designated number at the Specialist Resource Base at Springwood Primary School for learners with Autism Spectrum Condition from 20 to 28 from September 2022.
5. The Cabinet noted the proposal to increase the designated number at The Marion Centre Specialist Resource Base, at The Bishop of Llandaff Church in Wales High School, from 42 to 66 places from September 2022 and instructed officers to provide all reasonable assistance to the Governing Body of the school who would be consulting on the proposal.
  6. The Cabinet also noted that the proposal to increase the designated number at Whitchurch High School Specialist Resource Base from 70 to 100 from September 2022 and instructed officers to provide all reasonable assistance to the Governing Body of the school who would be consulting on the proposal.

## Issues

7. The consultation period for proposals to establish a Specialist Resource Base at Moorland Primary School ran from 11 October 2021 until 17 January 2022.
8. The consultation period for proposals to expand Complex Learning Needs and Autism Spectrum Condition Specialist Resource Base provision for learners aged 11-19 ran from 14 December 2021 until 01 February 2022.
9. The consultation period for proposals to expand Complex Learning Needs and Autism Spectrum Condition provision for learners in primary and all-through (age 3-19) provision also ran from 14 December 2021 until 01 February 2022.
10. The consultation process for all proposals involved:
  - Publication of bilingual consultation documents outlining background, rationale and implications to parents, staff and governors of affected schools, Headteachers and Chairs of Governors city-wide, elected Members, local residents and other stakeholders (a copy of the consultation documents can be seen at Appendix 1);
  - publication of bilingual summary documents setting out the main points of the consultation documents (a copy of the summary documents can be seen at Appendix 2);
  - publication of information in community languages upon request;
  - Consultation meetings via Microsoft Teams with governors and staff at Moorland Primary School, Willows High School, Llanishen High School, Ysgol Gyfun Gymraeg Glantaf, Ty Gwyn Special School, Meadowbank Special School, The Hollies Special School, Llanishen Fach Primary School, Pentreban Primary School and Springwood Primary School (notes from the meetings can be seen at Appendix 3);
  - consultation meetings via Microsoft Teams/in person with pupil representatives at Moorland Primary School, Willows High School, Llanishen High School, Ysgol Gyfun Gymraeg Glantaf, Meadowbank Special School, Llanishen Fach Primary School and Springwood Primary School (notes from these meetings can be seen at Appendix 4);
  - The Hollies Special School facilitated consultation with their pupils and provided details of the views gathered (details can be seen at Appendix 4);
  - the pupil consultations that took place in person were conducted in line with the relevant Health and Safety guidance;
  - Public consultation meetings via Microsoft Teams at which the proposals were explained and questions answered (notes from the meetings can be seen at Appendix 5);

- drop-in sessions were offered via Microsoft Teams where officers were available to answer questions (there were no requests for drop-in sessions);
  - letters setting out details of the proposals and where further information could be found were sent to local residents and businesses in the areas surrounding the school sites subject to the proposed changes;
  - a communication campaign via social media;
  - a consultation response slip for return by post or e-mail, attached to the consultation documents and summary documents;
  - an online response from at [www.cardiff.gov.uk/ALNSchoolproposals](http://www.cardiff.gov.uk/ALNSchoolproposals)
11. For stakeholders who did not have access to digital platforms the opportunity to discuss the proposed changes via telephone was available.
  12. The views expressed at Council organised meetings, drop-in sessions, telephone calls, and on paper or electronically through the appropriate channels, have been recorded.
  13. Views were sought from interested stakeholders via an online survey and a hard copy version of the survey within the consultation document.
  14. The details presented in this report represent the views expressed during the consultation process. These include the wider stakeholder survey, formal responses, e-mail responses, views expressed at public meetings, drop-in sessions, telephone calls and pupil consultation meetings.
  15. The views expressed in the wider stakeholder surveys reflect those raised in the e-mail responses received.

### **Responses received to the consultation on the proposed establishment of Specialist Resource Base provision at Moorland Primary School**

16. The consultation on the proposed establishment of a Specialist Resource Base at Moorland Primary School was undertaken jointly with a proposal for the proposed expansion and transfer of The Court Special School.
17. The responses received to the consultation included expressions of support and concerns relevant to both proposals.
18. In total there were 38 responses including 35 online responses and 3 e-mail responses to the Moorland Primary School proposal.
19. Formal responses were received from:
  - Estyn
  - Moorland Primary School Governing Body
  - Moorland Primary School Headteacher
20. The response from Estyn set out its view that the proposal is likely to at least maintain the standard of education provision in the area.

21. Of the 35 online responses received 74.3% supported the proposal to establish a Specialist Resource Base provision at Moorland Primary School.
22. Full copies of the formal responses can be seen at Appendix 6.
23. A summary of the responses received from all stakeholders, and an appraisal of views expressed, can be seen at Appendix 7.
24. A summary analysis of the responses received are included at Appendix 8.

### **Views expressed**

25. Reasons for supporting the proposed changes included:
  - Recognition of the need to increase the number of additional learning needs places available.
  - The establishment of a Specialist Resource Base at the school would be a positive addition to this area of Cardiff.
  - The proposed change would help to reduce travel times for children.
26. Whilst there was support for the establishment of Specialist Resource Base provision at the school there were a number of concerns related to:
  - The completion of Key Stage 2 and Foundation Phase building works prior to children being admitted in order to avoid the need for children to have two learning environment moves.
  - The availability of funding in a timely manner to allow for staff recruitment.
  - Assurances that funding for the additional places at the resource base and other associated costs are 'ringfenced' in addition to the allocated school budget.
  - The need for improved pedestrian access to the school and traffic management measures.
  - The space available at the school for outdoor provision.

### **Moorland Primary School Pupil representation**

27. Officers met virtually via Microsoft Teams with Years 5 pupils at Moorland Primary School to discuss the proposals and gather their opinions.
28. The points raised by the pupils included the following:
  - It would allow more children to come to Moorland.
  - More children will have access to a good education.
  - Children with additional needs can get the specialist help that they need.
  - Children will have the chance to mix and play with other children and have more learning opportunities.

- Children with additional learning needs should have the same opportunities that the children in Moorland have.
- Good to have the chance to meet more people and make more friends.
- Excited to see what the new yard will look like.
- Even though the yard might be getting smaller it is exciting to have more children coming to the school.
- Everybody in the class is kind and would like to meet the new children and make them feel welcome.
- Will give children an opportunity to learn more about children with additional needs.

29. The pupils had concerns relating to:

- Where the nursery children will go when their building is knocked down, and whether it will affect the rest of the school.
- If there are more children on the playground and the playground is getting smaller, could there be more injuries?
- Some younger children being with older children might not be a good idea.
- Worried that if there are more children there would be more cars coming to the site, traffic and parking issues.
- What will happen with breaktimes during the building work; will it affect pupil's playtimes?
- If there are lots more children coming to the school, will it make the school too busy when arriving and leaving?
- Construction noise might affect the pupils' learning.
- How long will the build take?

### **Response to views expressed**

30. The Council welcomes the expressions of support for the establishment of Specialist Resource Base provision at Moorland Primary School.
31. It is however acknowledged that there are a number of concerns raised particularly in relation to the completion of building works, funding, staffing and traffic in and around the school site.
32. Following discussions with the school it has been agreed that, subject to the proposal to establish Specialist Resource Base provision at the school being determined to proceed, the proposed start date for the new provision would be deferred to September 2023. This would allow sufficient time for the necessary building works to be completed and for suitable staffing arrangements to be progressed.
33. Funding for Specialist Resource Base placements is provided separately from mainstream funding.
34. The Council has extensive experience of progressing construction work on occupied school sites and will work closely with the school to minimise



any impacts on teaching and learning and play during the construction phase to ensure that standards are maintained. The Council is also considering an opportunity to utilise the old Glan Morfa School site as potential outside space during construction works to help mitigate pressures.

35. The proposals will include measures already identified by a Transport Statement to maximise active and sustainable travel to improve conditions for pedestrians near the school.
36. Some pupils in the Specialist Resource Base would qualify for free home to school transport and facilities for drop-off would be provided for this small number of vehicles.
37. A review of parking and loading restrictions and the provision of a School Street on both of the adjacent streets would improve safety by discouraging access by other vehicles and reducing congestion, parking and safety issues.
38. Further measures to encourage pedestrian and other active travel access will be provided with improvements to footways, crossings and access through the park.
39. A full appraisal of the views expressed can be seen at Appendix 7.

**Responses received to the consultation on the proposed expansion of Complex Learning Needs and Autism Spectrum Condition Specialist Resource Base provision for learners aged 11-19**

40. In total 114 responses were received including 106 online response and a further 8 e-mail responses regarding the specific proposals consulted on.
41. Formal responses were received from:
  - Estyn
  - Willows High School Governing Body
  - Llanishen High School Governing Body
  - Ysgol Gyfun Gymraeg Glantaf Headteacher and Governing Body
42. In addition to these responses, a further 17 responses were received during the consultation period that did not comment directly on the proposals consulted on but commented on the need for an increase in additional learning needs provision overall, particularly in the Welsh-medium sector.
43. Estyn welcomed the proposals which sits alongside others and aims to achieve a more equitable provision to better match current and future learning needs of pupils, across the City.
44. The response from Estyn sets out its view that the proposals are likely to, at least, maintain the standard of education provision in the area.

45. Full copies of the formal responses can be seen at Appendix 6.
46. The responses received overall expressed support for the proposals put forward to improve provision for children and young people with additional learning needs. Of the 101 respondents to the online survey who answered the question, 96% supported the proposed changes.
47. A recognition of the need to increase additional learning needs provision was common response across all proposals. Concerns related to funding, accommodation, traffic and the need to develop Welsh-medium additional learning needs provision were also common across all proposals.
48. A summary of the responses received from all stakeholders, and appraisal of views expressed, can be seen at Appendix 7.
49. A summary analysis of the responses received can be seen at Appendix 8.

### **Willows High School**

50. In total there were 86 responses including 84 online responses and two e-mail responses. Of the 84 online responses, 86.9% supported the proposal to establish a 30 place Specialist Resource Base at the school for learners with complex learning needs from September 2023.
51. Reasons for supporting the proposed changes included:
  - Recognition of the need for increased additional learning needs provision.
  - Provision needed more local to the area.
52. Whilst there was support for the establishment of Specialist Resource Base provision at the school there were a number of concerns related to:
  - Clarification on ring fenced funding for the Specialist Resource Base provision.
  - The provision would be best introduced as part of the new Willows buildings as, despite the published admission number, there is insufficient space in the school.

### **Willows High School Pupil representation**

53. Officers met with pupils at Willows High School to discuss the proposals and gather their opinions.
54. The pupils supported the establishment of Specialist Resource Base provision at the school.
55. The points raised related to access to the building and that it would be a good idea for the resource base provision to be located on the ground

floor. The canteen was busy at lunchtime, and it was suggested that lunchtimes could be staggered to avoid crowds.

56. The pupils felt it would be useful for the wider school community to have some general information regarding the provision to help their understanding of needs which would support the integration of pupils from the resource base into the school.
57. It was suggested that children from the resource base should join smaller mainstream classes where appropriate as they felt larger classes may be overwhelming if not used to them.

### **Response to views expressed**

58. The Council welcomes the expressions of support for the establishment of Specialist Resource Base provision at Willows High School.
59. It is however acknowledged that there are a number of concerns raised regarding funding, the available accommodation facilities and the need for a wider understanding of the resource base across the wider school community.
60. The Specialist Resource Base would be fully funded and separate from mainstream funding which would be protected.
61. The Council will work closely with the school to identify suitable accommodation for the Specialist Resource Base. Admissions to the base by the Council would be phased, and the school would not therefore require accommodation for 30 learners at the time of implementation.
62. If the proposal proceeds to implementation, the Council would work with the school to develop a better understanding of the Specialist Resource Base provision across the wider school community.
63. The proposed implementation date of September 2023 allows sufficient time to identify accommodation and to undertake any necessary adaptation. However, if the Council and Governing Body are unable to progress the Specialist Resource Base, the retention of the proposed implementation date of September 2023 would afford the Council the flexibility to defer admission of pupils to the base to a later date if this is considered necessary.
64. A full appraisal of the views expressed can be seen at Appendix 7.

### **Llanishen High School**

65. In total there were 84 responses including 83 online responses and 1 e-mail response. Of the 83 online responses, 88% supported the proposal to increase the designated number of the Specialist Resource Base at Llanishen High School for learners Autistic Spectrum Condition from 20 to 45 places from September 2022.

66. Reasons for supporting the proposed changes included:
- Recognition of the need for increased additional learning needs provision.
67. Whilst there was support for the increase in the designated number at the Llanishen High School Specialist Resource Base for learners with Autism Spectrum Condition there were a number of concerns related to:
- The impact of increased traffic on the drop off and pick up area and the knock-on effect on on-site parking.
  - The need for the school transport and forecourt area to be redesigned.

### **Llanishen High School Pupil representation**

68. Officers met virtually with pupils at Llanishen High School to discuss the proposals and gather their opinions.
69. The existing Specialist Resource Base provision was integrated into the wider school community and the pupils supported this provision being expanded.
70. The points raised related to the accommodation facilities and resources available for the Specialist Resource Base e.g., the size of classrooms and staffing levels. There is a need to ensure that these are appropriate and do not impede the provision offered and the quality of teaching and learning.
71. The pupils felt it would be useful for the wider school community to have greater knowledge of the resource base and the needs of the pupils who use it, as this would mean that they could be more supportive and maybe help them.

### **Response to views expressed**

72. The Council welcomes the expressions of support for the expansion of Specialist Resource Base provision at Llanishen High School.
73. It is however acknowledged that there are of concerns raised in relation to traffic management in and around the school site, the resourcing of the specialist provision and the need for a wider understanding of the resource base across the wider school community.
74. Funding for specialist resource bases is provided separately from mainstream funding. The Council will work with the school to ensure that that the Specialist Resource Base is sufficiently resourced.
75. If the proposal proceeds to implementation the Council would work with the school to develop a better understanding of the Specialist Resource Base provision across the wider school community.

76. With the potential increased demand for Learner Transport for Specialist Resource Base pupils, the site would be reviewed to ensure suitable and sufficient facilities for drop-off and pick-up are provided within the site to accommodate the appropriate numbers of vehicles and improvements made if necessary. Modifications may also be needed to the school access.
77. A full appraisal of the views expressed can be seen at Appendix 7.

### **Ysgol Gyfun Gymraeg Glantaf**

78. In total there were 98 responses including 97 online responses and 1 e-mail response. Of the 97 online responses received, 92.8% supported the proposal to establish a 30-place Specialist Resource Base for learners with Autistic Spectrum Condition alongside the existing 30 place Specialist Resource Base from September 2023.
79. Reasons for supporting the proposed changes included:
- Recognition of the need for increased Welsh-medium additional learning needs provision.
  - Promotes inclusion, care and ambition for pupils and families who face complex and practical challenges.
  - The base will be a great extension within the school community, provide a focus for staff training and be able to support pupils to continue to grow and feel welcome within the mainstream school.
80. Whilst there was support for the establishment of an additional Specialist Resource Base for learners with Autism Spectrum Condition alongside the existing Specialist Resource Base for learners with complex learning needs at the school, there were a number of concerns related to:
- The need to ensure appropriate accommodation (internal and external) is available for learners within the Specialist Resource Bases.
  - The capacity of existing school buildings and the need to minimise any negative impact on mainstream capacity.
  - The potential impact of increased traffic around the school site.
  - The need to address the lack of Welsh-medium provision at primary level which may result in learners leaving the Welsh-medium sector in the early years.
  - The need to address the lack of Welsh-medium provision for the wide range of additional learning needs including emotional health and wellbeing.

### **Ysgol Gyfun Gymraeg Glantaf Pupil representation**

81. Officers met separately with mainstream pupils and pupils from the existing Specialist Resource Base at Ysgol Gyfun Gymraeg Glantaf to discuss the proposals and gather their opinions.

82. The mainstream pupils supported the establishment of an additional Specialist Resource Base at the school.
83. The points raised related to improved access to Welsh-medium education for children with additional learning needs, Specialist Resource Base pupils being able to benefit from access to school facilities e.g., the playing field, the opportunity for better facilities for pupils attending the existing Specialist Resource Base and pupils being able to be part of a mainstream school.
84. The pupils did not have concerns around increased traffic. The school was already busy, and they didn't think that an additional 30 pupils would make much difference but agreed that there could be some impact. Pupils were of the view that the existing Specialist Resource Base was in the wrong place meaning they lost access to some important school resources.
85. The current Specialist Resource Base pupils supported the establishment of an additional Resource Base at the school.
86. They felt positively about the opportunities and support they have at the school e.g., lessons, teachers and staff, work experience and agreed that this would be good to share with other pupils.
87. They would like to see new facilities for both Specialist Resource Bases including an outside area, a garden area, wildlife habitats, new classrooms to allow for more pupils, quiet areas/spaces, improved Wi-Fi and better IT to support extended pieces of work and a kitchen area. They would also like to see a welcome/café area like the one in the entrance of the main school, a sensory room and better toilet and changing facilities.
88. They said it would be good to have more pupils for sports teams e.g., rugby and more pupils to do activities with.

### **Response to the view expressed**

89. The Council welcomes the expressions of support for the establishment of the additional Specialist Resource Base provision at Ysgol Gyfun Gymraeg Glantaf.
90. It is however acknowledged that there are a number of concerns raised particularly in relation to the accommodation facilities, the potential for increased traffic and the availability of Welsh-medium additional learning needs provision.
91. Discussions are ongoing with the school regarding the provision of new build accommodation for the existing Specialist Resource Base provision at the school and the proposed additional Specialist Resource Base provision.

92. With the expected increase in demand for Learner Transport, the existing facilities for drop-off and pick-up will be reviewed to confirm they are suitable to accommodate the appropriate numbers of vehicles.
93. The wider development of Welsh-medium additional learning needs provision is being considered and proposals will be brought forward as part of the implementation of the Council's Welsh in Education Strategic Plan following agreement of the strategy by the Welsh Government and formal adoption.
94. A full appraisal of the views expressed can be seen at Appendix 7.

**Responses received to the consultation on the expansion of Complex Learning Needs and Autism Spectrum Condition provision for learners in primary and all-through (age 3-19) provision**

95. In total, 109 responses were received including 92 responses to the online survey, and a further 17 e-mail responses regarding the specific proposals consulted on.
96. Formal responses were received from:
  - Estyn
  - Governing Body of the Western Learning Federation
  - Ty Gwyn Special School Headteacher
  - Meadowbank Special School Governing Body
  - Meadowbank Special School Chair of Governors
  - Meadowbank Special School Staff
  - The Hollies Governing Body
  - Llanishen Fach Primary School Staff
  - Marlborough Primary School
  - Springwood Primary School Governing Body and Staff
  - Pentreban Primary School (a response from the school is being sought)
97. In addition to these responses, a further 16 responses were received during the consultation period, that did not comment directly on the proposals consulted on but commented on the need for an increase in additional learning needs provision overall, particularly in the Welsh-medium sector.
98. The response from Estyn sets out its view that the proposals are likely to at least maintain the standard of education provision in the area.
99. Full copies of the formal responses can be seen at Appendix 6.
100. The responses received overall expressed support for the proposals put forward to improve provision for children and young people with additional learning needs. Of the 91 respondents to the online survey who answered the question, 90.1% supported the proposed changes.

101. A recognition of the need to increase additional learning needs provision was common across all proposals. Concerns related to funding, accommodation, staff recruitment, professional development and retention, traffic and the need to develop Welsh-medium additional learning needs provision were also common across all proposals.
102. A summary of the responses received from all stakeholders, and appraisal of views expressed, can be seen at Appendix 7.
103. A summary analysis of the responses received are included in Appendix 8

### **Ty Gwyn Special School**

104. In total there were 85 responses including 80 online responses and 5 e-mail responses. Of the 80 online responses, 88.8% supported the proposal to increase the designated number of Ty Gwyn Special School from 198 to 240 places from September 2022.
105. Reasons for supporting the proposed change include:
  - Recognition of the need for increased additional learning needs provision.
  - Welcome the opportunity for more children to be able to access high quality provision at the school.
106. Whilst there was support for the proposal of increasing the number of places at Ty Gwyn Special School, there were a number of concerns related to:
  - The additional accommodation requirements arising out of proposed changes e.g., the need for sufficient breakout spaces to support behaviour management.
  - The requirement for a robust audit of current provision to provide clarity on demand and evidence for what support would be needed in the event of the increased pupil numbers.
  - Pupil funding and how the average pupil funding will be increased in order to meet the level of need.
  - The need to be able to invest in staff to ensure appropriate levels of training and support.
  - The need to ensure the level of Health provision is proportionate to the needs of pupils e.g., nursing, occupational therapist and physiotherapist provision.
  - The availability of out of term time play provision for pupils with a high level of need.
  - The need to maintain small class sizes to allow for staff to support pupils to develop and meet their full potential.
  - Traffic Management.



## **Ty Gwyn Special School Pupil representation**

107. Officers offered the opportunity to Ty Gwyn School to meet with pupil representatives during the consultation period, to discuss the proposals and gather their opinions. The school agreed that its staff would facilitate a session appropriate to the needs of its learners using communication aids and symbols and reported a majority support for the changes described.

## **Response to the view expressed**

108. The Council welcomes the expressions of support for the expansion of Ty Gwyn Special School.
109. It is however acknowledged that there are a number of concerns raised particularly in relation to the accommodation facilities, the requirement for an audit of existing provision, funding, staffing and health provision.
110. The Council continues to work with the Governing Body to ensure that suitable accommodation is provided for the increase in the number of pupils including the provision of additional classrooms, offices and Adult Services areas at the old Trelai Youth Centre.
111. An audit of current provision will be carried out with the school which will include consideration of class sizes. There are no plans to exceed the capacity beyond the current proposal. Admissions to the school by the Council would be phased, to support the sustainable growth of the school.
112. The Council will continue to monitor demand for additional learning needs and bring forward proposals as required.
113. The Council is continuing to work with the Governing Body and the Health Board to ensure there is an appropriate level of health provision available to meet the needs of pupils.
114. The availability of out of term time play provision is outside of the scope of the proposal consulted on and will be considered separately.
115. A full appraisal of the views expressed can be seen at Appendix 7.

## **Meadowbank Special School**

116. In total there were 85 responses including 82 online responses and 3 e-mail responses. Of the 82 online responses, 90.2% supported the proposal to increase the designated number of Meadowbank Special School from 40 to 98 places from September 2022.
117. Reasons for supporting the proposed change include:
- Recognition of the need for increased additional learning needs provision.

118. Whilst there was support for the proposal to increase provision at Meadowbank Special School, there were a number of concerns related to:

- The need to phase the increase in pupil numbers to allow sufficient time for all the necessary planning around accommodation, staffing and maintaining the collaborative ethos of the school to be put in place.
- The need to ensure that there are sufficient resources available to support the proposed changes.
- The likelihood of additional places being needed beyond what is being proposed.
- Potential impact on existing class sizes; will the number of pupils in classes increase or will there be additional classes.
- Disappointment that the Early Years Outreach Provision had not been considered for expansion.
- The need for detailed projected planning and regular engagement with the school.
- The need to ensure the level of Health provision is proportionate to the needs of pupils e.g., onsite health professionals who can attend to the needs of pupils.

### **Meadowbank Special School Pupil representation**

119. Officers met virtually via Microsoft Teams with Years 4, 5 and 6 and a number of teachers at Meadowbank Special School to discuss the proposals and gather their opinions.

120. The points raised by the pupils included the following:

- Very happy, proposal is a good idea.
- Looking forward to making new friends.
- Want more children to play with.
- Desire for playground space, scooters, bikes, more friends, spider swing, slide, pool, retain existing trees on site.

121. The pupils had concerns relating to:

- Whether teachers will be able to take care of additional pupils.
- About getting on with new teachers.
- Lack of space for new pupils.
- Running out of pupils after year six pupils leave.
- Are there going to be more toilets?
- Where would new pupils go?
- How would new building be connected to current?
- How will new children be fed?
- Concerned about noise.
- Where will new children have lunch if current lunch hall is too small?
- How long will it take?
- More teachers are needed.

- Lack of space for parking.
- How food will be transported from new building to dinner hall.

### **Response to the views expressed**

122. The Council welcomes the expressions of support for the expansion of Meadowbank Special School.
123. It is however acknowledged that there are a number of concerns raised particularly in relation to the accommodation facilities, funding, health provision and transition arrangements.
124. If the proposal is agreed to proceed the Council would work with the Governing Body to ensure that suitable accommodation is provided for the increase in the number of pupils including detailed projected planning and regular engagement with the school.
125. The Council is continuing to work with the Governing Body and the Health Board to ensure there is an appropriate level of health provision available to meet the needs of pupils.
126. The Council is continuing to work with special schools to develop outreach provision with mainstream schools.
127. There are no plans to exceed the capacity of the school beyond the current proposal. Admissions to the school by the Council would be phased, to support the sustainable growth of the school. The Council will continue to monitor demand for additional learning needs and bring forward proposals as required.
128. The availability of out of term time play provision is outside of the scope of the proposal consulted on and will be considered separately.
129. With the expected increase in demand for Learner Transport, the site would be reviewed to ensure suitable and sufficient facilities for drop-off and pick-up are provided within the site to accommodate the appropriate numbers of vehicles and improvements made if necessary.
130. Options to be explored are likely to include modifications which may be require changes to the school access with additional parking restrictions opposite the entrance to provide unobstructed access.
131. The proposal may require a Transport Statement which would identify measures to be included to maximise travel by sustainable modes. The Active Travel Plan for the school would also identify actions by the school and also any improvements to on-site infrastructure required to support, encourage and facilitate active travel to school.
132. A full appraisal of the views expressed can be seen at Appendix 7.

## **The Hollies Special School**

133. In total there were 80 responses including 78 online responses and 2 e-mail responses. Of the 80 online responses, 91.1% supported the proposal to increase the designated number of The Hollies Special School from 98 to 150 (with a phased expansion to 119 places from September 2022 and a further expansion to 150 places from September 2023).
134. Reasons for supporting the proposed changes include:
- Recognition of the need for increased additional learning needs provision.
  - The proposal would help to address demand for specialist provision across the Local Authority and would provide the opportunity for access to a suitable and fit for purpose environment for both pupils and staff.
  - Improvements to modernise the school building are welcome and long overdue.
135. Whilst there was support for the proposal to increase provision at The Hollies Special School, there were a number of concerns related to:
- The potential impact on existing pupils e.g., space, shared resources, staffing.
  - The school was set up for 80 pupils but currently has 117 children on roll and investment in the facilities is needed before any further pupils are admitted.
  - There is a need for a strategic and planned approach to the proposed increase in pupil numbers which would need to be phased to allow time for improvements to the building and the recruitment of staff.
  - Safeguarding issues relating to the increase in traffic on the school site would need to be addressed.

## **The Hollies Special School Pupil representation**

136. The school facilitated the pupil consultation with several members of the School Council who discussed the proposed changes to the Hollies School regarding increasing the number of pupils to 150.
137. The pupils discussed the need for more and bigger classrooms as well as the need for more tables and chairs for the pupils. One pupil commented that the school would need more staff for the extra pupils.
138. They were asked if they had any questions about the changes. They asked if they could have more things to play with (share) outside for the extra pupils. They asked if it would mean more cars in the car park and whether the car park be larger.
139. Overall, they thought it was a good idea. They said that they would have more friends to play with but also said that this could mean that the school would be more noisy and busy with extra pupils.

## **Response to the views expressed**

140. The Council welcomes the expressions of support for the expansion of The Hollies Special School.
141. It is however acknowledged that there are a number of concerns raised particularly in relation to the potential impact on existing pupils and staff, accommodation facilities, future capacity and traffic management.
142. If the proposal is agreed to proceed the Council would work with the Governing Body to ensure that suitable accommodation is provided for the increase in the number of pupils. The school would benefit from new and improved facilities which would offset any potential impacts on pupils and staff.
143. There are no plans to exceed the capacity beyond the current proposal. Admissions to the school by the Council would be phased, to support the sustainable growth of the school in the accommodation available. The Council will continue to monitor demand for additional learning needs and bring forward proposals as required.
144. With the expected increase in demand for Learner Transport, the site would be reviewed to ensure suitable and sufficient facilities for drop-off and pick-up are provided within the site to accommodate the appropriate numbers of vehicles and improvements made if necessary.
145. Options to be considered include modifications to the school access and a re-arranged layout to accommodate increasing numbers and also address any safeguarding concerns.
146. A full appraisal of the views expressed can be seen at Appendix 7.

## **Llanishen Fach Primary School**

147. In total there were 79 responses including 78 online responses and one e-mail response. Of the 79 online responses, 91% supported the proposal to increase the designated number of the Llanishen Fach Primary School Specialist Resource Base from 20 to 30 places from September 2023.
148. Reasons for supporting the proposed changes include:
  - Recognition of the need for increased additional learning needs provision.
  - The specialist resource provision at the school benefits all learners and the school would welcome more children being able to access the provision.
  - Opportunity to build upon and improve existing provision and further develop the inclusive nature of the school.

149. Whilst there was support for the proposal to increase provision at Llanishen Fach Primary School, there were a number of concerns related to:
- The need for appropriate facilities to accommodate the resource base provision.
  - The need to minimise any disruption to education particularly within the context of the ongoing circumstances related to Covid-19.
  - The likelihood of additional places being needed beyond what is being proposed.
  - There needs to be more options available for additional learning needs education e.g., EOTAS, self-directed learning, forest school.

### **Llanishen Fach Primary School Pupil representation**

150. Officers met virtually with pupil representatives from Llanishen Fach Primary School to discuss the proposals and gather their opinions.
151. The pupils were supportive of the Specialist Resource Base provision being expanded and thought it was a good idea for more children to have the opportunity to come to the school.
152. The points raised by the pupils related to the accommodation (internal and external) for the Specialist Resource Base, arrangement in the dinner hall, toilet provision and the impact on the school while building work is happening.

### **Response to the views expressed**

153. The Council welcomes the expressions of support for the expansion of the Specialist Resource Base provision at Llanishen Fach Primary School.
154. It is however acknowledged that there are a number of concerns raised particularly in relation to accommodation facilities, potential disruption, and future capacity and the types of provision available.
155. If the proposal is agreed to proceed the Council would work with the Governing Body to ensure that suitable accommodation is provided for the increase in the number of pupils.
156. The Council has extensive experience of progressing construction work on occupied school sites and will work closely with the school to minimise any impacts during the construction phase.
157. There are currently no plans to exceed the capacity beyond the current proposal. The Council will continue to monitor demand for additional learning needs and bring forward proposals as required.
158. A full appraisal of the views expressed can be seen at Appendix 7.

## **Marlborough Primary School**

159. In total there were 78 responses including 77 online responses and one e-mail response. Of the 77 online responses, 90.9% supported the proposal to increase the designated number of the Marlborough Primary School Specialist Resource Base from 20 to 30 places from September 2022.
160. The school declined the opportunity for officers to meet with the Governing Body, staff and pupils.
161. In the absence of the Headteacher, the Deputy Headteacher advised on behalf of the Governing Body and School that the school are very happy with the work that has already been completed at Marlborough and feel that there is no need for consultation as the building work is complete and the children are already able to attend.
162. There were no further comments made.

## **Response to the views expressed**

163. The Council welcomes the Marlborough Primary School response.

## **Pentrebane Primary School**

164. In total there were 77 responses including 77 online responses. Of the 77 online responses, 89.6% supported the proposal to increase the designated number of the of the Pentrebane Primary School Specialist Resource Base from 20 to 24 places from September 2022.
165. The school declined the opportunity for officers to meet with the Governing Body and staff.
166. Reasons for supporting the proposed changes include:
- Recognition of the need for increased additional learning needs provision.
167. Whilst there was support for the proposal to increase provision at Pentrebane Primary School, there were a number of concerns related to:
- Inadequate space for children already at the school and the Specialist Resource Base. The existing facilities need to be improved.
  - A need to develop further provision at other schools e.g., autism provision.

## **Pentrebane Primary School Pupil representation**

168. Officers arranged with Pentrebane Primary School to meet with pupil representatives from the school during the consultation period to discuss

the proposals and gather their opinions. However, due to staffing issues arising from Covid-19, the school postponed the sessions arranged and was unable to facilitate a session in-person or online during the consultation period.

### **Response to the views expressed**

169. The Council welcomes the expressions of support for the expansion of the Specialist Resource Base provision at Pentrebane Primary School.
170. It is however acknowledged that there are a number of concerns raised particularly in relation to accommodation facilities for additional provision at the school.
171. If the proposal is agreed to proceed the Council would work with the Governing Body to ensure that suitable accommodation is provided for the increase in the number of pupils.
172. The Council will continue to monitor demand for additional learning needs and bring forward proposals as required.
173. A full appraisal of the views expressed can be seen at Appendix 7.

### **Springwood Primary School**

174. In total there were 77 responses including 76 online responses and one e-mail response. Of the 76 online responses, 90.8% supported the proposal to increase the capacity of the Springwood Primary School Specialist Resource Base from 20 to 28 places from September 2022.
175. Reasons for supporting the proposed changes include:
  - Recognition of the need for increased additional learning needs provision and welcome the proposal.
  - The proposal fits with the school ethos of supporting all children.
  - Welcome further funding to improve the Specialist Resource Base accommodation (internal and external) which will allow the school to provide the best environment for the children to learn and thrive.

### **Springwood Primary School Pupil representation**

176. Officers met virtually with a group of pupils at Springwood Primary School to discuss the proposals and gather their opinions.
177. The points raised by the pupils included querying where new pupils would be accommodated, whether more staff would be required, whether another classroom would be required and whether there will be enough places.



## **Response to views expressed**

178. The Council welcomes the expressions of support for the expansion of the Specialist Resource Base provision at Springwood Primary School.
179. A full appraisal of the views expressed can be seen at Appendix 7.

## **Formal responses received during the consultation regarding Additional Learning Needs Provision**

180. In addition to the responses received regarding the individual proposals consulted on, formal responses regarding the overall provision for children and young adults with additional learning needs were received from:
- Ysgol Glan Morfa Headteacher and Governing Body
  - Ysgol Melin Gruffydd Governing Body
  - Ysgol Glan Ceubal Governing Body
  - Ysgol Pencae Governing Body
  - Ysgol Pwll Coch Governing Body
  - Ysgol y Berllan Deg Governing Body
  - Ysgol Gwaeold y Garth Governing Body
  - Ysgol Nant Caerau Governing Body
  - Ysgol Pen y Gores Governing Body
  - Creigiau Primary School Governing Body
  - Ysgol Mynydd Bychan Governing Body
  - Ysgol Treganna Governing Body
  - Ysgol Coed y Gof Governing Body
  - Ysgol Gyfun Gymraeg Plasmawr School and Governing Body
  - Cardiff Governors Association
  - Merched y Wawr
181. The responses from the Welsh-medium schools contained largely consistent content and are summarised below.
182. Schools acknowledge and welcome the proposals to increase capacity for the English-medium sector and fully support the provision for the most vulnerable pupils in our communities. However, there was a strong feeling that there is a lack of additional learning needs provision within the Welsh-medium sector and a disappointment that more changes were not proposed as part of this consultation.
183. Furthermore, the view was expressed that this consultation contradicts the recent WESP consultation which noted the Council's ambition to open three specialist units in Welsh-medium schools in the Primary sector and a further three Specialist Resource Bases in the Secondary sector
184. Concerns were outlined that by limiting the investment to one sector it encourages families to transfer ALN pupils to leave the Welsh-medium sector and move to English-medium schools where the investment and resources are currently viewed as being superior and better able to meet more complex or higher levels of need.

185. Investment is needed within the Welsh-medium sector in order to ensure parity of provision and full inclusion within Welsh-medium schools.
186. The documentation recognises a clear growing need within the English-medium sector but not in the Welsh-medium with concerns expressed as to whether the research been sufficient to accurately reflect need presenting in Welsh-medium schools.
187. Concerns were also expressed that there is a lack of clear provision in terms of emotional health and well-being and behavior within the Welsh-medium sector for pupils at Stage 4-5 (who have needs beyond mainstream provision) along with a lack of space to establish nurture/wellbeing classes.
188. There was consistent view across the majority of the responses submitted by the Welsh-medium schools that there is a definite need for a greater number of Welsh-medium ALN places and that this is rising. In order to respond to this effectively there was a call for strategic and holistic planning which puts the children and families at the heart of all that we do consistent with our collective commitment to the UNCRC and FGWBA with other corporate goals such as One Planet Cardiff, Cardiff 2030 and Child Friendly City status.

### **Response to views expressed**

189. The Council welcomes the expressions of support for the expansion of additional learning needs provision for children and young people city wide.
190. Following engagement sessions with members of Cardiff's Welsh Education Forum in summer 2021, the Council formally consulted on its draft Welsh in Education Strategic Plan (WESP) 2022-2032 between 15 October 2021 and 13 December 2021.
191. Links to the plan (including the full draft WESP, the easy read summary version and the Trajectory for Growth) and survey webpage were circulated to statutory stakeholders including Cardiff schools and Cardiff's Welsh Education Forum member organisations.
192. The draft WESP sets out the strategy for the development of Welsh-medium additional learning needs provision and proposals would be brought forward as part of the implementation of the Council's Welsh in Education Strategic Plan following agreement of the strategy by the Welsh Government and formal adoption by the Council later in 2022.
193. The ongoing development of additional learning needs provision including new and existing provision will be kept under review to ensure proposals are brought forward in a strategic and holistic way that takes into account

the needs of all of our learners and provides parity in the Welsh-medium sector as new places are delivered throughout the proposed WESP.

194. A full appraisal of the views expressed can be seen at Appendix 7.

### **Health provision**

195. The proposals to expand specialist provision at the above school sites will have implications for health and other specialist services, working in partnership with schools to meet Additional Learning Needs. An additional factor is the ALN Reform Act 2018, which will introduce new responsibilities for health, education and social care to work together to coordinate assessment and provision. The Act 2018 will be implemented over a three-year period, beginning in September 2021.
196. In order to address these challenges together, the Local Authority and Cardiff and the Vale University Health Board are undertaking a joint review of health and specialist provision in Cardiff special schools and pupil referral units. The findings of the review, overseen by a project group of representatives from health, education, social services, schools, and parents, will inform the design of the specialist provision.

### **Admissions Arrangements**

197. The Council would manage admissions to each of the special schools and Specialist Resource Bases in accordance with the ALN Code.

### **Learner Travel Arrangements**

198. There are no plans to change the Council's transport policy for school children.
199. Any pupils affected by the proposals would be offered the same support with transport as is provided throughout Cardiff in line with the same criteria that apply across Cardiff.
200. The Council's transport policy for school children can be viewed on the Council's website [www.cardiff.gov.uk/schooltransport](http://www.cardiff.gov.uk/schooltransport).
201. Any increase in demand for Learner Transport will require funding. Whilst the per pupil cost of school transport is likely to decrease further modelling is required to establish whether the overall transport costs are likely to increase or decrease.

### **Community Impact**

202. The following are taken into account when considering a proposal: Public Open Space, parkland, noise and traffic congestion. Officers will work with

schools, local members and any community group to make sure that the proposal avoids negative impacts if possible.

### **Local Member consultation**

203. Additional learning needs provision is city-wide, and members were consulted as part of the public consultation.

### **Scrutiny Consideration**

204. The Children and Young People's Scrutiny Committee will consider this report on 8 March 2022. Any comments received will be circulated at the Cabinet meeting.

### **Reasons for Recommendations**

205. To meet increasing demand for special school places for primary, secondary and post-16 age learners with Complex Learning Needs and Autism Spectrum Condition.

### **Financial Implications**

206. This report outlines the request to proceed to public consultation on changes to ALN provision and school's intake within the 11 schools identified. Publication of the recommended proposals does not, in itself commit the Authority to future expenditure so there are no capital financial implications directly arising from this report. However, once a final options paper is provided it will be necessary for a full financial evaluation to be undertaken. This evaluation will consider both capital and revenue implications for both the totality and each individual proposal. The aim of this will be to provide assurance that having considered all relevant costs each proposal remains both affordable and does not have an impact on the budgetary pressures facing the Council.
207. Additional places will need to be funded from the existing delegated school's budget. Previous pre consultation reports have highlighted the high-cost provision currently being incurred for this population of pupils either through Out of County Placements or enhanced Complex Needs Enhancement (CNE) payments for mainstream pupils. Further work is required to establish whether or not the savings on Out of County Placements or enhanced CNE payments will cover the additional costs of additional places and any associated transport costs.
208. Regarding revenue, there will need to be a review of the budget for each SRB or Special School which has an increase in the number of places. The due diligence undertaken must provide assurance that the additional places will be taken up and that the cost and numbers of Out of County Placements and CNE enhancements will reduce in order to ensure no significant pressure ongoing on school budgets. Over the medium term, regular review and analysis needs to be undertaken comparing the

projected number of places available to places taken up. This will ensure that the optimum benefits are achieved by the financial resources used.

209. The proposal for a better spread of provision at special schools and SRBs across the city means that the transport cost per individual learner is likely to decrease. However, as noted in both the body of the report and the Transportation implications there is need for further work in order to establish the full impact on transport costs both in the short term and the medium term. The decision maker needs to consider the likelihood that savings on individual placements and a more effective management of Out of County Placements will be able to cover the additional cost of transporting the increased SRB places. The covering report sets out that the number of places will incrementally grow over the next four years and further work is required to establish the cost / saving for each financial year. For 2022/23, there is a risk that overall spend on home to school transport, Out of County provision and enhanced CNE payments for children and young people with ALN would increase in September 22, but this pressure can be managed within school delegated budgets. However, the need to ensure robust modelling is in place to ensure that any further pressures are identified and understood prior to implementation and are robustly modelled and factored into medium-term planning is of paramount importance.

210. Regarding capital implications, any further work required to accommodate increased pupil numbers will require full financial evaluation and an identified funding source. Should the Council be required to make a contribution towards these costs, these will need to be funded from within existing approved resources or factored into future iterations of the Council's Capital Programme. As part of the further evaluation that is required, it will be necessary to consider VAT implications arising from land and property ownership arrangements in relation to Voluntary Aided and Foundation schools. Should there be any cost associated with the required VAT treatment, these will need to be included within the overall financial envelope of the scheme.

211. The Moorland Early Years Unit is to be funded from WG Flying start grant of £1.3m, with remainder to be funded from the Education Asset Renewal budget. In order to ensure sufficient budget, there will be a need to prioritise this scheme within the current asset renewal programme, with additional funding to be made available through the invest to save allocation of the schools capital budget.

### **Legal Implications**

212. Under the Education Act 1996, the Council has a general statutory obligation to promote high standards of education and to provide sufficient school places for pupils of compulsory school age, including appropriate provision for pupils with special educational needs (or additional learning needs).

213. A Local Authority can make school organisation proposals, including making 'regulated alterations' to a community school or a community

special school, under sections 42-44 of the Schools Standards and Organisation (Wales) Act 2013. The proposals set out in the report constitute 'regulated alterations' and must be considered having regard to the provisions of the 2013 Act and the School Organisation Code 2018, which sets out factors to be considered in respect of different proposals, the statutory procedures, legal requirements and guidance.

214. Where an increase in a school's capacity is proposed, the Council must have regard to evidence of current or future need/demand in the area for additional places, with reference to the school's language category (and religious character / gender intake if applicable). The Code also includes specific factors to be considered in relation to proposals for the reorganisation of provision for Special Educational Needs (or Additional Learning Needs). Cabinet will need to be satisfied that all relevant factors are properly considered in relation to the proposals.
215. The Council is required, prior to publishing its proposals, to undertake a consultation on its proposals in accordance with section 48 of that Act and the School Organisation Code 2018. Following the public consultation, the Council is required to publish and circulate to all interested parties (listed in the Code) a consultation report:
  - (i) summarising each of the issues raised by the consultees.
  - (ii) responding to these by means of clarification, amendment to the proposal or rejection of the concerns with supporting reasons;
  - (iii) setting out Estyn's response to the consultation in full; and
  - (iv) responding to Estyn's response by means of clarification, amendment to the proposal, or rejection of the concerns, with supporting reasons.
216. The consultation report may also make recommendations to the Cabinet about how to proceed, i.e., to publish the proposals as consultation on with any appropriate modifications, to abandon the proposals and retain the status quo or to significantly recast the proposals and re-consult.
217. This Cabinet report, together with the appendices constitutes the required consultation report; and seeks the Cabinet's approval to proceed to publish all proposals relating to Autism Spectrum Disorders and/or Complex Learning Needs referenced in the July and October 2021 Cabinet reports. Some modifications are recommended to the implementation dates of proposals at Moorlands Primary School and Willows High School.
218. In considering this matter, the Cabinet is required to review the proposals having regard to all further relevant information put forward during the consultation period (and otherwise). The recommendations relating to the Marion Centre and the Specialise Resource Base at Whitchurch High School are not within Cabinet's remit to determine but should be noted as part of the wider proposals.

## Land Matters

219. It is anticipated that if the proposals proceed, the Council will need to undertake due diligence on potential site constraints and subject to that, additional decisions may be required to deal with specific property, planning or procurement issues arising from this matter.

## Statutory Determination Process and Other Considerations

220. If the Cabinet decides to proceed, the proposals must be published within 26 weeks from the end of the consultation period (unless an extension of time is obtained from the Welsh Ministers). Proposals must be published by way of a statutory notice, allowing a minimum of 28 days for objections ('the Objection Period'). The content of the statutory notice, manner of publication and persons to be notified are prescribed in the Code.
221. Within 16 weeks from the end of the Objection Period, the Council must conscientiously consider any objections received and determine whether or not to implement its proposals (under section 53 of the 2013 Act). Members will note that the recommendation is for Cabinet to receive a further report at that stage.
222. If any objections are received during the Objection Period, the Council is required to publish an Objections Report summarising all objections made (and not withdrawn) and its response to those objections. The Objections Report must be published within 7 days from the date of the Council's determination of the proposals and made available to the interested parties listed in the Code. At the same time as publishing the Objections Report, the Council must also notify its decision to the Welsh Ministers, the school Governing Body and all interested parties listed in the Code.
223. If the proposals are taken forward, the admission arrangements, including admission numbers and catchment areas, will need to be determined, following consultation, in accordance with the School Admission Code and the Education (Determination of Admission Arrangements) (Wales) Regulations 2006.
224. In considering the proposals, the Council must have regard to its public sector equality duties under the Equality Act 2010 (including specific Welsh public sector duties). Pursuant to these legal duties, Councils must in making decisions have due regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of protected characteristics. The Protected characteristics are: age, gender reassignment, sex, race – including ethnic or national origin, colour or nationality, disability, pregnancy and maternity, marriage and civil partnership, sexual orientation, religion or belief – including lack of belief.
225. When taking strategic decisions, the Council also has a statutory duty to have due regard to the need to reduce inequalities of outcome resulting from socio-economic disadvantage ('the Socio-Economic Duty' imposed under section 1 of the Equality Act 2010). In considering this, the Council

must take into account the statutory guidance issued by the Welsh Ministers and must be able to demonstrate how it has discharged its duty.

226. Due regard and consideration should be given to the outcomes of the Equalities Impact Assessment.
227. The Council must also be mindful of the Welsh Language (Wales) Measure 2011 and the Welsh Language Standards and consider the impact of its proposals upon the Welsh language.
228. The Well-being of Future Generations (Wales) Act 2015 requires the Council to consider how the proposals will contribute towards meeting its wellbeing objectives (set out in the Corporate Plan). Members must also be satisfied that the proposals comply with the sustainable development principle, which requires that the needs of the present are met without compromising the ability of future generations to meet their own needs.
229. The decision makers must be satisfied that the proposals fall within the Council's approved policy and budget framework.

### **HR Implications**

#### **HR implications relevant to the proposals for the establishment of Specialist Resource Base provision**

230. The implications below apply to the proposals to establish Specialist Resource Base provision at Moorland Primary School, Willows High School and Ysgol Gyfun Gymraeg Glantaf.
231. HR People Services will work with the Governing Body to address the HR implications arising from the establishment of a Specialist Resource Base at the school and the resulting need for additional staffing.
232. Where the Governing Body has adopted the Council's School Redeployment and Redundancy Policy, any new vacancies arising as a consequence of the establishment of the Specialist Resource Base will provide opportunities for school-based staff on the school redeployment register.

#### **HR implications relevant to the proposals for the expansion of existing Specialist School Provision**

233. The implications below apply to the proposals to increase the capacity of Ty Gwyn Special School, Meadowbank Special School and The Hollies Special School.
234. The proposed increase in pupil numbers for the school will require the Governing Body to plan for the workforce requirements in readiness for the expansion. The Governing Body will be encouraged to undertake this work in line with the School Organisation Planning HR Framework. HR People Services will provide advice, support and guidance to the



Governing Body for the workforce planning and consequential recruitment processes.

235. Where the Governing Body has adopted the Council's School Redeployment and Redundancy Policy, any new vacancies arising as a consequence of an increase in the numbers on roll will provide opportunities for school-based staff on the school redeployment register.

#### HR implications relevant to the proposals for the expansion of existing Specialist Resource Base provision

236. The implications below apply to the proposals to increase the capacity of the Specialist Resource Bases at Llanishen High School, Llanishen Fach Primary School, Marlborough Primary School, Pentreban Primary School and Springwood Primary School.
237. HR People Services will work with the Governing Body to address the HR implications arising from the increase in the designated number of the Autism Spectrum Condition Specialist Resource Base at the school and the resulting need for additional staffing.
238. Where the Governing Body has adopted the Council's School Redeployment and Redundancy Policy, any new vacancies arising as a consequence of the increase in the designated number of the Autism Spectrum Condition Specialist Resource Base will provide opportunities for school-based staff on the school redeployment.

#### Property Implications

239. Strategic Estates continue to work with and support Education colleagues through the asset management process and any property matters relating and arising from proposals. There are numerous options in this paper which will in time require input as and when the consultation period completes, and we move towards business cases.

#### Traffic and Transport Implications

240. The Council's Local Development Plan (2006-2026) includes a target of 50% of all journeys to be made by sustainable transport. Minimising the proportion of school journeys made by car and maximising opportunities for travel to school by active and sustainable modes can make an important contribution to achieving this target and reducing pressures on the transport network at peak times.
241. The individual needs of pupils at special schools and SRBs, together with greater distances travelled, necessarily limit the scope for high rates of active travel compared with mainstream schools.
242. The Council applies the statutory qualifying walking distance criteria for pupils to qualify for free home to school transport to special schools and SRBs. Additionally, some learners who live within two / three miles of the

school may be provided with free transport due to their individual learning needs and social issues.

243. The proposal for a better spread of provision at special schools and SRBs across the city means that the transport cost per individual learner is likely to decrease. However due to the increasing numbers of eligible learners there is still expected to be a risk of high transport costs. Further modelling is required to establish whether the demand on the school transport budget is likely to increase or decrease.
244. The existing high numbers of pupils eligible for Learner Transport are not generally expected to change significantly, however a proportion are able to, and may already, travel to school independently. These pupils as well as staff and school visitors would benefit from any required improvements in facilities for active travel to school or public transport facilities.
245. Each of the various school proposals to establish, expand or change designation of ALN facilities may require a Transport Assessment or Transport Statement which will identify measures to be included as part of the application to maximise travel by sustainable modes.
246. Responses to views expressed in the consultation have been set out above under the individual schools and SRBs to address specific concerns raised or to provide details of potential measures to be provided at specific sites.
247. The Council's current Corporate Plan includes a commitment to every school in Cardiff developing an Active Travel Plan. Such a plan will identify actions by the school to support and encourage active travel to school and also any improvements to on-site and off-site infrastructure required to facilitate active journeys.
248. Increasing travel to school by active modes will have a positive impact on children's health and wellbeing and will support the delivery of key actions and outcomes under Goal 5 the Council's Child Friendly City Strategy (2018), which relates to ensuring access to safe outdoor environments for formal and informal play, walking, cycling and scooting and active travel to school.
249. A number of initiatives have successfully demonstrated support and encouragement for active and sustainable travel amongst the ALN cohort, including Independent Travel Training for older pupils, cycle maintenance and cycle training.
250. Some pupils are able to travel independently or with parent/carers and if resident within the two-mile qualifying distance may not be eligible for Learner Transport.
251. Provision of recommended improvements for active travel would benefit these pupils as well as staff and visitors to the sites.

252. Numbers of pupils who continue to use Learner Transport for their journey to school will be likely to increase in line with the trend for increasing numbers of pupils requiring places at special schools or SRBs. Each school location with increased demand for Learner Transport vehicles will require suitable improved and / or expanded facilities for drop-off and pick-up within the site. The areas required would need to accommodate appropriate numbers of vehicles which may approximate to one taxi for a typical average of 3 pupils. In some cases, minibuses may be suitable, but this is also dependent on individual pupil needs, home locations and co-ordination of routes.
253. Car parking provision would be in line with the Council's parking standards. Allocations for special schools and SRBs are agreed on a case-by-case basis but requirements are expected to generally correlate with 1 car space per typical number of pupils in a class. This is in line with the standard 1 space per 30 pupils in mainstream schools, but results in a higher ratio of spaces due to the much smaller class sizes.

### **Impact of the proposals on the Welsh Language**

254. The Council is committed to developing a Bilingual Cardiff.
255. Cardiff's Welsh in Education Strategic Plan (WESP) 2022-2031 sets out a series of ambitious commitments to build on the progress achieved to date. These will ensure that every child in the city can receive an education in the language of Welsh, the number receiving their education in Welsh-medium schools will increase, and through the significant use of Welsh in English medium education all will have the opportunity to become confident in speaking Welsh.
256. The level of special educational needs/ additional learning needs in the Welsh-medium sector has historically been lower than in the English medium sector. This has however been changing over the last 4-5 years, with schools reporting an increased incidence of additional learning needs, in all areas of need.
257. A review of additional learning needs in the Welsh-medium sector was undertaken with Welsh medium schools in 2016 to inform the Welsh in Education Strategic Plan (WESP). Schools reported a small but significant number of examples of pupils with additional learning needs leaving the Welsh-medium sector in order to access Specialist Resource Bases or special schools.
258. There was also some anecdotal evidence to suggest that some families who would otherwise choose Welsh-medium education opt instead for English medium if their child has additional learning needs, through concern that their child may need to transfer to the specialist sector at a later date.
259. Through the WESP, Cardiff has invested in specialist provision in the sector, including some capacity to respond to growing demand and to

generate more confidence in the availability of specialist provision in the sector.

260. A new primary base was established at Ysgol Gymraeg Pwll Coch, within the catchment area of Ysgol Gyfun Gymraeg Glantaf, where the secondary base is established. The two bases cater for learners with severe learning difficulties, providing a specialist curriculum and supporting a range of secondary needs including physical and medical needs, speech and language difficulties and autism.
261. As the Welsh sector continues to grow it will be important to develop additional provision in anticipation of the need, to ensure Welsh-medium education is a genuine choice for learners with complex additional learning needs.
262. Following engagement sessions with members of Cardiff's Welsh Education Forum in summer 2021, the Council formally consulted on its draft Welsh in Education Strategic Plan (WESP) 2022-2032 between 15 October 2021 and 13 December 2021.
263. Links to the plan (including the full draft WESP, the easy read summary version and the Trajectory for Growth) and survey webpage were circulated to statutory stakeholders including Cardiff schools and Cardiff's Welsh Education Forum member organisations.
264. The draft WESP sets out the strategy for the development of Welsh-medium additional learning needs provision and proposals would be brought forward as part of the implementation of the Council's Welsh in Education Strategic Plan following agreement of the strategy by the Welsh Government and formal adoption by the Council later in 2022.
265. The Cabinet approved Cardiff's WESP 2022-2031 at its meeting of 24 February 2022, for submission to the Welsh Government Ministers.
266. The ongoing development of additional learning needs provision including new and existing provision will be kept under review to ensure proposals are brought forward in a strategic and holistic way that takes into account the needs of all of our learners and reflects the additionality required to ensure parity in the Welsh-medium sector as new places are delivered throughout the proposed WESP.

### **Wellbeing of Future Generations**

267. In line with the Well-being of Future Generations Act Cardiff's School Organisation Programme is committed to providing Local Schools for Local Children, together with encouraging use of sustainable modes to travel to schools, such as walking and cycling. Each school project takes into account key transport issues when they are being designed and the firm need to provide safer routes to encourage walking, cycling and other active travel modes to schools.

268. With the current investments in ICT across the city, student movements may be further reduced as mobile technology develops further allowing for flexible teaching methods. These have the potential to result in a more efficient Travel Plan and further contribute to the Council's targets to reduce its carbon emissions.
269. In order to maximise the long-term impact of this significant investment, any design taken forward for each school included in this proposal would be developed to ensure the delivery of high-quality modern facilities that are able to respond to the current pupil populations needs and support the delivery of effective teaching and learning methods. They would also incorporate the flexibility to take account of changes depending on need as time progresses; such as changing demographics and pupil numbers, changing curriculum and changing types of pupil needs.

### **Equality Impact Assessment**

270. An Equality Impact Assessment has been carried out. It concluded that the proposed changes would not negatively affect a particular group in society.
271. The Equality Impact Assessment is attached at Appendix 9.

### **RECOMMENDATIONS**

The Cabinet is recommended to

1. authorise officers to proceed to publish proposals in accordance with section 48 of The School Standards and Organisation (Wales) Act 2013 to:
  - establish a 20 place Specialist Resource Base for primary aged children with Complex Learning Needs at Moorland Primary School from September 2023
  - establish a 30 place Specialist Resource Base for learners with complex learning needs at Willows High School from September 2023
  - increase the designated number at the Llanishen High School Specialist Resource Base for learners with Autism Spectrum Condition from 20 to 45 places from September 2022
  - establish a 30 place Specialist Resource Base at Ysgol Gyfun Gymraeg Glantaf alongside the existing 30 place Specialist Resource Base for learners with Autism Spectrum Condition from September 2023
  - increase the designated number of Ty Gwyn Special School from 198 to 240 from September 2022

- increase the designated number of Meadowbank Special School from 40 to 98 from September 2022
  - increase the designated number of The Hollies Special School from 90 to 119 from September 2022; further increase the designated number of The Hollies Special School from 119 to 150 from September 2023
  - increase the designated number at the Specialist Resource Base at Llanishen Fach Primary School for learners with complex learning needs from 20 to 30 places from September 2023
  - increase the designated number at the Specialist Resource Base at Marlborough Primary School for learners with severe and complex learning needs from 20 to 30 from September 2022
  - increase the designated number at the Specialist Resource Base at Pentreban Primary School for learners with Autism Spectrum Condition from 20 to 24 spaces from September 2022
  - increase the designated number at the Specialist Resource Base at Springwood Primary School for learners with Autism Spectrum Condition from 20 to 28 from September 2022
2. Note that prior to implementation of the proposals a further report will be provided to Cabinet providing details of any objections received, the proposed responses to those objections and recommendations for implementation or otherwise of the proposals.

<b>SENIOR RESPONSIBLE OFFICER</b>	<b>Melanie Godfrey</b> Director of Education & Lifelong Learning
	4 March 2022

*The following appendices are attached:*

- Appendix 1 – Consultation Documents
- Appendix 2 – Summary Documents
- Appendix 3 – Notes of meetings with Governing Bodies and School Staff
- Appendix 4 – Notes of pupil engagement meetings
- Appendix 5 – Notes of public meetings
- Appendix 6 – Formal responses received
- Appendix 7 – Summary of responses received and appraisal of views
- Appendix 8 – Summary analysis of consultation responses
- Appendix 9 – Equality Impact Assessment

## CARDIFF COUNCIL

### SCHOOLS STANDARDS AND ORGANISATION (WALES) ACT 2013

Appendix 2

#### ADDITIONAL LEARNING NEEDS PROVISION

#### MOORLAND PRIMARY SCHOOL

**NOTICE IS HEREBY GIVEN** in accordance with Section 42 of the School Standards and Organisation (Wales) Act 2013 and the School Organisation Code, that Cardiff Council (herein after “the Authority”), having consulted such persons as appeared to them to be appropriate, propose to alter Moorland Primary School, 48 Singleton Road, Cardiff, CF24 2ET by:

- establishing a 20 place Specialist Resource Base at Moorland Primary School for primary aged children with Complex Learning Needs from September 2023

The school is currently maintained by Cardiff Council.

The Authority undertook a period of consultation before deciding to publish this proposal. A consultation report containing a summary of the issues raised by consultees and the Authority’s responses and the views of Estyn is available to view at:

[Agenda for Cabinet on Thursday, 10th March, 2022, 2.00 pm : City of Cardiff Council \(modern.gov.co.uk\)](http://modern.gov.co.uk)

The current school capacity is 420 places for children aged 4-11. There are 64 nursery places. The current number of pupils at the school is 386 (4 – 11) and 49 (nursery aged).

There are no plans to change the Council’s policy on the admission of children to schools as a result of this proposal.

Admissions to the specialist resource base would be managed by the local authority and be subject to a statement of Special Educational Needs (SEN) or Individual Development Plan (IDP) as appropriate.

Admissions to the specialist resource base would be separate to admissions to the main school and would be in addition to the school Published Admission Number (PAN).

Any arrangements for the transport of pupils will be made in accordance with the Authority’s existing policies on school transport.

Within a period of 28 days after the date of publication of these proposals, that is to say by 02 June 2022 any person may object to these proposals.

Objections should be sent to the Director of Education and Lifelong Learning, Cardiff Council, County Hall, Atlantic Wharf, Cardiff CF10 4UW.

Objections may also be sent to the Director of Education and Lifelong Learning, Cardiff Council using the following e-mail address: [SchoolResponses@cardiff.gov.uk](mailto:SchoolResponses@cardiff.gov.uk)

Please note that any such objection sent by e-mail must contain the full name and postal address of the objector.

The Authority will publish a summary of any such objections made (and not withdrawn in writing) within the objection period, together with their observations thereon, before the end of 7 days beginning with the day the proposal is determined.

Dated this 06 day of May 2022

Signed: Davina Fiore  
Director of Legal, Governance and Monitoring Officer  
For Cardiff Council

### EXPLANATORY NOTE

(This does not form part of the Notice but is intended to explain its general meanings)

Moorland Primary is an English-medium primary school located in Tremorfa.

To meet the demand for specialist provision for learners with additional learning needs it is proposed to establish a 20 place Specialist Resource Base for learners with complex learning needs at Moorland Primary School from September 2023.

The Council is progressing works to replace Early Years accommodation at Moorland Primary School and to locate Flying Start provision on the site.

The new building would accommodate the existing number of nursery class and Reception places.

Accommodation for the Specialist Resource Base would be provided as part of this planned work.

This proposal is part of a range of proposals for increasing the number of places available for pupils with complex learning needs and autism spectrum condition at a number of schools within the local authority. Details of these proposals and copies of the statutory notices can be seen at [Complex Learning Needs/Autism Spectrum Condition provision \(cardiff.gov.uk\)](http://Complex Learning Needs/Autism Spectrum Condition provision (cardiff.gov.uk))



## CARDIFF COUNCIL

### SCHOOLS STANDARDS AND ORGANISATION (WALES) ACT 2013

#### ADDITIONAL LEARNING NEEDS PROVISION

#### WILLOWS HIGH SCHOOL

**NOTICE IS HEREBY GIVEN** in accordance with Section 42 of the School Standards and Organisation (Wales) Act 2013 and the School Organisation Code, that Cardiff Council (herein after “the Authority”), having consulted such persons as appeared to them to be appropriate, propose to alter Willows High School, Willows Avenue, Tremorfa, CF24 2YE by:

- establishing a 30 place Specialist Resource Base (SRB) for learners with Complex Learning Needs at Willows High School

It is proposed to implement the proposal from September 2023.

The school is currently maintained by Cardiff Council.

The Authority undertook a period of consultation before deciding to publish this proposal. A consultation report containing a summary of the issues raised by consultees and the Authority’s responses and the views of Estyn is available to view at:

[Agenda for Cabinet on Thursday, 10th March, 2022, 2.00 pm : City of Cardiff Council \(modern.gov.co.uk\)](http://modern.gov.co.uk)

The current school capacity is 1121 places. The current number of pupils at the school is 709.

There are no plans to change the Council’s policy on the admission of children to schools as a result of this proposal.

Admissions to the specialist resource base would be managed by the local authority and be subject to a statement of Special Educational Needs (SEN) or Individual Development Plan (IDP) as appropriate.

Admissions to the specialist resource base would be separate to admissions to the main school and would be in addition to the school Published Admission Number (PAN).

Any arrangements for the transport of pupils will be made in accordance with the Authority’s existing policies on school transport.

Within a period of 28 days after the date of publication of these proposals, that is to say by 02 June 2022 any person may object to these proposals.

Objections should be sent to the Director of Education and Lifelong Learning, Cardiff Council, County Hall, Atlantic Wharf, Cardiff CF10 4UW.

Objections may also be sent to the Director of Education and Lifelong Learning, Cardiff Council using the following e-mail address: [SchoolResponses@cardiff.gov.uk](mailto:SchoolResponses@cardiff.gov.uk)

Please note that any such objection sent by e-mail must contain the full name and postal address of the objector.

The Authority will publish a summary of any such objections made (and not withdrawn in writing) within the objection period, together with their observations thereon, before the end of 7 days beginning with the day the proposal is determined.

Dated this 06 day of May 2022

Signed: Davina Fiore  
Director of Legal, Governance and Monitoring Officer  
For Cardiff Council

### EXPLANATORY NOTE

(This does not form part of the Notice but is intended to explain its general meanings)

Willows High School is an English-medium community high school located in Tremorfa.

To meet the demand for specialist provision for learners with additional learning needs it is proposed to establish a 30 place Specialist Resource Base for learners with complex learning needs at Willows High School from September 2023.

It is proposed that the new base would initially be accommodated within the existing buildings, with the necessary adaptations undertaken. Specialist accommodation would then be provided as part of the development of the new Willows High School.

This proposal is part of a range of proposals for increasing the number of places available for pupils with complex learning needs and autism spectrum condition at a number of schools within the local authority. Details of these proposals and copies of the statutory notices can be seen at [Complex Learning Needs/Autism Spectrum Condition provision \(cardiff.gov.uk\)](http://Complex Learning Needs/Autism Spectrum Condition provision (cardiff.gov.uk))

## CARDIFF COUNCIL

### SCHOOL STANDARDS AND ORGANISATION (WALES) ACT 2013

#### ADDITIONAL LEARNING NEEDS PROVISION

#### LLANISHEN HIGH SCHOOL

**NOTICE IS HEREBY GIVEN** in accordance with Section 42 of the School Standards and Organisation (Wales) Act 2013 and the School Organisation Code, that Cardiff Council (herein after “the Authority”), having consulted such persons as appeared to them to be appropriate, propose to alter Llanishen High School, Heol Hir, Llanishen, CF14 5YL by:

- Increasing the designated number of the Specialist Resource Base (SRB) for learners aged 11 – 19 with Autism Spectrum Condition at Llanishen High School from 20 to 45 places.

It is proposed to implement the proposal from September 2022.

The school is currently maintained by Cardiff Council.

The Authority undertook a period of consultation before deciding to publish this proposal. A consultation report containing a summary of the issues raised by consultees and the Authority’s responses and the views of Estyn is available to view at:

[Agenda for Cabinet on Thursday, 10th March, 2022, 2.00 pm : City of Cardiff Council \(modern.gov.co.uk\)](http://modern.gov.co.uk)

The current school capacity is 1800 places including sixth form. The current number of pupils at the school is 1450 (11-16) and 211 (sixth form).

There are 20 places at the Autism Spectrum Condition Specialist Resource Base. The current number of pupils at the specialist resource base is 45.

There are no plans to change the Council’s policy on the admission of children to schools as a result of these proposals.

Admissions to the specialist resource base are managed by the local authority and subject to a statement of Special Educational Needs (SEN) or Individual Development Plan (IDP) as appropriate.

Admissions to the specialist resource base would be separate to admission to the main school and would be in addition to the Published Admission Number (PAN).

Any arrangements for the transport of pupils will be made in accordance with the Authority’s existing policies on school transport.

Within a period of 28 days of the date of publication of these proposals, that is to say by 02 June 2022 any person may object to these proposals.

Objections should be sent to the Director of Education and Lifelong Learning, Cardiff Council, County Hall, Atlantic Wharf, Cardiff CF10 4UW.

Objections may also be sent to the Director of Education and Lifelong Learning, Cardiff Council using the following e-mail address: [SchoolResponses@cardiff.gov.uk](mailto:SchoolResponses@cardiff.gov.uk)

Please note that any such objection must contain the full name and postal address of the objector.

The Authority will publish a summary of any such objections made (and not withdrawn in writing) within the objection period, together with their observations thereon, before the end of 7 days beginning with the day the proposal is determined.

Dated this 06 day of May 2022

Signed: Davina Fiore  
Director of Legal, Governance and Monitoring Officer  
For Cardiff Council

### EXPLANATORY NOTE

(This does not form part of the Notice but is intended to explain its general meanings)

Llanishen High School is an English-medium community high school located in Llanishen.

The school hosts a specialist resource base designated for Autism Spectrum Condition and a specialist resource base for learners with a hearing impairment.

To meet demand for specialist resource base places for learners aged 11 - 19 with Autism Spectrum Condition it is proposed to increase the designated number of the specialist resource base for learners with Autism Spectrum Condition from 20 to 45 places from September 2022.

No changes are proposed to the school's specialist resource base for learners with a hearing impairment.

The number of pupils at the base is 45.

Interim works have been undertaken and further works would be necessary to improve and extend the current specialist resource base facilities and accommodation. Some of this work has already been undertaken in order that the

school, and the Council, can ensure sufficient places are available for children requiring the support of the base.

In addition to the proposed increase in designated places in the specialist resource base for learners with Autism Spectrum Condition at Llanishen High School, further places for pupils with complex learning needs and autism spectrum condition have been proposed for a number of schools within the local authority. Details of these proposals and copies of the statutory notices can be seen at [Complex Learning Needs/Autism Spectrum Condition provision \(cardiff.gov.uk\)](http://www.cardiff.gov.uk/Complex-Learning-Needs/Autism-Spectrum-Condition-provision)

## CARDIFF COUNCIL

### SCHOOLS STANDARDS AND ORGANISATION (WALES) ACT 2013

#### ADDITIONAL LEARNING NEEDS PROVISION

#### YSGOL GYFYN GYMRAEG GLANTAF

**NOTICE IS HEREBY GIVEN** in accordance with Section 42 of the School Standards and Organisation (Wales) Act 2013 and the School Organisation Code, that Cardiff Council (herein after “the Authority”), having consulted such persons as appeared to them to be appropriate, propose to alter Ysgol Gyfun Gymraeg Glantaf, Bridge Road, Llandaff North, Cardiff CF14 2JL by:

- establishing a 30 place Specialist Resource Base (SRB) for learners aged 11 -19 with Autism Spectrum Condition (ASC) at Ysgol Gyfun Gymraeg Glantaf

It is proposed to implement the proposal from September 2023.

The new base would be in addition to the existing 30 place Specialist Resource Base for learners with Complex Learning Needs.

The school is currently maintained by Cardiff Council.

The Authority undertook a period of consultation before deciding to publish this proposal. A consultation report containing a summary of the issues raised by consultees and the Authority’s responses and the views of Estyn is available to view at:

[Agenda for Cabinet on Thursday, 10th March, 2022, 2.00 pm : City of Cardiff Council \(moderngov.co.uk\)](https://www.moderngov.co.uk/agenda-for-cabinet-on-thursday-10th-march-2022-2.00-pm-city-of-cardiff-council)

The current school capacity is 1500 places including sixth form. The current number of pupils at the school is 1146 (11-16) and 270 (sixth form).

There are no plans to change the Council’s policy on the admission of children to schools as a result of this proposal.

Admissions to the specialist resource base would be managed by the local authority and be subject to a statement of Special Educational Needs (SEN) or Individual Development Plan (IDP) as appropriate.

Admissions to the specialist resource base would be separate to admissions to the main school and would be in addition to the school Published Admission Number (PAN).

Any arrangements for the transport of pupils will be made in accordance with the Authority’s existing policies on school transport.

Within a period of 28 days after the date of publication of these proposals, that is to say by 02 June 2022 any person may object to these proposals.

Objections should be sent to the Director of Education and Lifelong Learning, Cardiff Council, County Hall, Atlantic Wharf, Cardiff CF10 4UW.

Objections may also be sent to the Director of Education and Lifelong Learning, Cardiff Council using the following e-mail address: [SchoolResponses@cardiff.gov.uk](mailto:SchoolResponses@cardiff.gov.uk)

Please note that any such objection sent by e-mail must contain the full name and postal address of the objector.

The Authority will publish a summary of any such objections made (and not withdrawn in writing) within the objection period, together with their observations thereon, before the end of 7 days beginning with the day the proposal is determined.

Dated this 06 day of May 2022

Signed: Davina Fiore  
Director of Legal, Governance and Monitoring Officer  
For Cardiff Council

### EXPLANATORY NOTE

(This does not form part of the Notice but is intended to explain its general meanings)

Ysgol Gyfun Gymraeg Glantaf is a Welsh-medium community high school located in Llandaff North.

To meet the demand for specialist provision for learners with additional learning needs, it is proposed to establish a 30 place Specialist Resource Base for learners aged 11 - 19 with Autism Spectrum Condition at Ysgol Gyfun Gymraeg Glantaf alongside the existing 30 place Specialist Resource Base for learners with Complex Learning Needs from September 2023.

No changes are proposed to the school's Specialist Resource Base for learners with complex learning needs.

It is proposed that new accommodation would be developed on site to provide purpose-built facilities for both resource bases.

This proposal is part of a range of proposals for increasing the number of places available for pupils with complex learning needs and autism spectrum condition at a number of schools within the local authority. Details of these proposals and copies of the statutory notices can be seen at [Complex Learning Needs/Autism Spectrum Condition provision \(cardiff.gov.uk\)](#)

## CARDIFF COUNCIL

### SCHOOL STANDARDS AND ORGANISATION (WALES) ACT 2013

#### ADDITIONAL LEARNING NEEDS PROVISION

#### TY GWYN SPECIAL SCHOOL

**NOTICE IS HEREBY GIVEN** in accordance with Section 44 of the School Standards and Organisation (Wales) Act 2013 and the School Organisation Code, that Cardiff Council (herein after “the Authority”), having consulted such persons as appeared to them to be appropriate, propose to alter Ty Gwyn Special School, Vincent Road, Caerau, Cardiff, CF5 5AQ by:

- Increasing the designated number of Ty Gwyn Special School from 198 to 240.

It is proposed to implement the proposal from September 2022.

The school is currently maintained by Cardiff Council.

The Authority undertook a period of consultation before deciding to publish this proposal. A consultation report containing a summary of the issues raised by consultees and the Authority’s responses and the views of Estyn is available to view at:

[Agenda for Cabinet on Thursday, 10th March, 2022, 2.00 pm : City of Cardiff Council \(moderngov.co.uk\)](https://www.moderngov.co.uk/Agenda-for-Cabinet-on-Thursday-10th-March-2022-2.00-pm-City-of-Cardiff-Council)

The current pupil capacity of the school is 198 places. The current number of pupils at the school is 205.

The proposed capacity once the proposal is implemented will be 240.

The school will continue to provide places for learners with complex learning disabilities and autism spectrum condition (ASC) aged 3 – 19.

Children are taught in mixed age classes and the numbers per age group may vary however the overall number would not exceed 240.

There are no plans to change the Council’s policy on the admission of children to schools as a result of these proposals.

Admissions to the school are managed by the local authority and subject to a statement of Special Educational Needs (SEN) or Individual Development Plan (IDP) as appropriate.

Any arrangements for the transport of pupils will be made in accordance with the Authority’s existing policies on school transport.



Within a period of 28 days of the date of publication of these proposals, that is to say by 02 June 2022, any person may object to these proposals.

Objections should be sent to the Director of Education and Lifelong Learning, Cardiff Council, County Hall, Atlantic Wharf, Cardiff CF10 4UW.

Objections may also be sent to the Director of Education and Lifelong Learning, Cardiff Council using the following e-mail address: [SchoolResponses@cardiff.gov.uk](mailto:SchoolResponses@cardiff.gov.uk)

Please note that any such objection must contain the full name and postal address of the objector.

The Authority will publish a summary of any such objections made (and not withdrawn in writing) within the objection period, together with their observations thereon, before the end of 7 days beginning with the day the proposal is determined.

Dated this 06 day of May 2022

Signed: Davina Fiore  
Director of Legal, Governance and Monitoring Officer  
For Cardiff Council

### **EXPLANATORY NOTE**

(This does not form part of the Notice but is intended to explain its general meanings)

Ty Gwyn is a special school located at Vincent Road in Caerau. The school admits pupils from across Cardiff.

The school is designated to provide 198 places for learners aged 3-19 with complex learning disabilities and Autism Spectrum Condition, including those with multiple or profound disabilities who require high levels of support.

The school has been federated with Riverbank Special School and Woodlands High School, as the Western Learning Campus Federation, since January 2018.

To meet the demand for specialist provision for learners with complex learning needs and autism spectrum condition it is proposed to increase the designated number of places at Ty Gwyn Special School from 198 to 240 from September 2022.

The number of pupils at the school is 205 with the additional children being accommodated within the existing accommodation.

It is proposed that the school would expand by adapting the former Trelai Youth Centre to provide additional accommodation and facilities with a further extension to the south of the site which will have 3 additional classrooms and support areas. This would allow for up to 240 children to be accommodated.



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County Hall  
Cardiff,  
CF10 4UW  
Tel: (029) 2087 2087  
[www.cardiff.gov.uk](http://www.cardiff.gov.uk)

In addition to the proposed increase in designated places at Ty Gwyn Special School, additional places for pupils with complex learning needs and autism spectrum condition have been proposed for a number of schools within the local authority. Details of these proposals and copies of the statutory notices can be seen at [Complex Learning Needs/Autism Spectrum Condition provision \(cardiff.gov.uk\)](http://cardiff.gov.uk/Complex-Learning-Needs-Autism-Spectrum-Condition-provision)

## CARDIFF COUNCIL

### SCHOOL STANDARDS AND ORGANISATION (WALES) ACT 2013

#### ADDITIONAL LEARNING NEEDS PROVISION

#### THE HOLLIES SPECIAL SCHOOL

**NOTICE IS HEREBY GIVEN** in accordance with Section 44 of the School Standards and Organisation (Wales) Act 2013 and the School Organisation Code, that Cardiff Council (herein after “the Authority”), having consulted such persons as appeared to them to be appropriate, propose to alter The Hollies Special School, Brynheulog, Pentwyn, Cardiff, CF23 7XG by:

- Increasing the designated number of The Hollies Special School from 90 to 119 from September 2022
- Further increasing the designated number of The Hollies Special School from 119 to 150 from September 2023

The school is currently maintained by Cardiff Council.

The Authority undertook a period of consultation before deciding to publish this proposal. A consultation report containing a summary of the issues raised by consultees and the Authority’s responses and the view of Estyn is available to view at:

[Agenda for Cabinet on Thursday, 10th March, 2022, 2.00 pm : City of Cardiff Council \(modern.gov.co.uk\)](http://modern.gov.co.uk)

The current pupil capacity of the school is 90. The current number of pupils is 115.

The proposed capacity once the proposal is implemented in full will be 150.

The school will continue to provide places for learners with Autism Spectrum Condition (ASC) aged 4-11.

Children are taught in mixed age classes and the numbers per age group may vary however the overall number would not exceed 150.

There are no plans to change the Council’s policy on the admission of children to schools as a result of these proposals.

Admissions to the school are managed by the local authority and subject to a statement of Special Educational Needs (SEN) or Individual Development Plan (IDP) as appropriate.

Any arrangements for the transport of pupils will be made in accordance with the Authority’s existing policies on school transport.

Within a period of 28 days of the date of publication of these proposals, that is to say by 02 June 2022, any person may object to these proposals.

Objections should be sent to the Director of Education and Lifelong Learning, Cardiff Council, County Hall, Atlantic Wharf, Cardiff CF10 4UW.

Objections may also be sent to the Director of Education and Lifelong Learning, Cardiff Council using the following e-mail address: [SchoolResponses@cardiff.gov.uk](mailto:SchoolResponses@cardiff.gov.uk)

Please note that any such objection must contain the full name and postal address of the objector.

The Authority will publish a summary of any such objections made (and not withdrawn in writing) within the objection period, together with their observations thereon, before the end of 7 days beginning with the day the proposal is determined.

Dated this 06 day of May 2022

Signed: Davina Fiore  
Director of Legal, Governance and Monitoring Officer  
For Cardiff Council

### EXPLANATORY NOTE

(This does not form part of the Notice but is intended to explain its general meanings)

The Hollies is a special school located at Bryn Heulog in Pentwyn. The school admits pupils from across Cardiff.

The school is designated to provide 90 places for learners aged 4-11 with Autism Spectrum Condition.

To meet the demand for specialist provision for learners with autism spectrum condition it is proposed to increase the designated number of places at The Hollies Special School from 90 to 119 from September 2022 and further increase the designated number from 119 to 150 from September 2023.

The number of pupils at the school is 115 with additional pupils being accommodated within the existing accommodation.

It is proposed that the school buildings would be extended to provide additional classrooms, in addition to works that are currently underway to improve current facilities and to establish additional classrooms in the existing accommodation. This would allow for up to 150 children to be accommodated.

This proposal is part of a range of proposals for increasing the number of places available for pupils with complex learning needs and autism spectrum condition at a



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number of schools within the local authority. Details of these proposals and copies of the statutory notices can be seen at [Complex Learning Needs/Autism Spectrum Condition provision \(cardiff.gov.uk\)](http://www.cardiff.gov.uk/Complex-Learning-Needs-Autism-Spectrum-Condition-provision)

## CARDIFF COUNCIL

### SCHOOL STANDARDS AND ORGANISATION (WALES) ACT 2013

#### ADDITIONAL LEARNING NEEDS PROVISION

#### LLANISHEN FACH PRIMARY SCHOOL

**NOTICE IS HEREBY GIVEN** in accordance with Section 42 of the School Standards and Organisation (Wales) Act 2013 and the School Organisation Code, that Cardiff Council (herein after “the Authority”), having consulted such persons as appeared to them to be appropriate, propose to alter Llanishen Fach Primary School, Heol Uchaf, Rhiwbina, Cardiff, CF14 6SS by:

- Increasing the designated number of the Specialist Resource Base for children with complex learning needs at Llanishen Fach Primary School from 20 to 30 places.

It is proposed to implement the proposal from September 2023.

The school is currently maintained by Cardiff Council.

The Authority undertook a period of consultation before deciding to publish this proposal. A consultation report containing a summary of the issues raised by consultees and the Authority’s responses and the views of Estyn is available to view at:

[Agenda for Cabinet on Thursday, 10th March, 2022, 2.00 pm : City of Cardiff Council \(modern.gov.co.uk\)](http://modern.gov.co.uk)

The current school capacity is 420 places for children aged 4-11. There are 80 nursery places. The current number of pupils at the school is 434 (including children attending the Specialist Resource Base) (4 – 11) and 64 (nursery aged).

There are 20 places at the Specialist Resource Base. The current number of pupils at the resource base is 19.

There are no plans to change the Council’s policy on the admission of children to schools as a result of these proposals.

Admissions to the specialist resource base are managed by the local authority and subject to a statement of Special Educational Needs (SEN) or Individual Development Plan (IDP) as appropriate.

Admissions to the specialist resource base would be separate to admission to the main school and would be in addition to the Published Admission Number (PAN).

Any arrangements for the transport of pupils will be made in accordance with the Authority’s existing policies on school transport.

Within a period of 28 days of the date of publication of these proposals, that is to say by 02 June 2022, any person may object to these proposals.

Objections should be sent to the Director of Education and Lifelong Learning, Cardiff Council, County Hall, Atlantic Wharf, Cardiff CF10 4UW.

Objections may also be sent to the Director of Education and Lifelong Learning, Cardiff Council using the following e-mail address: [SchoolResponses@cardiff.gov.uk](mailto:SchoolResponses@cardiff.gov.uk)

Please note that any such objection must contain the full name and postal address of the objector.

The Authority will publish a summary of any such objections made (and not withdrawn in writing) within the objection period, together with their observations thereon, before the end of 7 days beginning with the day the proposal is determined.

Dated this 06 day of May 2022

Signed: Davina Fiore  
Director of Legal, Governance and Monitoring Officer  
For Cardiff Council

### EXPLANATORY NOTE

(This does not form part of the Notice but is intended to explain its general meanings)

To meet demand for Specialist Resource Base places for learners aged 4-11 with complex learning needs it is proposed to increase the designated number of Llanishen Fach Primary School's existing Specialist Resource Base from 20 to 30 places from September 2023.

It is proposed that works would be undertaken to provide new accommodation and facilities, to facilitate the growth of the resource base.

In addition to the proposed increase the number of places at the specialist resource base for children with complex learning needs at Llanishen Fach Primary School, further places for pupils with complex learning needs and autism spectrum condition have been proposed for a number of schools within the local authority. Details of these proposals and copies of the statutory notices can be seen at [Complex Learning Needs/Autism Spectrum Condition provision \(cardiff.gov.uk\)](https://www.cardiff.gov.uk/Complex-Learning-Needs-Autism-Spectrum-Condition-provision)

## CARDIFF COUNCIL

### SCHOOL STANDARDS AND ORGANISATION (WALES) ACT 2013

#### ADDITIONAL LEARNING NEEDS PROVISION

#### PENTREBANE PRIMARY SCHOOL

**NOTICE IS HEREBY GIVEN** in accordance with Section 42 of the School Standards and Organisation (Wales) Act 2013 and the School Organisation Code, that Cardiff Council (herein after “the Authority”), having consulted such persons as appeared to them to be appropriate, propose to alter Pentrebane Primary School, Beechley Drive, Pentrebane, Cardiff, CF5 3SG by:

- Increasing the designated number of the Specialist Resource Base for children with Autism Spectrum Condition at Pentrebane Primary School from 20 to 24 places.

It is proposed to implement the proposal from September 2022.

The school is currently maintained by Cardiff Council.

The Authority undertook a period of consultation before deciding to publish this proposal. A consultation report containing a summary of the issues raised by consultees and the Authority’s responses and the views of Estyn is available to view at:

[Agenda for Cabinet on Thursday, 10th March, 2022, 2.00 pm : City of Cardiff Council \(modern.gov.co.uk\)](http://modern.gov.co.uk)

The current school capacity is 210 places for children aged 4-11. There are 48 nursery places. The current number of pupils at the school is 177 (4 – 11) and 26 (nursery aged).

There are 20 places at the Specialist Resource Base. The current number of pupils at the resource base is 24.

There are no plans to change the Council’s policy on the admission of children to schools as a result of these proposals.

Admissions to the specialist resource base are managed by the local authority and subject to a statement of Special Educational Needs (SEN) or Individual Development Plan (IDP) as appropriate.

Admissions to the specialist resource base would be separate to admission to the main school and would be in addition to the Published Admission Number (PAN).

Any arrangements for the transport of pupils will be made in accordance with the Authority’s existing policies on school transport.



Within a period of 28 days of the date of publication of these proposals, that is to say by 02 June 2022, any person may object to these proposals.

Objections should be sent to the Director of Education and Lifelong Learning, Cardiff Council, County Hall, Atlantic Wharf, Cardiff CF10 4UW.

Objections may also be sent to the Director of Education and Lifelong Learning, Cardiff Council using the following e-mail address: [SchoolResponses@cardiff.gov.uk](mailto:SchoolResponses@cardiff.gov.uk)

Please note that any such objection must contain the full name and postal address of the objector.

The Authority will publish a summary of any such objections made (and not withdrawn in writing) within the objection period, together with their observations thereon, before the end of 7 days beginning with the day the proposal is determined.

Dated this 06 day of May 2022

Signed: Davina Fiore  
Director of Legal, Governance and Monitoring Officer  
For Cardiff Council

### EXPLANATORY NOTE

(This does not form part of the Notice but is intended to explain its general meanings)

To meet the demand for Specialist Resource Base places for learners aged 4 -11 with Autism Spectrum Condition it is proposed to increase the designated number at the Pentreban Primary School Specialist Resource Base from 20 to 24 spaces from September 2022.

The number of pupils at the base is 24 with additional children being accommodated within the existing accommodation.

It is proposed that works would be undertaken to improve and extend facilities and accommodation.

In addition to the proposed increase in designated places at the specialist resource base for children with Autism Spectrum Condition at Pentreban Primary School, further places for pupils with complex learning needs and autism spectrum condition have been proposed for a number of schools within the local authority. Details of these proposals and copies of the statutory notices can be seen at [Complex Learning Needs/Autism Spectrum Condition provision \(cardiff.gov.uk\)](http://www.cardiff.gov.uk/Complex-Learning-Needs/Autism-Spectrum-Condition-provision)

Mae'r dudalen hon yn wag yn fwriadol

Equality Impact Assessment  
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Appendix 3

<b>Policy/Strategy/Project/Procedure/Service/Function Title:</b> School Organisation Planning: Provision for children and young people with Additional Learning Needs (ALN)
<b>New/Existing/Updating/Amending:</b> Post statutory notice

<b>Who is responsible for developing and implementing the Policy/Strategy/Project/Procedure/Service/Function?</b>	
Name: Richard Portas	Job Title: Programme Director
Service Team: Schools Programme	Service Area: Education
Assessment Date: June 2022	

1. What are the objectives of the Policy/Strategy/Project/ Procedure/ Service/Function?

<p>To inform Cabinet of any objections received to the published statutory notices to:</p> <ul style="list-style-type: none"> <li>• establish a 20 place Specialist Resource Base (SRB) for primary aged children with Complex Learning Needs at Moorland Primary School from September 2023;</li> <li>• establish a 30 place Specialist Resource Base for learners with complex learning needs at Willows High School from September 2023;</li> <li>• increase the designated number at the Llanishen High School Specialist Resource Base for learners with Autism Spectrum Condition from 20 to 45 places from September 2022;</li> <li>• establish a 30 place Resource Base at Ysgol Gyfun Gymraeg Glantaf alongside the existing 30 place Specialist Resource Base for learners with Autism Spectrum Condition from September 2023;</li> <li>• increase the designated number of Ty Gwyn Special School from 198 to 240 from September 2022;</li> <li>• increase the designated number of The Hollies Special School from 90 to 119 from September 2022</li> <li>• further increase the designated number of The Hollies Special School from 119 to 150 from September 2023</li> <li>• increase the designated number at the Specialist Resource Base at</li> </ul>
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## CARDIFF COUNCIL

### Equality Impact Assessment Corporate Assessment Template

Llanishen Fach Primary School for learners with complex learning needs from 20 to 30 places from September 2023

- increase the designated number at the Specialist Resource Base at Pentrebane Primary School for learners with Autism Spectrum Condition from 20 to 24 spaces from September 2022

**2. Please provide background information on the Policy/Strategy/Project/Procedure/Service/Function and any research done [e.g. service users data against demographic statistics, similar EIAs done etc.]**

At its meeting on 10 March 2022 the Cabinet in accordance with the terms of the Schools Standards and Organisation (Wales) Act, approved a recommendation for the publication of statutory notices relating to the schools as set out in section 1.

The statutory notices were published on 6 May for a period of 28 days to allow for objections. The statutory notice period expired on 2 June 2022.

The notices were published on the Council's website, and hard copies were posted at the relevant school sites.

Copies of the notices were distributed via e-mail to organisations and consultees required under the School Organisation Code 2018.

Residents and businesses in the local areas to each school were notified of publication of the statutory notices by letter.

Objections were received to the proposals relating to Ty Gwyn Special School. These objections included the following concerns:

- Increased traffic congestion around the school
- Parking concerns
- Space at the school for additional pupils.

### 3 Assess Impact on the Protected Characteristics

#### 3.1 Age

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative/]** on younger/older people?

**CARDIFF COUNCIL**

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	Yes	No	N/A
Up to 18 years	X		
18 - 65 years	X		
Over 65 years	X		

**Please give details/consequences of the differential impact, and provide supporting evidence, if any.**

The impact will be positive as the proposals will support the sufficiency of places in suitable specialist learning environments.

This provision is age dependent and therefore not accessible to pupils outside of this age range, or adults, either locally or in the wider community.

The Council would manage admissions to special school and specialist resource base provision in accordance with the ALN Code.

**What action(s) can you take to address the differential impact?**

If the proposals were to proceed, an equality impact assessment would be carried out to identify the accessibility of any new accommodation. The equality impact assessment would take into account policies such as the Equality Act 2010, TAN 12: Design 2014 as well as building regulations such as, BS8300, Part M and relevant Building Bulletins.

The Council's procedure for managing staffing changes arising from the proposal would be used in implementing any changes as a result of this proposal. This would ensure that good practice is followed, including the application of the Council's policies on equal opportunities.

**3.2 Disability**

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on disabled people?

	Yes	No	N/A
Hearing Impairment			
Physical Impairment			
Visual Impairment			
Learning Disability	X		
Long-Standing Illness or Health Condition			
Mental Health			
Substance Misuse			
Other			

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**Equality Impact Assessment  
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<p><b>Please give details/consequences of the differential impact, and provide supporting evidence, if any.</b></p> <p>The impact will be positive as the proposals will support the sufficiency of places in suitable specialist learning environments.</p> <p>The Council would manage admissions to special school and specialist resource base provision in accordance with the ALN Code.</p>
<p><b>What action(s) can you take to address the differential impact?</b></p> <p>If the proposals were to proceed, an equality impact assessment would be carried out to identify the accessibility of any new accommodation new school building. The equality impact assessment would take into account policies such as the Equality Act 2010, TAN 12: Design 2014 as well as building regulations such as, BS8300, Part M and relevant Building Bulletins.</p> <p>The Council's procedure for managing staffing changes arising from the proposal would be used in implementing any changes as a result of this proposal. This would ensure that good practice is followed, including the application of the Council's policies on equal opportunities.</p>

**3.3 Gender Reassignment**

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on transgender people?

	Yes	No	N/A
<p><b>Transgender People</b> (People who are proposing to undergo, are undergoing, or have undergone a process [or part of a process] to reassign their sex by changing physiological or other attributes of sex)</p>		X	

<p><b>Please give details/consequences of the differential impact, and provide supporting evidence, if any.</b></p> <p>The proposed changes would not have a differential impact as the schools and specialist resources bases will continue to apply the Council's policies on equal opportunities.</p> <p>The Council would manage admissions to special school and specialist resource base provision in accordance with the ALN Code.</p>
<p><b>What action(s) can you take to address the differential impact?</b></p> <p>The Council's procedure for managing staffing changes arising from reorganisation would be used in implementing any changes as a result of this proposal. This would ensure that good practice is followed, including the application of the Council's policies on equal opportunities.</p>

# CARDIFF COUNCIL

## Equality Impact Assessment Corporate Assessment Template

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### 3.4. Marriage and Civil Partnership

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on marriage and civil partnership?

	Yes	No	N/A
Marriage			X
Civil Partnership			X

**Please give details/consequences of the differential impact, and provide supporting evidence, if any.**

The proposed changes would not have a differential impact as the schools and specialist resource bases will continue to apply the Council's policies on equal opportunities.

**What action(s) can you take to address the differential impact?**

The Council's procedure for managing staffing changes arising from reorganisation would be used in implementing any changes as a result of this proposal. This would ensure that good practice is followed, including the application of the Council's policies on equal opportunities.

### 3.5 Pregnancy and Maternity

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on pregnancy and maternity?

	Yes	No	N/A
Pregnancy			X
Maternity			X

**Please give details/consequences of the differential impact, and provide supporting evidence, if any.**

The proposed changes would not have a differential impact as the schools and specialists resource bases will continue to apply the Council's policies on equal opportunities.

**What action(s) can you take to address the differential impact?**

The Council's procedure for managing staffing changes arising from reorganisation would be used in implementing any changes as a result of this proposal. This would ensure that good practice is followed, including the application of the Council's policies on equal opportunities.

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**3.6 Race**

Will this Policy/Strategy/Project//Procedure/Service/Function have a **differential impact [positive/negative]** on the following groups?

	Yes	No	N/A
White			X
Mixed / Multiple Ethnic Groups			X
Asian / Asian British			X
Black / African / Caribbean / Black British			X
Other Ethnic Groups			X

**Please give details/consequences of the differential impact, and provide supporting evidence, if any.**

The proposed changes would not have a differential impact as the schools and specialist resource bases will continue to apply the Council's policies on equal opportunities.

The Council would manage admissions to special school and specialist resource base provision in accordance with the ALN Code.

**What action(s) can you take to address the differential impact?**

The Council's procedure for managing staffing changes arising from reorganisation would be used in implementing any changes as a result of this proposal. This would ensure that good practice is followed, including the application of the Council's policies on equal opportunities.

**3.7 Religion, Belief or Non-Belief**

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on people with different religions, beliefs or non-beliefs?

	Yes	No	N/A
Buddhist			X
Christian			X
Hindu			X
Humanist			X
Jewish			X
Muslim			X
Sikh			X
Other			X

**Please give details/consequences of the differential impact, and provide supporting evidence, if any.**

The proposed changes would not have a differential impact as the schools and



## CARDIFF COUNCIL

### Equality Impact Assessment Corporate Assessment Template

specialist resource bases will continue to apply the Council's policies on equal opportunities.

The Council would manage admissions to special school and specialist resource base provision in accordance with the ALN Code.

**What action(s) can you take to address the differential impact?**

The senior staff in a school would be best placed to manage diversity in terms of belief. (e.g. provision of a space for prayer).

#### 3.8 Sex

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on men and/or women?

	Yes	No	N/A
Men		X	
Women		X	

**Please give details/consequences of the differential impact, and provide supporting evidence, if any.**

The proposed changes would not have a differential impact as the schools and special resources bases will continue to apply the Council's policies on equal opportunities.

The Council would manage admissions to special school and specialist resource base provision in accordance with the ALN Code.

**What action(s) can you take to address the differential impact?**

Maintained school provision admits pupils of both sexes and this would continue to be the case.

The Council's procedure for managing staffing changes arising from reorganisation would be used in implementing any changes as a result of this proposal. This would ensure that good practice is followed, including the application of the Council's policies on equal opportunities.

#### 3.9 Sexual Orientation

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on the following groups?

	Yes	No	N/A
Bisexual		X	
Gay Men		X	

**CARDIFF COUNCIL**

**Equality Impact Assessment  
Corporate Assessment Template**

Gay Women/Lesbians		X	
Heterosexual/Straight		X	

**Please give details/consequences of the differential impact, and provide supporting evidence, if any.**

The proposed changes would not have a differential impact as the schools and special resource bases will continue to apply the Council's policies on equal opportunities.

The Council would manage admissions to special school and specialist resource base provision in accordance with the ALN Code.

**What action(s) can you take to address the differential impact?**

Evidence collated by the Stonewall lobby group alleges that Lesbian, Gay, Bisexual people are likely to be discriminated against in workplace recruitment.

The Council's procedure for managing staffing changes arising from reorganisation would be used in implementing any changes as a result of this proposal. This would ensure that good practice is followed, including the application of the Council's policies on equal opportunities.

**3.10 Socio-economic Duty**

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on the Socio-economic Duty?

	Yes	No	N/A

**Please give details/consequences of the differential impact, and provide supporting evidence, if any.**

The proposed changes are expected to have a positive impact on the Socio-economic Duty. The Council's has made a clear commitment to continuing the investment in, and improvement of, Cardiff schools to make sure every child has the best possible start in life ([www.cardiffcommitment.co.uk](http://www.cardiffcommitment.co.uk)).

The delivery of additional ALN places will ensure that there are appropriate, high quality school places for young people, which meet the needs of Cardiff's growing and changing population.

The Council works closely with the governing bodies of schools to ensure that standards in schools are high, that teaching is good, and that leadership and governance is strong.

The Council does not expect the proposal to have any negative impact on the

CARDIFF COUNCIL

Equality Impact Assessment  
Corporate Assessment Template

quality of standards of education for pupils, at these schools.

Some of the funding that a school receives is based on the number of pupils in the school who receive Free School Meals. All schools in Cardiff would receive funding for these pupils. There is no information available that suggests that the proposals would have a negative effect on pupils who receive Free School Meals.

**What action(s) can you take to address the differential impact?**

N/A

**3.11 Welsh Language**

Will this Policy/ Strategy/Project/Procedure/Service/Function have a **differential impact (positive/negative)** on the Welsh Language?

	Yes	No	N/A

**Please give details/ consequences of the differential impact, and provide supporting evidence, if any.**

The Council is committed to developing a Bilingual Cardiff.

Cardiff's Welsh in Education Strategic Plan (WESP) 2022-2031 sets out a series of ambitious commitments to build on the progress achieved to date. These will ensure that every child in the city can receive an education in the language of Welsh, the number receiving their education in Welsh-medium schools will increase, and through the significant use of Welsh in English medium education all will have the opportunity to become confident in speaking Welsh.

The level of special educational needs/ additional learning needs in the Welsh-medium sector has historically been lower than in the English medium sector. This has however been changing over the last 4-5 years, with schools reporting an increased incidence of additional learning needs, in all areas of need.

A review of additional learning needs in the Welsh-medium sector was undertaken with Welsh medium schools in 2016 to inform the Welsh in Education Strategic Plan (WESP). Schools reported a small but significant number of examples of pupils with additional learning needs leaving the Welsh-medium sector in order to access Specialist Resource Bases or special schools.

## CARDIFF COUNCIL

### Equality Impact Assessment Corporate Assessment Template

There was also some anecdotal evidence to suggest that some families who would otherwise choose Welsh-medium education opt instead for English medium if their child has additional learning needs, through concern that their child may need to transfer to the specialist sector at a later date.

Through the WESP, Cardiff has invested in specialist provision in the sector, including some capacity to respond to growing demand and to generate more confidence in the availability of specialist provision in the sector.

A new primary base was established at Ysgol Gymraeg Pwll Coch, within the catchment area of Ysgol Gyfun Gymraeg Glantaf, where the secondary base is established. The two bases cater for learners with severe learning difficulties, providing a specialist curriculum and supporting a range of secondary needs including physical and medical needs, speech and language difficulties and autism.

As the Welsh sector continues to grow it will be important to develop additional provision in anticipation of the need, to ensure Welsh-medium education is a genuine choice for learners with complex additional learning needs.

Following engagement sessions with members of Cardiff's Welsh Education Forum in summer 2021, the Council formally consulted on its draft Welsh in Education Strategic Plan (WESP) 2022-2032 between 15 October 2021 and 13 December 2021.

Links to the plan (including the full draft WESP, the easy read summary version and the Trajectory for Growth) and survey webpage were circulated to statutory stakeholders including Cardiff schools and Cardiff's Welsh Education Forum member organisations.

The draft WESP sets out the strategy for the development of Welsh-medium additional learning needs provision and proposals would be brought forward as part of the implementation of the Council's Welsh in Education Strategic Plan following agreement of the strategy by the Welsh Government and formal adoption by the Council later in 2022.

The Cabinet approved Cardiff's WESP 2022-2031 at its meeting of 24 February 2022, for submission to the Welsh Government Ministers.

The ongoing development of additional learning needs provision including new and existing provision will be kept under review to ensure proposals are brought forward in a strategic and holistic way that takes into account the needs of all of our learners and reflects the additionality required to ensure parity in the Welsh-medium sector as new places are delivered throughout the proposed WESP.

**What action(s) can you take to address the differential impact?**

## CARDIFF COUNCIL

### Equality Impact Assessment Corporate Assessment Template

Demand for WM ALN places will be kept under review and proposals brought forward in line with the Welsh in Education Strategic Plan

#### 4. Consultation and Engagement

What arrangements have been made to consult/engage with the various Equalities Groups?

The Council's Accessibility Officer would be given the opportunity to comment on the schemes.

#### 5. Summary of Actions [Listed in the Sections above]

Groups	Actions
Age	See Generic Over Arching below
Disability	
Gender Reassignment	
Marriage & Civil Partnership	
Pregnancy & Maternity	
Race	
Religion/Belief	
Sex	
Sexual Orientation	
Socio-economic Duty	
Welsh Language	
Generic Over-Arching [applicable to all the above groups]	<p>If the proposals were to proceed:</p> <ul style="list-style-type: none"><li>• compliance with the Council's policies on equal opportunities would need to be ensured.</li><li>• an equality impact assessment would be carried out to identify the accessibility of any new school building. The equality impact assessment would take into account policies such as the Equality Act 2010, TAN 12: Design 2014 as well as building regulations such as, BS8300, Part M and relevant Building Bulletins.</li><li>• Demand for WM ALN places will be kept under review and proposals brought forward in line with the Welsh in Education Strategic Plan</li></ul>

## CARDIFF COUNCIL

### Equality Impact Assessment Corporate Assessment Template

#### 6. Further Action

Any recommendations for action that you plan to take as a result of this Equality Impact Assessment (listed in Summary of Actions) should be included as part of your Service Area's Business Plan to be monitored on a regular basis.

#### 7. Authorisation

The Template should be completed by the Lead Officer of the identified Policy/Strategy/Project/Function and approved by the appropriate Manager in each Service Area.

Completed By : Ceri Tanti	Date: June 2022
Designation: School Organisation Project Officer	
Approved By:	
Designation:	
Service Area: Education	

- 7.1 On completion of this Assessment, please ensure that the Form is posted on your Directorate's Page on CIS - *Council Wide/Management Systems/Equality Impact Assessments* - so that there is a record of all assessments undertaken in the Council.

For further information or assistance, please contact the Citizen Focus Team on 029 2087 2536 / 3262 or email [equalityteam@cardiff.gov.uk](mailto:equalityteam@cardiff.gov.uk)

**CYNGOR CAERDYDD  
CARDIFF COUNCIL**

**CHILDREN & YOUNG PEOPLE SCRUTINY COMMITTEE**

**5 JULY 2022**

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**SCHOOL ORGANISATION PROPOSALS: PROVISION FOR CHILDREN  
AND YOUNG PEOPLE WITH ADDITIONAL LEARNING NEEDS (ALN) -  
EMOTIONAL HEALTH AND WELLBEING PROVISION FOR PRIMARY AND  
SECONDARY AGED PUPILS**

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**Purpose of the Report**

1. To provide Members with the opportunity to carry out pre-decision scrutiny of proposals, attached at **Appendix A**, prior to its consideration by Cabinet at its meeting on the 14 July 2022.
2. The reason for the proposal is to meet increasing demand for special school places for primary, secondary and post-16 age learners with emotional health and wellbeing needs.

**Structure of Papers**

3. Attached to this report are the following:
  - **Appendix A** – the draft Report to Cabinet – 14 July 2022. This in turn has a number appendices, namely;
    - **Appendix 1:** Cabinet Report, 10 March 2022 (*returning Scrutiny Members will have already received and considered this report*)
    - **Appendix 2:** Statutory Notices
    - **Appendix 3:** Equality Impact Assessments

## School Organisation Programming Process

4. If local authorities want to undertake 'school organisation proposal' to make changes to a community school, they must meet Welsh Government requirements, as set out in the School Organisation Code. These include commitments and goals of transforming education in Wales and providing better educational outcomes. There is a statutory process that must be followed for certain proposals. The criteria for following this process are if the local authority wishes to:

- open a new school;
- make a school bigger or smaller, where the change exceeds a certain number or percentage;
- close a school and move the pupils to another school;
- add or take away a 6th form from a secondary school;
- add or take away special educational needs (SEN) units or classes;
- change the language used in school from English to Welsh or Welsh to English.

5. The specific requirements set by Welsh Government for each of the above and a full copy of the Welsh Government Code will be distributed with the Agenda and papers for this meeting. The process for undertaking school organisation proposals broadly adhere to the following steps:

- **Step 1 - Consultation** – this is undertaken at a formative stage of the proposals, setting out sufficient reasons and information for particular proposals to enable intelligent consideration and response. The timeline for this is a minimum of 6 weeks. Consultees must include governors, teachers, school staff, parents, families in the community, and children and young people.

Following the consultation period, the local authority must publish a report on the output from the consultation. The report must be published at least two weeks prior to the publication of a statutory proposals, and set out the following:



- a summary of each of the issues raised by consultees;
  - responding to these issues by means of clarification, amendment to the proposal or rejection of the concerns, with supporting reasons;
  - setting out Estyn’s response to the consultation in full; and
  - responding to Estyn’s response by means of clarification, amendment to the proposal or rejection of the concerns, with supporting reasons
- **Step 2 – Publication of Statutory Proposals** - If the local authority decides to proceed with the proposal, they must publish the proposal by way of a notice (or “Statutory Proposal”). The Proposal must include the main comments and views that the local authority got back from the consultation, and how these will affect the changes they want to make. This step gives anyone a second chance to have a say on why they think the changes should not happen or tell the local authority anything else they think they should know before they make the changes – known as the objection period. This step is open for 28 days beginning with the day on which the notice was published.
  - **Step 3 - Determining Proposals** – following the 28-day objection period, the local authority must publish a summary of the statutory objections and the local authority’s response to those objections. This report must be published on the Council’s website and will explain why or why not they are making the changes to the school. The report must be communicated to a wide range of stakeholders (see Welsh Government Code pages 43 – 44 for details). Some proposals will need approval by Welsh ministers, but the majority will be approved by the local authority. The Local Authority may also determine proposals for changes to Voluntary Aided, Voluntary Controlled or Foundation Schools where objections have been received to proposals published by their Governing Bodies.

## This Proposal and Previous Scrutiny

6. This proposal is at **Step 3** in the School Organisation Planning Proposals process outlined above.
  
7. Previous Scrutiny and links to **Step 1** can be found here. *Returning CYPSC Members would have already considered this issue at the CYPSC meetings on the 13 July 2021 and 13<sup>th</sup> October 2021.*
  - 13<sup>th</sup> July 2021 - [Agenda for Children and Young People Scrutiny Committee on Tuesday, 13th July, 2021, 4.30 pm : Cardiff Council \(moderngov.co.uk\)](#)
  - 13<sup>th</sup> October 2021 - [Agenda for Children and Young People Scrutiny Committee on Wednesday, 13th October, 2021, 4.30 pm : Cardiff Council \(moderngov.co.uk\)](#)
  
8. Previous Scrutiny of **Step 2** is the Cabinet report set out in Appendix 1 to the Cabinet report attached to this report (**Appendix A**). *Returning CYPSC Members would have already considered this report at the CYPSC meeting on the 8<sup>th</sup> March 2022.*
  - 8<sup>th</sup> March 2022 - [Agenda for Children and Young People Scrutiny Committee on Tuesday, 8th March, 2022, 4.30 pm : Cardiff Council \(moderngov.co.uk\)](#)

## Reasons for the Cabinet Proposal

9. The Cabinet report is to inform the Cabinet of any objections received to the published statutory notices to:
  - Increase the capacity of The Court Special School from 42 to 72 places. The school would transfer to new build accommodation across two sites at Fairwater Primary School and the current St Mellons CiW Primary School site in Llanrumney with 36 pupils on each site from September 2025.

- establish a 20-place Specialist Resource Base for emotional health and wellbeing at Cardiff West Community High School from September 2022.
- establish a 20-place Specialist Resource Base for emotional health and wellbeing at Eastern High School from September 2023.

## **Background and Process for this Proposal**

10. At its meeting on 10 March 2022, the Cabinet, in accordance with the terms of the Schools Standards and Organisation (Wales) Act, approved a recommendation for the publication of a statutory notices relating to the proposals as set out at point 1 of the Cabinet report (*and point 8 of this report above*). A copy of the Cabinet Report of 10 March 2022 is attached as **Appendix 1** to the Cabinet report. *Returning CYPSC Members will have already considered **Appendix 1** at their meeting on the 8<sup>th</sup> March 2022.*
11. The statutory notices were published on 06 May 2022 for a period of 28 days to allow for objections. The statutory notice period expired on 02 June 2022. A copy of the notices is attached at **Appendix 2**.
12. The notices were published on the Council website and posted at The Court Special School, Fairwater Primary School, St Mellons CiW Primary School, Cardiff West Community High School and Eastern High School.
13. Copies of the notices were distributed via e-mail to organisations and consultees required under the School Organisation Code 2018.
14. Residents and businesses in the local area were notified of publication of the statutory notices by letter.

## Objections to the Proposals

15. There were **no objections** to the proposal to increase the capacity of The Court Special School and to transfer the school to new build accommodation across two sites at Fairwater Primary School and the current St Mellons CiW Primary School site in Llanrumney.
16. There were **no objections** to the proposal to establish a 20 place Specialist Resource Base for emotional health and wellbeing at Cardiff West Community High School.
17. There were **no objections** to the establish a 20-place Specialist Resource Base for emotional health and wellbeing at Eastern High School.

## Further Information Highlighted in the Cabinet Report

18. The following further issues are highlighted in the Cabinet report, as at

### ***Appendix A:***

- Section 1.3 Quality and Standards in Education (*points 13 - 25 in the Cabinet report*)
- Section 1.4 Need for Places and the Impact on Accessibility of Schools (*points 26 - 34 in the Cabinet report*)
- Section 1.5 Resourcing of Education and Other Financial Implications, including specific issues for The Court Special School, Cardiff West Community High School and Eastern High (*points 35 – 44 in the Cabinet report*)
- Section 1.6 Other General Factors (*points 45 - 46 in the Cabinet report*),
- Section 1.14 Additional Factors to be Taken into Account in Preparing, Publishing, Approving or Determining Proposals for the Reorganisation of SEN Provision (*points 47 - 51 in the Cabinet report*)
- Section 1.15 Factors to be taken into account in approving/determining school organisation proposals (*points 52 - 57 in the Cabinet report*)
- Changes to Admissions (*points 59 - 60 in the Cabinet report*)
- Partnerships (*points 61 - 70 in the Cabinet report*)

- Impact of the proposals on the Welsh Language (*points 71 - 83 in the Cabinet report*)
- Wellbeing of Future Generations (*points 84 - 87 in the Cabinet report*)
- Local Member consultation (*point 88 of the Cabinet Report*)
- Scrutiny Consideration (*point 89 of the Cabinet Report*)

19. The draft Cabinet report also provides details on the following areas:

- Financial Implications (*points 91 - 98 in the Cabinet report*)
- Legal Implications (*points 99 – 106 in the Cabinet report*)
- Wellbeing of Future Generations (*points 107 - 112 in the Cabinet report*)
- HR Implications – Court Special School, Cardiff West Community High School and Eastern High (*points 113 - 117 in the Cabinet report*)
- Property Implications (*point 118 in the Cabinet report*)
- Traffic and Transport Implications (*points 119 - 140 in the Cabinet report*). This includes details of transport matters relating to the following:
  - The Court at the proposed Fairwater Primary School site;
  - The Court at the proposed St Mellons CiW Primary School site
  - Cardiff West Community High School
  - Eastern High
- Equality Impact Assessment (*points 141 - 143 in the Cabinet report; plus Appendix 3 to the Cabinet Report*)

### **Recommendations set out in the Cabinet Proposals**

20. Cabinet is recommended to

- (i) Approve the proposals in respect of changes to additional learning needs provision as set out in a paragraph 1 of the Cabinet report without modification.
- (ii) Authorise officers to take the appropriate actions to implement the proposals as set out in paragraph 1 of the Cabinet report.
- (iii) Authorise officers to publish the decision within 7 days of determination of the proposal.

- (iv) Delegate authority to the Director of Education & Lifelong Learning (in consultation with the Cabinet Members for Education, Employment & Skills and Finance, Modernisation & Performance, the Director of Governance and Legal Services, the Director of Economic Development and the Corporate Director for Resources) to determine all aspects of the procurement process (including for the avoidance of doubt development of all procurement documentation and selection and award criteria, commencement of procurement through to award of contracts).

### **Scope of Scrutiny**

21. The scope of this scrutiny is for Members to consider and provide comments on the draft report to Cabinet, prior to its consideration of the report on the 14 July 2022.

### **Way Forward**

22. Councillor Sarah Merry (Deputy Leader and Cabinet Member for Education Employment, Skills) has sent her apologies for this meeting, but the Chair of this Committee has agreed that Officers can present this Item to this Committee. Therefore, Melanie Godfrey (Director of Education and Lifelong learning), Richard Portas (Programme Director for the School Organisation Programme), and Brett Andrewartha (SOP Programme Planning Manager) will present the report to the Committee and be available to answer any questions Members may have.

23. This report will also enable Members to provide any comments, concerns or recommendations to the Cabinet Member prior to its consideration by Cabinet.

### **Legal Implications**

24. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters there are no direct legal

implications. However, legal implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any legal implications arising from those recommendations. All decisions taken by or on behalf of the Council must (a) be within the legal powers of the Council; (b) comply with any procedural requirement imposed by law; (c) be within the powers of the body or person exercising powers on behalf of the Council; (d) be undertaken in accordance with the procedural requirements imposed by the Council e.g. Scrutiny Procedure Rules; (e) be fully and properly informed; (f) be properly motivated; (g) be taken having regard to the Council's fiduciary duty to its taxpayers; and (h) be reasonable and proper in all the circumstances.

### **Financial Implications**

25. There are no direct financial implications arising from this report. However, financial implications may arise if and when the matters under review are implemented with or without any modifications.

### **RECOMMENDATIONS**

The Committee is recommended to:

1. Review and assess the information contained in the draft Cabinet Report, attached at **Appendix A**, together with any information provided at the meeting;
2. Provide any recommendations, comments or advice to the Cabinet Member and / or Director of Education and Lifelong Learning prior to the report's consideration by Cabinet.

**Davina Fiore**

**Director of Governance and Legal Services**

**28 June 2022**

Mae'r dudalen hon yn wag yn fwriadol



**CARDIFF COUNCIL  
CYNGOR CAERDYDD**

**CABINET MEETING: 14 JULY 2022**

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**SCHOOL ORGANISATION PROPOSALS: PROVISION FOR CHILDREN AND YOUNG PEOPLE WITH ADDITIONAL LEARNING NEEDS (ALN)**

**EMOTIONAL HEALTH AND WELL BEING PROVISION FOR PRIMARY AND SECONDARY AGED PUPILS**

**EDUCATION, EMPLOYMENT & SKILLS (COUNCILLOR SARAH MERRY)**

**AGENDA ITEM:**

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**Reason for this Report**

1. This report is to inform the Cabinet of any objections received to the published statutory notices to:
  - Increase the capacity of The Court Special School from 42 to 72 places. The school would transfer to new build accommodation across two sites at Fairwater Primary School and the current St Mellons CiW Primary School site in Llanrumney with 36 pupils on each site from September 2025.
  - establish a 20-place Specialist Resource Base for emotional health and wellbeing at Cardiff West Community High School from September 2022.
  - establish a 20-place Specialist Resource Base for emotional health and wellbeing at Eastern High School from September 2023.

**Background**

2. At its meeting on 10 March 2022, the Cabinet, in accordance with the terms of the Schools Standards and Organisation (Wales) Act, approved a recommendation for the publication of a statutory notices relating to the

proposals as set out at paragraph 1. A copy of the Cabinet Report of 10 March 2022 is attached as Appendix 1

3. The statutory notices were published on 06 May 2022 for a period of 28 days to allow for objections. The statutory notice period expired on 02 June 2022. A copy of the notices is attached at Appendix 2.
4. The notices were published on the Council website and posted at The Court Special School, Fairwater Primary School, St Mellons CiW Primary School, Cardiff West Community High School and Eastern High School.
5. Copies of the notices were distributed via e-mail to organisations and consultees required under the School Organisation Code 2018.
6. Residents and businesses in the local area were notified of publication of the statutory notices by letter.

### **Issues**

7. In accordance with the requirements of the School Organisation Code the Council Cabinet has responsibility for the determination of school organisation proposals including those which receive objections (save for those that are required to be considered by the Welsh Government).
8. In accordance with this the Cabinet must decide whether to approve, reject or approve with modifications, the proposals. The Council must not approach the decision with a closed mind and any objections must be conscientiously considered.

### **Objections Received**

9. There were no objections to the proposal to increase the capacity of The Court Special School and to transfer the school to new build accommodation across two sites at Fairwater Primary School and the current St Mellons CiW Primary School site in Llanrumney.
10. There were no objections to the proposal to establish a 20 place Specialist Resource Base for emotional health and wellbeing at Cardiff West Community High School.
11. There were no objections to the establish a 20-place Specialist Resource Base for emotional health and wellbeing at Eastern High School.

### **Requirements of the School Organisation Code**

12. As set out in the School Organisation Code, the following factors should be taken into account by relevant bodies when exercising their function of approving/determining proposals. The Council must at all times consider the interests of learners.

### **Section 1.3 Quality and Standards in Education**

13. The Council works closely with the governing bodies of schools to make sure that standards in schools are high, that teaching is good, and that leadership and governance is strong.
14. The proposals are not expected to have any negative impact on the quality of standards of education at The Court Special School or Fairwater Primary School.
15. The new school facilities for The Court Special School would provide high quality learning environments which improve learning choices and opportunities for pupils.
16. The Court Special School would be fit for purpose 21st Century buildings, which could more easily support a range of evidence-based initiatives specific to ensuring an appropriate offer for pupils with high levels of Emotional Health and Wellbeing needs – a therapy focus, early intervention opportunities, and support nurture and wellbeing.
17. A dual site would allow for a wider range of resources for the school with more space to develop the curriculum offer, offering a wide range of experiences for pupils and support the delivery of the new 'Curriculum for Wales' for learners (3 – 16) which is being implemented in Welsh schools in September 2022.
18. The new curriculum will adopt an approach which is inclusive and designed to address the need to prepare children and young people in Wales to thrive and be successful in a rapidly changing world.
19. It is recognised that the new curriculum will provide breadth, enable greater depth of learning, ensure better progression, provide scope for more imaginative and creative use of time and place and a much greater emphasis on skills. The proposed 21<sup>st</sup> Century School will meet the need of this new, flexible curriculum along with providing facilities that allow for real-world practical learning with local organisations and employers context.
20. The co-location of specialist provision with mainstream primary school sites would provide enhanced opportunities for reintegration, allow for more effective transitions and greater ease for staff to share best practice, strengthen relationships with mainstream schools and support professional learning opportunities and multiagency working.
21. The proposals are not expected to have any negative impact on the quality of standards of education at Cardiff West Community High School or Eastern High.
22. An assessment of Cardiff West Community High school provided by the Central South Consortium in the 2021/ 2022 school year gave the following evaluation:

- The school is improving its track record in raising pupils' achievement including that of vulnerable learners over time.
  - The proportion of pupils making two or more levels of progress from Key Stage 2 to Key Stage 3, in comparison with local and regional averages, was lower in each of mathematics and much lower in English and in science.
  - There have been clear improvements in attitudes to learning.
  - The deputy headteacher operates a robust system for tracking the progress of every pupil when compared against their targets.
  - The school has constructive and well-planned use of PDG funds intended to improve outcomes for eFSM (Free School Meal) pupils whilst developing the core skills across the curriculum
23. Establishing a Specialist Recourse Base at Cardiff West Community High School would provide appropriate high quality school places for young people with emotional and wellbeing needs as well as providing enhanced opportunities for staff to upskill across the school in this growing area of need.
24. An assessment of Eastern High provided by the Central South Consortium in the 2021/ 2022 school year gave the following evaluation:
- The school has a very good track record in raising the achievement of nearly all pupils, including vulnerable learners over the previous three-year period.
  - The proportion of pupils making two or more levels of progress from Key Stage 2 to Key Stage 3, in comparison with local and regional averages, was much lower in each of English, mathematics and science.
  - Leaders throughout the school plan and implement change and sustain improvement successfully in most respects. The senior leadership team is setting the direction for the work of the staff team and this work is having a positive impact upon the learning experiences of all pupils.
25. Establishing a Specialist Resource Base at Eastern High would provide appropriate high quality school places for young people with emotional and wellbeing needs as well as providing the opportunities for staff development specific to these needs in the wider school.

#### **Section 1.4 Need for places and the impact on accessibility of schools**

26. The majority of learners with Additional Learning Needs (ALN) attend a local mainstream school and benefit from effective Additional Learning Needs Provision (ALP). These learners do not need to attend a special school or Specialist Resource Base.
27. However, the number of pupils with severe and complex needs, who need a place in a special school or specialist resource base has continued to grow.

28. This is due to a number of factors including:
- pupil population changes
  - improved survival rates for children born with significant disabilities,
  - increased complexity in needs
  - increased incidence and identification of specific needs such as autism, ADHD, physical disabilities and sensory impairments
29. The range of expertise, specialist support and facilities required in special schools and Specialist Resource Bases has also increased.
30. There are also more children and young people with emotional health and wellbeing needs. This was a trend before COVID 19 but has been exacerbated by school closures and other measures to manage the pandemic.
31. At the end of March 2021, there were 2,265 children in Cardiff with a statement of Special Education Needs. As the population grows, so will the number of children and young people with significant and complex Additional Learning Needs that will potentially need a specialist place.
32. In 2020/21 Cardiff Council funded 1,116 places in Specialist Resource Bases or special schools. In addition, 48 temporary places for learners were available in Wellbeing Classes and Speech and Language Classes, and 90 places were available in the Pupil Referral Unit (PRU).
33. Whilst there are a number of existing specialist settings across Cardiff, there are not enough places available. The number of children who would benefit from a place is projected to increase over coming years.
34. The proposals would also improve the overall distribution of specialist provision across Cardiff. At present a significant proportion of secondary age learners with Emotional Health and Wellbeing needs who require specialist placement, live within the catchment areas served by Cardiff West Community High School and Eastern High. These proposals would allow an increased number of learners to access specialist provision closer to home, reducing the time they spend travelling to and from specialist provision.

### **Section 1.5 Resourcing of education and other financial implications**

35. The Council has a statutory duty to provide sufficient places appropriate to the needs of learners.
36. Currently, as there is insufficient specialist provision within Cardiff, the Council has funded some places at special schools in other Council areas or in independent schools. The total spend on such specialist provision was £7.3m in 2021/22. The budget for 2022/23 for these types of places is currently set at £7.6m. The proposals provide 30 additional places for primary age learners and 40 places for secondary age learners, which would offset the projected increase in spending on these

out of county or independent places. Without investment in additional places, the cost of placing learners in such provision would be expected to grow significantly in future years. The proposals therefore address the escalation in such costs.

#### The Court Special School

37. The capital costs of expanding The Court Special School are included within the Council's 21st Century Schools Band B programme.
38. The current differential in average per-pupil revenue costs between placements at the Court School, and in alternative independent provision, are estimated to be c£15,000 - £18,000 per year, per learner, plus transport costs. However, there are insufficient places available in the primary sector for the number of learners projected to require such support.
39. The annual cost to the Council of school transport for primary-age learners with Emotional Health & Wellbeing Needs to The Court averages c£7,000 per learner.
40. Taking account of the distribution of the proposed additional primary places in the East and the West of the city, it is anticipated that the average journey length for pupils would reduce.

#### Cardiff West Community High School and Eastern High

41. The capital cost of works to establish Specialist Resource Bases at Cardiff West Community High School and Eastern High would be met from the Council's Education asset renewal programme. This is a five year programme which prioritises works including ALN sufficiency, condition and suitability.
42. The differential in average per-pupil revenue costs between placements in secondary age Specialist Resource Bases, and in alternative independent provision, are estimated to be at least £25,000 per year, per learner, plus transport costs. However, there are insufficient places available in the secondary sector for the number of learners projected to require such support.
43. The annual cost to the Council of school transport for secondary-age learners with Emotional Health & Wellbeing Needs to within-County provision averages c£3,700 per learner. The annual cost to the Council of school transport for learners with Emotional Health & Wellbeing Needs to alternative independent provision is c£7,500 per learner.
44. Taking account of the distribution of the proposed additional places in the East and the West of the city, and the high concentration of learners resident in the catchment areas served by Cardiff West Community High School and Eastern High, it is anticipated that the average journey length for learners would reduce and that the average transport cost per learner would also reduce.

## **Section 1.6 Other General Factors**

45. The delivery of 21<sup>st</sup> Century learning environments will ensure that there are appropriate, high quality school places for young people, which meet the needs of Cardiff's growing and changing population.
46. The Council does not expect the proposal to have any negative impact on the quality of standards of education for children from economically deprived backgrounds.

## **Section 1.14 Additional factors to be taken into account in preparing, publishing, approving or determining proposals for the reorganisation of SEN provision**

47. The lack of Specialist Resource Bases in some localities can disadvantage learners living in those areas. Some families are unfamiliar with the areas where provision is located. Parents or carers may lack the means to travel easily to those areas.
48. The proposed expansion of Emotional Health and Wellbeing provision would result in a better distribution of specialist resource bases across the city would improve access for pupils. It would reduce travel times for many pupils, as well as increasing the number of places available.
49. The current expertise and inclusive practice would be maintained and built upon.
50. The additional places would help to ensure that there are sufficient places to meet increased demand arising out of a growing pupil population and a growing incidence and identification of Emotional Health and Wellbeing needs in Cardiff.
51. It is not expected that the proposed expansion/establishment of Emotional Health and Wellbeing provision at The Court Special School, Cardiff West Community High School and Eastern High will impact negatively on existing Additional Learning Needs provision. It is expected to improve distribution and appropriate placements compared to the current position.

## **Section 1.15 Factors to be taken into account in approving/ determining school organisation proposals**

52. There are no related school organisation proposals.
53. The consultation on the proposed changes was carried out in accordance with the requirements of the Welsh Government School Organisation Code (November 2018).
54. The consultation documents were sent to those it should have been sent to and pupils at local schools were consulted. The required amount of

time (42 days of which at least 20 are school days) was provided to respond to the consultation.

55. The consultation documents contained the prescribed information as set out in the Code.
56. The timescale and content required have been complied with in relation to the consultation report.
57. The publication of the statutory notices complied with the requirements of the Code and the notices contained all of the prescribed information.

### **Objections to the proposal**

58. The Council did not receive any objections to the statutory notices by the closing date.

### **Admissions**

59. There are no plans to change the Council's policy on the admission of children to schools, as a result of or associated with this proposal.
60. Admissions to specialist provision are managed by the local authority and subject to a statement of Special Educational Needs (SEN) or Individual Development Plan (IDP) as appropriate.

### **Partnerships**

61. The [Cardiff Commitment](#) is a vision which the city of Cardiff is dedicated to realising and that seeks to ensure all children and young people have access to opportunities that deliver ambition and skills and supports them to progress into education, employment, and training.
62. The **Cardiff Commitment** through school, employer networks (in growth sectors of the economy in particular), community, further and higher education partnerships, delivers knowledge, skills and experiences for pupils to fulfil their potential and contribute to the economic growth of our capital city.
63. The **Cardiff Commitment** works with employers to support the development of learning pathways, careers and work related experiences and collaboration to co –construct authentic learning experiences with industry as per the requirements of the [Curriculum for Wales](#) with a focus on supporting children and young people who need it most.
64. Through the Cardiff Commitment, the Council has built a city-wide alliance to support educational achievement; in particular to raise the aspirations of learners, create opportunities, develop skills and support progression into the world of work. The number and breadth of partners involved has grown significantly since 2016, with over 300 partners now involved in various ways.



65. This approach enables both universal and targeted programmes to work together and stay focused upon the shared vision that any child growing up in Cardiff should have equal opportunity to realise their potential. And importantly that the journey to independence is a continuum that should be nurtured from primary school into secondary school, and through to Post 16 education, training and employment.
66. The breadth of companies now involved with the initiative is 300+ and the significance of the pledges they make opens up a variety of opportunities for children and young people as the Cardiff Commitment is utilised as a touch stone for all Council relationships with employers.
67. The Council's proposals for Band B of the Sustainable Communities for Learning Programme (formerly known as 21st Century Schools Programme) and the Cardiff 2030 strategy clearly state the link between improving the environment for learning and raising standards of achievement.
68. Accelerator projects led by the Core Team and undertaken with schools are informed by data held in relation to FSM, LACE, ALN and Wales Index of Multiple Deprivation areas. The Cardiff Commitment accelerator areas aim to get most benefit and value from partnerships and look to provide sustainable and scalable approaches for schools and employers. Six Priority Areas support the development of opportunities and include creating school/business partnerships to deliver experiences of work and target skills development in the key economic growth sectors of the Cardiff Capital Region across age continuum.
69. An example of this is the Business Forum approach which sees partners from across the Growth Sectors in the region working with schools to develop opportunities and skills which support ambition and progression into education, employment and training.
70. The significant school developments proposed would provide opportunities for strong partnerships with businesses and employers from a range of sectors in the Cardiff economy. Opportunities for further partnerships are being explored and will be progressed in line with the priorities set out in the Cardiff Commitment.

### **Impact of the proposal on the Welsh Language**

71. The Council is committed to developing a Bilingual Cardiff.
72. Cardiff's Welsh in Education Strategic Plan (WESP) 2022-2031 sets out a series of ambitious commitments to build on the progress achieved to date. These will ensure that every child in the city can receive an education in the language of Welsh, the number receiving their education in Welsh-medium schools will increase, and through the significant use of Welsh in English medium education all will have the opportunity to become confident in speaking Welsh.

73. The level of special educational needs/ additional learning needs in the Welsh-medium sector has historically been lower than in the English medium sector. This has however been changing over the last 4-5 years, with schools reporting an increased incidence of additional learning needs, in all areas of need.
74. A review of additional learning needs in the Welsh-medium sector was undertaken with Welsh medium schools in 2016 to inform the Welsh in Education Strategic Plan (WESP). Schools reported a small but significant number of examples of pupils with additional learning needs leaving the Welsh-medium sector in order to access Specialist Resource Bases or special schools.
75. There was also some anecdotal evidence to suggest that some families who would otherwise choose Welsh-medium education opt instead for English medium if their child has additional learning needs, through concern that their child may need to transfer to the specialist sector at a later date.
76. Through the WESP, Cardiff has invested in specialist provision in the sector, including some capacity to respond to growing demand and to generate more confidence in the availability of specialist provision in the sector.
77. A new primary base was established at Ysgol Gymraeg Pwll Coch, within the catchment area of Ysgol Gyfun Gymraeg Glantaf, where the secondary base is established. The two bases cater for learners with severe learning difficulties, providing a specialist curriculum and supporting a range of secondary needs including physical and medical needs, speech and language difficulties and autism.
78. As the Welsh sector continues to grow it will be important to develop additional provision in anticipation of the need, to ensure Welsh-medium education is a genuine choice for learners with complex additional learning needs.
79. Following engagement sessions with members of Cardiff's Welsh Education Forum in summer 2021, the Council formally consulted on its draft Welsh in Education Strategic Plan (WESP) 2022-2032 between 15 October 2021 and 13 December 2021.
80. Links to the plan (including the full draft WESP, the easy read summary version and the Trajectory for Growth) and survey webpage were circulated to statutory stakeholders including Cardiff schools and Cardiff's Welsh Education Forum member organisations.
81. The draft WESP sets out the strategy for the development of Welsh-medium additional learning needs provision and proposals would be brought forward as part of the implementation of the Council's Welsh in Education Strategic Plan following agreement of the strategy by the Welsh Government and formal adoption by the Council later in 2022.

82. The Cabinet approved Cardiff's WESP 2022-2031 at its meeting of 24 February 2022, for submission to the Welsh Government Ministers.
83. The ongoing development of additional learning needs provision including new and existing provision will be kept under review to ensure proposals are brought forward in a strategic and holistic way that takes into account the needs of all of our learners and reflects the additionality required to ensure parity in the Welsh-medium sector as new places are delivered throughout the proposed WESP.

### **Wellbeing of Future Generations**

84. In line with the Well-being of Future Generations Act Cardiff is committed to providing Local Schools for Local Children, together with encouraging use of sustainable modes to travel to schools, such as walking and cycling. Each School project takes into account key transport issues when they are being designed and the firm need to provide safer routes to encourage walking, cycling and other active travel modes to schools.
85. With the current investments in ICT across the city, student movements may be further reduced as mobile technology develops further allowing for flexible teaching methods. These have the potential to result in a more efficient Travel Plan and further contribute to the Council's targets to reduce its carbon emissions.
86. In order to maximise the long-term impact of this significant investment, any design taken forward for each school included in this proposal would be developed to ensure the delivery of high-quality modern facilities that are able to respond to the current pupil populations needs and support the delivery of effective teaching and learning methods. They would also incorporate the flexibility to take account of changes depending on need as time progresses, such as changing demographics and pupil numbers, changing curriculum and changing types of pupil needs.
87. The project will consult with all statutory bodies when developing a planning application to ensure that environmental and biodiversity impacts are fully considered.

### **Local Member consultation**

88. Local members were consulted during the consultation period. The consultation period for The Court Special School proposals ran from 11 October 2021 until 17 January 2022. The consultation period for the secondary Specialist Resource Base provision for learners with emotional health and wellbeing needs ran from 14 December 2021 until 1 February 2022.

### **Scrutiny Consideration**

89. The Children & Young People's Scrutiny Committee will consider this report on 5 July 2022. Any comments received will be circulated at the Cabinet meeting.

## **Reason for Recommendations**

90. To meet increasing demand for special school places for primary, secondary and post-16 age learners with emotional health and wellbeing needs.

## **Financial Implications**

91. This report outlines changes to ALN provision and schools intakes at The Court Special School, alongside establishment of SRBs at Cardiff West Community High School and Eastern High. Whilst there are no capital financial implications directly arising from this report, once a final solution has been agreed for each site it will be necessary for a full financial evaluation to be undertaken. The aim of this will be to provide assurance that the scheme is allocated specific funding and remains affordable once all relevant costs and contingencies for potential changes in delivery timescales have been incorporated.
92. The outline 21st Century Schools Band B Programme was approved by Cabinet in December 2017. At that time the overall value of the programme amounted to £284m, including the Court Special School project. The Welsh Government (WG) have not formally approved individual project budgets but have given their in-principle support to each project within Cardiff Council's programme.
93. The overall projected costs of the Court are included in the current Band B cash-flow forecast, to be funded through Welsh Government Grant (75%) and 21st Century Schools Invest to Save borrowing (25%). Any revenue costs in relation to these schemes, including capital financing costs will be funded through the School Organisation Programme Revenue Reserve.
94. A capital receipts target of £25m is expected to fund part of the overall Band B programme. The source of these receipts has yet to be identified, but any site disposals resulting from building schools on new sites should be prioritised to fund Band B.
95. This report sets out proposals and recommends additional SRB provision at Cardiff West Community High School and Eastern High that will need to be funded from the existing delegated schools' budgets. This is an area of high-cost provision through Out of County Placements or enhanced Complex Needs Enhancement (CNE) payments for mainstream pupils. Any capital works on these sites will be funded through the Asset Renewal Capital budget. These schemes will need to be prioritised against other schools investments required including roof and boiler replacements, health and safety works and other priority works arising from surveys. If approved these schemes will require tight budgetary control to ensure that other priority schemes are not adversely impacted or delayed.

96. There will need to be a review of the budget for each SRB or Special School which has an increase in the number of places. The due diligence undertaken must provide assurance that the additional places will be taken up and that the cost and numbers of Out of County placements and CNE will reduce in order to ensure no significant pressure ongoing on school budgets. Over the medium term, regular review and analysis needs to be undertaken comparing the projected number of places available to places taken up. This will ensure that the optimum benefits are achieved by the financial resources used.
97. The proposal for a better spread of provision at special schools and SRBs across the city means that the transport cost per individual learner is likely to decrease. However, projections within the transport implications indicate that the overall impact on home to school transport is likely to increase over the medium term. Schools transport budgets have seen increasing pressure over the last three years and there will be a need for more robust planning to identify increased price or provision alongside additional controls to ensure any changes are affordable within existing budget allocations where possible. The decision maker needs to consider the likelihood that savings on individual placements and a more effective management of Out of County placements will be able to cover the additional cost of transporting the increased SRB places.
98. The covering report sets out that the number of places will incrementally grow over the next four years and further work is required to establish the cost / saving for each financial year. For 2022/23, there is a risk that overall spend on, Out of County provision and enhanced CNE payments for children and young people with ALN would increase in September 2022, but this pressure will need to be managed within school delegated budgets. However, the need to ensure robust modelling is in place to ensure that any further pressures are identified and understood prior to implementation and are robustly modelled and factored into medium-term planning is of paramount importance.

### **Legal Implications**

99. The school organisation proposals set out in the report must be considered having regard to the provisions of the School Standards and Organisation (Wales) Act 2013 ('the Act') and the School Organisation Code 2018 ('the Code'). The Code sets out the factors which should be considered in respect of different proposals, the statutory procedures, legal requirements and guidance.
100. The statutory procedures involve a public consultation, publication of a consultation report, statutory notice and a 28-day objection period, prior to determination of the proposals. The previous reports to Cabinet on these proposals are referred to in the body of the report. In March 2022, Cabinet considered the consultation report and resolved to proceed with the proposals and authorised publication of the statutory notice, with the required 28-day objection period (which ended on 2 June 2022).

101. The content of the statutory notice, manner of publication and persons to be notified are prescribed in the Code. Under section 49 of the Act, when objections have been received, the Council must publish a summary of the statutory objections and the Council's response to those objections ("the Objection Report") on its website and make this available to the interested parties listed in the Code. This Cabinet report constitutes the Objections Report.
102. The Council must decide whether or not to implement its proposals within 16 weeks from the end of the objection period (under section 53 of the 2013 Act). If the Council fails to determine the proposals within the 16-week period, it is taken to have withdrawn the proposals. When determining its proposals, the Council must be satisfied that the statutory consultation has been conducted and the proposals published in accordance with the Code; and it must conscientiously consider the Objections Report and any responses to the notice supporting the proposals, having regard to the relevant factors set out in the Code
103. The decision on whether or not to proceed with the proposals must be set out, with reasons having regard to the factors set out in the Code, and issued in the form of a decision letter, published on the Council's website and notified to the Welsh Ministers, the school governing body and all interested parties listed in the Code.
104. If the proposals are taken forward, the admission arrangements for the school, including admission numbers and catchment areas, will need to be determined, following consultation, in accordance with the School Admission Code and the Education (Determination of Admission Arrangements) (Wales) Regulations 2006.
105. In considering this matter, the Council must have regard to its public sector equality duties under the Equality Act 2010 (including specific Welsh public sector duties). This means the Council must give due regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of protected characteristics. The protected characteristics are age, gender reassignment, sex, race – including ethnic or national origin, colour or nationality, disability, pregnancy and maternity, marriage and civil partnership, sexual orientation, religion or belief – including lack of belief.
106. When taking strategic decisions, the Council also has a statutory duty to have due regard to the need to reduce inequalities of outcome resulting from socio-economic disadvantage ('the Socio-Economic Duty' imposed under section 1 of the Equality Act 2010). In considering this, the Council must take into account the statutory guidance issued by the Welsh Ministers (WG42004 A More Equal Wales The Socio-economic Duty Equality Act 2010 (gov.wales) and must be able to demonstrate how it has discharged its duty.

## **Well-Being of Future Generations (Wales) Act 2015**

107. The Well-Being of Future Generations (Wales) Act 2015 ('the Act') places a 'well-being duty' on public bodies aimed at achieving 7 national well-being goals for Wales - a Wales that is prosperous, resilient, healthier, more equal, has cohesive communities, a vibrant culture and thriving Welsh language, and is globally responsible.
108. In discharging its duties under the Act, the Council has set, and published well-being objectives designed to maximise its contribution to achieving the national well-being goals. The well-being objectives are set out in Cardiff's Corporate Plan 2021-24. When exercising its functions, the Council is required to take all reasonable steps to meet its well-being objectives. This means that the decision makers should consider how the proposed decision will contribute towards meeting the well-being objectives and must be satisfied that all reasonable steps have been taken to meet those objectives.
109. The well-being duty also requires the Council to act in accordance with a 'sustainable development principle'. This principle requires the Council to act in a way which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs. Put simply, this means that Council decision makers must take account of the impact of their decisions on people living their lives in Wales in the future. In doing so, the Council must:
- Look to the long term
  - Focus on prevention by understanding the root causes of problems
  - Deliver an integrated approach to achieving the 7 national well-being goals
  - Work in collaboration with others to find shared sustainable solutions
  - Involve people from all sections of the community in the decisions which affect them
110. The decision maker must be satisfied that the proposed decision accords with the principles above; and due regard must be given to the Statutory Guidance issued by the Welsh Ministers, which is accessible using the link below:
- <http://gov.wales/topics/people-and-communities/people/future-generations-act/statutory-guidance/?lang=en>

### **General**

111. The decision maker should be satisfied that the decision is in accordance with the financial and budgetary policy.
112. The decision maker should also have regard to, when making its decision, to the Council's wider obligations under the Welsh Language (Wales) Measure 2011 and the Welsh Language Standards.

## **HR Implications**

### **The Court Special School**

113. The proposed increase in pupil numbers for The Court Special School would require the Governing Body to plan for the workforce requirements in readiness for the expansion and proposal to operate across two sites. The Governing Body will be encouraged to undertake this work in line with the School Organisation Planning HR Framework.
114. HR People Services will provide advice, support and guidance to the Governing Body for the workforce planning and consequential recruitment processes. Where Governing Bodies have adopted the Council's School Redeployment and Redundancy Policy, any new vacancies arising as a consequence of an increase in the numbers on roll would provide opportunities for school-based staff on the school redeployment register.
115. The proposal to relocate the school and to operate across two sites will require high levels of staff and trade union consultation, clear communication plans regarding the arrangements for the transition from one school site to another and staff involvement in the development of building specifications or designs.

### **Cardiff West Community High School and Eastern High**

116. HR People Services will work with the Governing Body of each school to address any HR implications arising from the establishment of a Specialist Resource Base at their school and whether there is a need for staff resources.
117. Where the Governing Body has adopted the Council's School Redeployment and Redundancy Policy, any new vacancies arising as a consequence of the establishment of the Specialist Resource Base will provide opportunities for school-based staff on the school redeployment register.

## **Property Implications**

118. Strategic Estates continue to work with and support Education colleagues through the asset management process and any property matters relating and arising from the proposals.

## **Traffic and Transport Implications**

119. As part of its overall strategy to affect modal shift away from car travel, the Council is seeking to reduce the proportion of school journeys made by car and to maximise opportunities for travel to school by sustainable modes including walking and cycling.



120. The Council is working to support all schools in the development and implementation of Active Travel Plans. Active Travel Plans identify actions by the school to support and encourage active travel to school – to develop a school active travel culture - and also any improvements to on-site and off-site infrastructure required to facilitate active journeys.
121. The individual needs of pupils at special schools and SRBs, together with the greater distances travelled, necessarily limit the scope for high rates of active travel compared with mainstream school pupils.
122. The Council applies the statutory qualifying walking distance criteria for pupil to qualify for free home to school transport to special schools and SRBs. Additionally, some learners who live within two / three miles of the school may be provided with free transport due to their individual learning needs and social issues.
123. Overall, the costs of home to school transport for the additional places would increase as the proposed changes increase the number of pupils transported from home to specialist provision.
124. The annual cost to the Council of school transport for primary-age learners with Emotional Health & Wellbeing Needs to The Court averages c£7,000 per learner. The annual cost to the Council of school transport for secondary-age learners with Emotional Health & Wellbeing Needs to within-County provision averages c£3,700 per learner.
125. The annual cost to the Council of school transport for learners with Emotional Health & Wellbeing Needs to alternative independent provision is c£7,500 per learner.
126. Taking account of the distribution of the proposed additional places in East and West of the city it is anticipated that the average journey length would reduce.
127. The projected costs of transporting the additional pupils to school, as a result of these proposals, would increase by c£32k in 2023/24 rising to c£135k by 2025/26 as pupils are enrolled to the expanded provision. However, should the proposals not proceed, transporting pupils to alternative provision is estimated at c75k in 2023/24 rising to c£285k by 2025/26.
128. It is anticipated that the continued increase in the number of pupils transported to specialist provision, including those arising from these proposals, will incur further costs of c£178k per year for supporting and managing transport. This includes compliance, administration and independent travel training (invest to save).
129. Transport Assessments or Transport Statements will be required as part of planning applications for new school accommodation. These will identify measures to be included as part of the applications to address any potentially adverse impacts, to facilitate access and maximise travel by sustainable modes.

130. A number of initiatives have successfully demonstrated support and encouragement for active and sustainable travel amongst the ALN cohort, including Independent Travel Training for older pupils, cycle maintenance and cycle training.
131. Some pupils are able to travel independently or with parent/carers and if resident within the two-mile qualifying distance may not be eligible for Learner Transport.
132. Provision of recommended improvements for active travel would benefit these pupils as well as any mainstream pupils, staff and visitors to the sites.
133. Numbers of pupils who continue to use Learner Transport for their journey to school will be likely to increase in line with the trend for increasing numbers of pupils requiring places at special schools or specialist resource bases. Each school location with new or increased demand for Learner Transport vehicles will require suitable new, improved and / or expanded facilities for drop-off and pick-up within the site. The areas required would need to accommodate appropriate vehicles. In some cases, minibuses may be suitable, but this is also dependent on individual pupil needs, home locations and co-ordination of routes.
134. Car parking provision at new schools or where accommodation at existing sites is to be expanded will need to be in line with the Council's parking standards. Allocations for special schools and specialist resource bases are agreed on a case-by-case basis but requirements are expected to generally correlate with 1 car space per typical number of pupils in a class.

#### **Transport matters relating to The Court at the proposed Fairwater Primary School site**

135. There are good public transport links with several bus services a short walk from the school. Waun-gron Park rail station is approximately 0.75 miles (1.2km) from the school.
136. Various facilities for walking and cycling, including upgrading of the Bwlch Road crossing are proposed to support the Fairwater Campus development over the next 3-4 years. These facilities will also support active journeys to the Fairwater Primary School site.
137. An initial Transport Assessment for this site has identified that traffic impacts would be acceptable and manageable. A revised Transport Assessment may be required to support necessary planning applications and requirements will be confirmed in further discussions between the project team and relevant transport officers.

### **Transport matters relating to The Court at the proposed St Mellons CiW Primary School site**

138. There are current parking issues outside the adjacent Pen Y Bryn Primary along Dunster Road. The Transport team is monitoring the situation and will consider whether or not any parking restrictions may be required to ease the situation. This will help support access arrangements to the St Mellons CiW site.

### **Transport matters relating to Cardiff West Community High School**

139. With the expected increased demand for Learner Transport at Cardiff West Community High School, suitable improved and / or expanded facilities for drop-off and pick-up may be required within the site to accommodate the appropriate numbers of vehicles. Additional parking restrictions along Penally Road around school start and finish times would reduce congestion and parking issues and improve safety for pupils. Traffic Regulation Orders will be required to introduce these restrictions. Details of these measures and programming for their introduction in conjunction with the delivery of the new SR facilities will require further discussions between the project team and relevant transport officers.

### **Transport matters relating to Eastern High**

140. With the expected increased demand for Learner Transport at Eastern High School suitable facilities for drop-off and pick-up to accommodate the appropriate numbers of vehicles are required. There are existing issues with traffic and parking around the southern end of Trowbridge Road which the transport team are seeking to address as part of a Safe Routes in Communities project. Measures to improve traffic issues outside the school may include additional parking restrictions or consideration of a School Street around school start and finish times to reduce congestion and parking issues and improve safety for pupils. Such measures will help to provide ease of access to the SRB facility. Their implementation can be integrated with the timetable for delivery of the SRB.

### **Equality Impact Assessment**

141. The EQIA prepared ahead of the consultation phase has been reviewed to take account of the responses received and any further information made available or secured since the original documents was prepared relevant to the proposal from the Council and/or its partners. No changes were found to be necessary to the document at this point.
142. In the event the proposals are able to proceed to implementation, proposal specific EQIAs will be kept under regular review as part do the planning and delivery process.
143. The Equality Impact Assessment is attached at Appendix 3.

## RECOMMENDATIONS

Cabinet is recommended to

- (i) Approve the proposals in respect of changes to The Court Special School, Cardiff West Community High School and Eastern High as set out in paragraph 1 of this report, without modification.
- (ii) Authorise officers to take the appropriate actions to implement the proposals as set out in paragraph 1
- (iii) Authorise officers to publish the decision within 7 days of determination of the proposal
- (iv) Delegate authority to the Director of Education & Lifelong Learning (in consultation with the Cabinet Members for Education, Employment & Skills and Finance, Modernisation & Performance, the Director of Governance and Legal Services, the Director of Economic Development and the Corporate Director for Resources) to determine all aspects of the procurement process (including for the avoidance of doubt development of all procurement documentation and selection and award criteria, commencement of procurement through to award of contracts).

<b>SENIOR RESPONSIBLE OFFICER</b>  Richard Portas	<b>Director Name</b>  Melanie Godfrey
	Date submitted to Cabinet office

*The following appendices are attached:*

*Appendix 1: Cabinet Report 10 March 2022*

*Appendix 2: Statutory Notices*

*Appendix 3: Equality Impact Assessment*

**SCHOOL ORGANISATION PROPOSALS: PROVISION FOR  
CHILDREN AND YOUNG PEOPLE WITH ADDITIONAL  
LEARNING NEEDS (ALN)**

**EMOTIONAL HEALTH AND WELLBEING PROVISION FOR  
PRIMARY AND SECONDARY AGED PUPILS**

**EDUCATION, EMPLOYMENT & SKILLS (COUNCILLOR SARAH  
MERRY)**

**AGENDA ITEM: 8**

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**Reason for this Report**

1. The purpose of this report is to inform Cabinet of the responses received following public consultation on proposals to extend and realign special school and Specialist Resource Bases (SRBs) for pupils across Cardiff with emotional, health and wellbeing needs.

**Background**

2. At its meeting on 15 July 2021 the Cabinet authorised officers to consult on proposals to:
  - increase the capacity of The Court Special School from 42 to 72 places. The school would transfer to new build accommodation across two sites at Fairwater Primary School and the current St Mellons CiW Primary School site in Llanrumney with 36 pupils on each site from September 2025.
3. At its meeting on 14 October 2021 the Cabinet authorised officers to consult on proposals to:
  - increase the capacity of Greenhill School from 64 to 160 places. The school would transfer to new build accommodation across two sites at the Ty Glas in Llanishen and the Dutch Garden Centre site with 80 places on each site from September 2025

- establish a 20-place Specialist Resource Base for emotional health and wellbeing at Cardiff West Community High School from September 2022.
- establish a 20-place Specialist Resource Base for emotional health and wellbeing at Eastern High from September 2022.

## Issues

4. The consultation period for The Court Special School proposals ran from 11 October 2021 until 17 January 2022.
5. The consultation period for the Greenhill School proposals and the secondary Specialist Resource Base provision for learners with emotional health and wellbeing needs ran from 14 December 2021 until 01 February 2022.
6. The consultation process for each set of proposals involved:
  - Publication of bilingual consultation documents outlining background, rationale and implications to parents, staff and governors of affected schools, Headteachers and Chairs of Governors city-wide, elected Members, local residents and other stakeholders (a copy of the consultation documents can be seen at Appendix 1);
  - Publication of bilingual summary documents setting out the main points of the consultation documents (a copy of the summary documents can be seen at Appendix 2);
  - Publication of information in community languages upon request;
  - Consultation meetings via Microsoft Teams with school governors and staff at The Court Special School, Greenhill School, Fairwater Primary School and Cardiff West Community High School. The Governing Body and staff of Eastern High declined the offer of meetings as a number of meetings had been held ahead of the consultation and they had sufficient information available to them (notes from the meetings can be seen at Appendix 3);
  - Consultation meetings with pupil representatives at The Court Special School, Fairwater Primary School, Greenhill School and Cardiff West Community High School (notes from these meetings can be seen at Appendix 4);
  - Two public consultation meetings via Microsoft Teams at which the proposals were explained and questions answered (notes from the meetings can be seen at Appendix 5);
  - Drop-in sessions via Microsoft Teams where officers were available to answer questions (there were no requests for drop-in sessions);
  - Letters setting out details of the proposals and where further information could be found were sent to local residents and businesses in the area surrounding the school sites subject to the proposed changes;
  - A communication campaign via social media;

- A consultation response slip for return by post or e-mail, attached to the consultation documents and summary documents;
  - An online response from at [www.cardiff.gov.uk/ALNSchoolproposals](http://www.cardiff.gov.uk/ALNSchoolproposals)
7. For stakeholders who did not have access to digital platforms the opportunity to discuss the proposed changes via telephone was available.
  8. The views expressed at Council organised meetings, drop-in sessions, telephone calls, and on paper or electronically through the appropriate channels, have been recorded.
  9. Views were sought from interested stakeholders via online surveys and hard copy versions of the surveys within the consultation documents.
  10. The details presented in this report, represent the views expressed during the consultation process. These include the wider stakeholder surveys, formal responses, e-mail responses, views expressed at public meetings, drop-in sessions, telephone calls and pupil consultation meetings.
  11. The views expressed in the wider stakeholder surveys reflect those raised in the e-mail responses received.

### **Responses received regarding the proposal The Court Special School**

12. The consultation on the proposed expansion and transfer of The Court Special School was undertaken jointly with a proposal for the establishment of a Specialist Resource Base for learners with Complex Learning Needs at Moorland Primary School.
13. The responses received to the consultation included expressions of support and concerns relevant to both proposals.
14. In total there were 44 responses received, including 35 online responses and 9 e-mail responses.
15. Formal responses were received from:
  - Estyn
  - The Court Special School Governing Body
  - The Court Special School Headteacher
  - The Court Special School Staff
  - Fairwater Primary School Governing Body
  - Pen y Bryn Primary School Governing Body
16. The response from Estyn set out its view that the proposal is likely to at least maintain the standard of education provision in the area. However, there are ways in which the proposal could be strengthened.
17. Full copies of the formal responses can be seen at Appendix 6.

18. Of the 35 online responses received, 88.6% supported the proposal to increase the capacity of The Court Special School from 42 to 72 places, with 60% of responses supporting the proposed transfer of the school to new build accommodation across two sites at Fairwater Primary School and the current St Mellons CiW Primary School site in Llanrumney.
19. A summary of the responses received from all stakeholders, and appraisal of views expressed, can be seen at Appendix 7.
20. A summary analysis of the responses received are included in Appendix 8.

### **Views expressed**

21. Reasons for supporting the proposed changes included:
  - The need to respond to the growing demand for additional learning needs provision.
  - A dual site arrangement could allow for pupils to have stronger links with their local communities.
  - The potential for active travel/children to spend less time in taxis commuting to school.
  - The potential benefits arising out of co-location with mainstream provision.
  - The opportunities to develop stronger links with local communities.
  - The provision of purpose-built facilities would provide an improved learning environment.
  - The opportunity for enhanced development opportunities for children and staff.
22. Whilst there was support for the expansion and redevelopment of The Court Special School there were a number of concerns related to:
  - The ability to maintain one school ethos across two sites.
  - The current lack of Welsh-medium additional learning needs provision.
  - The need to maintain small class sizes in order to be able to provide appropriate levels of support.
  - The need for both school sites to be new and purpose built.
  - Potential safeguarding concerns around co-location with mainstream provision.
  - Access arrangements to both proposed sites and the potential for increased traffic around the sites.
  - Staffing arrangements and the need to ensure sufficient time is allowed for upskilling of new staff.
  - The safety of children on school sites during the construction phase.
  - The design/layout of any new build needs to allow for suitable distance and security with the integrity of both mainstream and special school provision maintained.
  - The future of existing Wellbeing provision at Fairwater Primary School.



23. The Governing Body of Fairwater Primary School expressed a wish for greater detail on the proposed changes, including detail on site matters such as access, boundaries, buildings and organisation of the two schools on the shared site.
24. Separate to the proposed changes, Fairwater Governing Body asked for consideration to be given to the establishment of nursery provision at the school.
25. A number of alternative suggestions were put forward. These included the use of land at Fitzalan High School, the former Michaelston Community College site and at the school playing fields in Cardiff West Community High School.
26. It was also suggested that a more rural location would be better for the school, that single site provision should be developed, and that the age range of the school be extended to age 19.

### **The Court Special School Pupil Representation**

27. Officers met with pupils from The Court Special School to discuss the proposals and gather their opinions.
28. The pupils liked the idea of a new school buildings and facilities; the school currently had issues with heating and windows. They would like better facilities with more suitable rooms/spaces to do things. They provided a range of ideas for what they would like to be provided including improved sports facilities (internal and external), quiet areas, outside space and equipment, an outdoor classroom, craft and music rooms.
29. They also wanted established practices, such as earning tokens throughout the week to spend on Fridays, to be maintained.

### **Fairwater Primary School Pupil representation**

30. Officers met virtually with pupil representatives from Fairwater Primary School to discuss the proposal and gather their opinions.
31. Overall, the children were happy with the idea of having another school on their site.
32. The points raised related to any loss of playground space, whether there would be opportunities to play with the children from the other school, the age range of the new school, access arrangements and the location of the new school on the site.
33. Notes of the meetings can be seen at Appendix 4.

### **Response to views expressed**

34. The Council welcomes the expressions of support for the expansion and redevelopment of The Court Special School.

35. It is however acknowledged that there are a number of concerns raised particularly around transition arrangements, site layouts/access, the co-location of special and mainstream provision, the potential for increased traffic and the status of existing Wellbeing provision.
36. The development of the proposal would be progressed in partnership with the relevant Headteachers and Governing Bodies and would consider fully the concerns raised and appropriate ways in which these could be mitigated including phased implementation, accommodation requirements, site layout options, traffic management, transition planning and Outreach support.
37. The Council will work closely with each school to consider the design, layout, access and buildings arrangements as the proposals are developed. Whilst initial development appraisals have been undertaken, these detailed matters would be considered at a later stage taking account of the initial feedback during this consultation stage on organisational changes.
38. The co-location of specialist and mainstream provision provides the opportunity to build partnerships and develop collaborative working practices which would benefit all of the schools.
39. The majority of The Court pupils would be eligible for Learner Transport in shared taxis or minibuses. The site access would be designed for efficient access by this small number of vehicles.
40. An appropriately sized drop-off and pick-up area would be incorporated in a safe, secure area within the site.
41. The existing Wellbeing class at Fairwater Primary School continues to be an important part of citywide emotional health and wellbeing support for primary aged pupils and this is intended to continue.
42. The establishment of nursery provision at Fairwater Primary School is out outside of the scope of the proposal consulted on and will be considered separately.
43. The development of Welsh-medium additional learning needs provision is being considered and proposals will be brought forward as part of the implementation of the Council's Welsh in Education Strategic Plan 2022-2031, following consideration of the strategy by the Welsh Government and formal adoption later in 2022.
44. A full appraisal of the views expressed can be seen at Appendix 7.

#### **Responses received regarding the proposal for Greenhill School during the consultation period**

45. In total 28 responses were received including 22 online survey responses and 6 e-mail responses.

46. Formal responses in respect of the Greenhill School proposals were received from:
- Local Members - Rhiwbina
  - Estyn
  - Greenhill School Governing Body
  - Greenhill School Senior Leadership Team
47. In addition to these, a further 17 responses were received during the consultation period that did not comment directly on the Greenhill School proposals but commented on the need for an increase in additional learning needs provision overall, particularly in the Welsh-medium sector.
48. The response from Estyn sets out its view that the proposal is likely at least to maintain the standard of education provision in the area.
49. Full copies of the formal responses can be seen at Appendix 6.
50. Of the 22 online survey responses received, 64% supported the proposal to increase the capacity of the school from 64 to 160 places.
51. However, of the 20 online responses which answered the question regarding the transfer of the school to new build accommodation across two sites at the Dutch Garden Centre site and Ty Glas Road only 32% were in favour.
52. A summary of the responses received from all stakeholders, and appraisal of views expressed, can be seen at Appendix 7.
53. A summary analysis of the responses received are included in Appendix 8.
54. Reasons for supporting the proposed changes included:
- The need to respond to the growing demand for emotional health and wellbeing provision.
  - The provision of new accommodation and facilities would support education and wellbeing.
  - More children would benefit from being able to access specialist provision, particularly those for whom mainstream provision is not suitable.
  - A dual site arrangement would allow for an increase in the range of activities and opportunities available for learners, would support pupil management and provide the focused attention pupils need.
  - The Ty Glas site is centrally located with good transport links.
  - The nature of the Dutch Garden Centre site would provide opportunities to develop a range of learning options.

55. Whilst there was support overall for the expansion of the school there were a number of concerns and queries summarised as follows:

- The appropriateness of the sites needs to be carefully considered for the needs of the children.
- The proximity of the Dutch Garden Centre site to the M4 motorway / junction and the potential health and safety implications arising out of this.
- The lack of public transport to the Dutch Garden Centre site at present.
- The size of the Ty Glas site that is likely to be available for Greenhill School.
- The potential for difficulties arising out of Greenhill School sharing a site with a mainstream school at the Ty Glas site.
- The challenges around retaining the ethos of Greenhill School across two sites; a single site potentially offers a cohesive identity, security and continuity for pupils.
- The dilution of resources across two sites could result in decreased effectiveness overall.
- Additional pupil numbers could require larger class sizes leading to increased pressure on staff.
- Increased pupil numbers could lead to reduced opportunities for 1:1 support in both educational aspects and wellbeing.
- Whilst the integration of girls at the school is welcome, careful consideration would need to be given to how this would be managed.
- The current lack of Welsh-medium emotional health and wellbeing provision is limiting the opportunities for children to continue their education through the medium of Welsh.
- The need to ensure that any new accommodation is comparable in size with the existing school facilities e.g., classrooms.
- The future use of the existing Greenhill School site.
- The Council's original proposal for the Dutch Garden Centre at J30 of the M4 was for a Park and Ride facility. Is that proposal no longer considered and replaced by the school development?
- When do you intend to demolish the Inland Revenue Buildings?
- Will the Council ensure local residents are provided with full planning details of the proposed developments in Rhiwbina, Llanishen and the J30 at the M4 site?

56. A number of alternative suggestions were put forward. These included:

- Maintaining Greenhill School provision on the existing site; the current school site provides a perfect base for a safe and successful school. The school is well supported by the local community and the current school site should therefore be developed to provide quality accommodation.
- The Ty Glas site should be used exclusively for Greenhill.
- Having an expanded Greenhill on one site in new purpose-built accommodation.
- There should be separate sites for boys and girls in recognition of welfare and safeguarding risks.

- Consideration should be given to the wider independent/private education offer.

### **Greenhill School Pupil representation**

57. Officers met with pupils at Greenhill School to discuss the proposals and gather their opinions.
58. The pupils supported an increase in the capacity of the school as this would allow for a greater number of young people to benefit from the opportunities provided by the school.
59. They liked the idea of a new school buildings/facilities and provided a range of ideas for what they would like to be provided including improved sports facilities (internal and external), cooking facilities, quiet areas, outside space that could be developed as a garden/small animal area, separate sixth form provision and a community/parent space.
60. They were however concerned about the location of the Dutch Garden Centre site close to the M4 motorway/ junction, and the potential risks around this.
61. The co-location of a mainstream secondary school site was also a concern and the potential difficulties in the schools' pupil relationships associated with this.
62. At present all of the Greenhill School pupils are boys, many of whom have not been in a mixed school with girls. Some of the pupils attended primary schools with girls, but they felt it was different as the pupils become older, as there is the possibility of relationships between the pupils which could cause difficulties.
63. Notes of the pupil meetings can be seen at Appendix 4.

### **Response to the view expressed**

64. The Council welcomes the expressions of support for the expansion of Greenhill School.
65. It is however acknowledged that a number of issues have been raised in relation to the proposed sites, including concerns around safety, the need to maintain a supportive single school ethos and the provision of Welsh-medium additional learning needs provision.
66. It is therefore proposed that further feasibility work is undertaken to consider the appropriateness of the sites for the accommodation of emotional health and wellbeing provision for learners aged 11 – 19.
67. This will include consideration of:

- the proximity of the Dutch Garden Centre site to the M4/motorway junction and the management of risks associated with this e.g., site mitigations, pupil management and supervision.
  - public transport access to the Dutch Garden Centre site.
  - the extent of land available at the Ty Glas site for Greenhill School and site layout options.
68. The demolition of the vacant buildings on the Ty Glas site is to be progressed in 2022/23. This would allow for redevelopment of the site for education purposes at the earliest opportunity. This will also support the Council in managing the ongoing security and maintenance costs related to the vacant site.
69. The points raised during the consultation will be further appraised prior to bringing forward revised proposals for the provision of English-medium and Welsh-medium education health and wellbeing special school places for learners aged 11-19.
70. A full appraisal of the views expressed can be seen at Appendix 7.

**Responses received regarding the establishment of emotional health and wellbeing Specialist Resource Base provision for learners aged 11-19 (Cardiff West Community High School and Eastern High) during the consultation period**

71. In total, six responses were received including two online survey responses and four email responses.
72. Formal responses were received from:
- Estyn
  - Cardiff West Community High School Governing Body
  - Cardiff West Community High School Headteacher
  - Eastern High Headteacher and Governing Body
73. In addition to these a further 17 responses were received during the consultation period, that did not comment directly on the proposals for Cardiff West Community High School and Eastern High but commented on the need for an increase in additional learning needs provision overall, particularly in the Welsh-medium sector.
74. On the basis of the latest information, Estyn have expressed reservations about increasing the capacity of any current provision or establishing a new specialist provision at Cardiff West Community High School.
75. With regards to Eastern High, Estyn consider that the proposals are likely to, at least, maintain the standard of education provision in the area.
76. Full copies of the formal responses can be seen at Appendix 6.
77. The responses received supported the expansion of emotional health and wellbeing secondary provision.

78. A summary of the responses received from all stakeholders, and appraisal of views expressed, can be seen at Appendix 7.
79. Reasons for supporting the proposed changes included:
- The need to improve access to Additional Learning Needs provision.
  - The need to provide locally for children living within the Cardiff West Community High School and Eastern High catchment areas.
  - The expertise and support of the specialist additional learning needs staff can be shared with staff in the mainstream schools.
80. Whilst there was support for the proposals, a number of concerns raised related to:
- The potential for increased traffic around the school sites.
  - The accommodation needed in order to facilitate the provision at both schools.
  - The proposed implementation date for the Eastern High provision.
  - The safety and wellbeing of all pupils.

### **Cardiff West Community High School Pupil representation**

81. Officers met virtually with pupil representatives from Cardiff West Community High School to discuss the proposals and gather their opinions.
82. The pupils supported the establishment of the Specialist Resource Base provision at the school. The building and facilities at the school are good and would support this type of provision.
83. The pupils suggested that start/finish times could be staggered to offset any increase in traffic as a result of the proposal.
84. Notes of the meetings can be seen at Appendix 6.

### **Eastern High Pupil representation**

85. Officers arranged with Eastern High to meet with pupil representatives from the school during the consultation period to discuss the proposals and gather their opinions. However, due to staffing issues arising from Covid-19, the school postponed the sessions arranged and was unable to facilitate a session in-person or online during the consultation period.

### **Response to the views expressed**

86. The Council welcomes the expressions of support for establishment of emotional health and wellbeing Specialist Resource Base provision at Cardiff West Community High School and Eastern High.

87. It is however acknowledged that there are a number of concerns raised particularly around increasing the capacity of any current provision or establishing a new specialist provision in Cardiff West Community High School, accommodation requirements, the proposed implementation date at Eastern High and a potential increase in traffic.
88. Specialist provision has been available at Cardiff West Community High School for pupils enrolled at the school who require additional emotional health and wellbeing support. The proposal consulted on seeks to formalise this provision and does not propose to increase the capacity of any current provision or establish any new specialist provision. The school will continue to be supported in providing for existing pupils and any future pupils accessing the provision who are largely expected to be from the area local to the school.
89. Accommodation requirements have been assessed and discussed with each school. Further work is being undertaken to review existing accommodation and identify any additional capacity required.
90. Following discussions with Eastern High, it has been agreed that the implementation date for the establishment of Specialist Resource Base provision at the school would be put back to September 2023 to allow for accommodation, staffing and training arrangements to be finalised.
91. Only a small number of additional vehicles would be anticipated to be required for those pupils who are eligible for Learner Transport, in shared taxis or by minibus.
92. At Cardiff West Community High School suitable improved and/or expanded facilities for drop-off and pick-up may be required within the site to accommodate the appropriate numbers of vehicles.
93. Additional parking restrictions along Penally Road around school start and finish times would reduce congestion and parking issues and improve safety for pupils.
94. At Eastern High the site would be assessed to ensure there is suitable facilities for drop-off and pick-up to accommodate the appropriate numbers of vehicles.
95. Measures to improve traffic issues outside the school may include additional parking restrictions or consideration of a School Street around school start and finish times to reduce congestion and parking issues and improve safety for pupils.
96. A full appraisal of the views expressed can be seen at Appendix 7.



## **Formal responses received during the consultation regarding Additional Learning Needs Provision**

97. In addition to the responses received regarding the individual proposals consulted on, formal responses regarding the overall provision for children and young adults with additional learning needs were received from:
- Ysgol Glan Morfa Headteacher and Governing Body
  - Ysgol Melin Gruffydd Governing Body
  - Ysgol Glan Ceubal Governing Body
  - Ysgol Pencae Governing Body
  - Ysgol Pwll Coch Governing Body
  - Ysgol y Berllan Deg Governing Body
  - Ysgol Gwaelod y Garth Governing Body
  - Ysgol Nant Caerau Governing Body
  - Ysgol Pen y Gores Governing Body
  - Creigiau Primary School Governing Body
  - Ysgol Mynydd Bychan Governing Body
  - Ysgol Treganna Governing Body
  - Ysgol Coed y Gof Governing Body
  - Ysgol Gyfun Gymraeg Plasmawr School and Governing Body
  - Ysgol Gyfun Gymraeg Glantaf Governing Body
  - Cardiff Governors Association
  - Merched y Wawr
98. The responses from the Welsh-medium schools contained largely consistent content and are summarised below.
99. Schools acknowledge and welcome the proposals to increase capacity for the English-medium sector and fully support the provision for the most vulnerable pupils in our communities. However, there was a strong feeling that there is a lack of additional learning needs provision within the Welsh-medium sector and a disappointment that more changes were not proposed as part of this consultation.
100. Furthermore, the view was expressed that this consultation contradicts the recent Welsh in Education Strategic Plan (WESP) consultation which noted the Council's ambition to open three specialist units in Welsh-medium schools in the Primary sector and a further three in the Secondary sector.
101. Concerns were outlined that by limiting the investment to one sector it encourages families to transfer ALN pupils to leave the Welsh-medium sector and move to English-medium schools where the investment and resources are currently viewed as being superior and better able to meet more complex or higher levels of need.
102. Investment is needed within the Welsh-medium sector in order to ensure parity of provision and full inclusion within Welsh-medium schools.

103. The documentation recognises a clear growing need within the English-medium sector but not in the Welsh-medium with concerns expressed as to whether the research been sufficient to accurately reflect need presenting in Welsh-medium schools.
104. Concerns were also expressed that there is a lack of clear provision in terms of emotional health and well-being and behavior within the Welsh-medium sector for pupils at Stage 4-5 (who have needs beyond mainstream provision) along with a lack of space to establish nurture/wellbeing classes.
105. There was a consistent view across the majority of the responses submitted by the Welsh-medium schools that there is a definite need for a greater number of Welsh-medium ALN places and that this need is increasing. In order to respond to this effectively there was a call for strategic and holistic planning which puts the children and families at the heart of all that we do consistent with our collective commitment to the UNCRC and FGWBA with other corporate goals such as One Planet Cardiff, Cardiff 2030 and Child Friendly City status.

#### **Response to the view expressed**

106. The Council welcomes the expressions of support for the expansion of additional learning needs provision for children and young people city wide.
107. Following engagement sessions with members of Cardiff's Welsh Education Forum in summer 2021, the Council formally consulted on its draft Welsh in Education Strategic Plan (WESP) 2022-2032 between 15 October 2021 and 13 December 2021.
108. Links to the plan (including the full draft WESP, the easy read summary version and the Trajectory for Growth) and survey webpage were circulated to statutory stakeholders including all of Cardiff's schools and Cardiff's Welsh Education Forum member organisations.
109. The draft WESP sets out the strategy for the development of Welsh-medium additional learning needs provision and it is intended that proposals would be brought forward as part of the implementation of the Council's Welsh in Education Strategic Plan following agreement of the strategy by the Welsh Government and formal adoption by the Council later in 2022.
110. The ongoing development of additional learning needs provision including new and existing provision will be kept under review to ensure proposals are brought forward in a strategic and holistic way that takes into account the needs of all of our learners and provides parity in the Welsh-medium sector as new places are delivered throughout the proposed WESP.
111. A full appraisal of the views expressed can be seen at Appendix 7.

## **Health provision**

112. The proposals to expand specialist provision at the above school sites will have implications for health and other specialist services, working in partnership with schools to meet Additional Learning Needs. An additional factor is the ALN Reform Act 2018, which will introduce new responsibilities for health, education and social care to work together to coordinate assessment and provision. The Act 2018 will be implemented over a three-year period, beginning in September 2021.
113. In order to address these challenges together, the Local Authority and Cardiff and the Vale University Health Board are undertaking a joint review of health and specialist provision in Cardiff special schools and pupil referral units. The findings of the review, overseen by a project group of representatives from health, education, social services, schools, and parents, will inform the design of the specialist provision.

## **Admissions Arrangements**

114. The Council would manage admissions to each of the special schools and Specialist Resource Bases in accordance with the ALN Code.

## **Learner Travel Arrangements**

115. There are no plans to change the Council's transport policy for school children.
116. Any pupils affected by the proposals would be offered the same support with transport as is provided throughout Cardiff in line with the same criteria that apply across Cardiff.
117. The Council's transport policy for school children can be viewed on the Council's website [www.cardiff.gov.uk/schooltransport](http://www.cardiff.gov.uk/schooltransport).
118. Any increase in demand for Learner Transport will require funding. Whilst the per pupil cost of school transport is likely to decrease further modelling is required to establish whether the overall transport costs are likely to increase or decrease.

## **Community Impact**

119. The following are taken into account when considering a proposal: Public Open Space, parkland, noise and traffic congestion. Officers will work with schools, local members and any community group to make sure that the proposal avoids negative impacts if possible.

## **Local Member consultation**

120. Additional learning needs provision is city-wide, and all local members were consulted as part of the public consultation. The response to the consultation received from the Rhiwbina Members can be seen at Appendix 6.

## **Scrutiny Consideration**

121. The Children and Young People's Scrutiny Committee will consider this report on 8 March 2022. Any comments received will be circulated at the Cabinet meeting.

## **Reasons for Recommendations**

122. To meet increasing demand for special school places for primary, secondary and post-16 age learners with emotional health and wellbeing needs.

## **Finance Implications**

123. This report outlines the responses to public consultation on changes to ALN provision and school's intake within The Court Special School. There are no capital financial implications directly arising from this report. However, once a final solution has been agreed for each site it will be necessary for a full financial evaluation to be undertaken. The aim of this will be to provide assurance that the scheme remains affordable once all relevant costs and contingencies for potential changes in delivery timescales have been incorporated.
124. The outline 21st Century Schools Band B Programme was approved by Cabinet in December 2017. At that time the overall value of the programme amounted to £284m, including the Court Special School project. The Welsh Government (WG) have not formally approved individual project budgets but have given their in-principle support to each project within Cardiff Council's programme.
125. The overall projected costs of the Court are included in the current Band B cash-flow forecast, to be funded through Welsh Government Grant (75%) and 21st Century Schools Invest to Save borrowing (25%). Any revenue costs in relation to these schemes, including capital financing costs will be funded through the School Organisation Programme Revenue Reserve.
126. A capital receipts target of £25m is expected to fund part of the overall Band B programme. The source of these receipts has yet to be identified, but any site disposals resulting from building schools on new sites should be prioritised to fund Band B.
127. This report sets out proposals and recommends additional SRB provision at Cardiff West Community High and Eastern High Schools that will need

to be funded from the existing delegated schools' budgets. This is an area of high-cost provision through Out of County Placements or enhanced Complex Needs Enhancement payments for mainstream pupils.

128. There will need to be a review of the budget for each SRB or Special School which has an increase in the number of places. The due diligence undertaken must provide assurance that the additional places will be taken up and that the cost and numbers of Out of County Placements and CNE enhancements will reduce in order to ensure no significant pressure ongoing on school budgets. Over the medium term, regular review and analysis needs to be undertaken comparing the projected number of places available to places taken up. This will ensure that the optimum benefits are achieved by the financial resources used.
129. The proposal for a better spread of provision at special schools and SRBs across the city means that the transport cost per individual learner is likely to decrease. However, as noted in both the body of the report and the Transportation implications there is need for further work in order to establish the full impact on transport costs both in the short term and the medium term. The decision maker needs to consider the likelihood that savings on individual placements and a more effective management of Out of County Placements will be able to cover the additional cost of transporting the increased SRB places. The covering report sets out that the number of places will incrementally grow over the next four years and further work is required to establish the cost / saving for each financial year. For 2022/23, there is a risk that overall spend on home to school transport, Out of County provision and enhanced CNE payments for children and young people with ALN would increase in September 22, but this pressure can be managed within school delegated budgets. However, the need to ensure robust modelling is in place to ensure that any further pressures are identified and understood prior to implementation and are robustly modelled and factored into medium-term planning is of paramount importance.

### **Legal Implications**

130. Under the Education Act 1996, the Council has a general statutory obligation to promote high standards of education and to provide sufficient school places for pupils of compulsory school age, including appropriate provision for pupils with special educational needs (or additional learning needs).
131. A local authority can make school organisation proposals, including making 'regulated alterations' to a community school or a community special school, under sections 42-44 of the Schools Standards and Organisation (Wales) Act 2013. The proposals set out in the report constitute 'regulated alterations' and must be considered having regard to the provisions of the 2013 Act and the School Organisation Code 2018, which sets out factors to be considered in respect of different proposals, the statutory procedures, legal requirements and guidance.

132. Where an increase in a school's capacity is proposed, the Council must have regard to evidence of current or future need/demand in the area for additional places, with reference to the school's language category (and religious character / gender intake if applicable). The Code also includes specific factors to be considered in relation to proposals for the reorganisation of provision for Special Educational Needs (or Additional Learning Needs). Cabinet will need to be satisfied that all relevant factors are properly considered in relation to the proposals.
133. The Council is required, prior to publishing its proposals, to undertake a consultation on its proposals in accordance with section 48 of that Act and the School Organisation Code 2018. Following the public consultation, the Council is required to publish and circulate to all interested parties (listed in the Code) a consultation report:
- (i) summarising each of the issues raised by the consultees.
  - (ii) responding to these by means of clarification, amendment to the proposal or rejection of the concerns with supporting reasons;
  - (iii) setting out Estyn's response to the consultation in full; and
  - (iv) responding to Estyn's response by means of clarification, amendment to the proposal, or rejection of the concerns, with supporting reasons.
134. The consultation report may also make recommendations to the Cabinet about how to proceed, i.e. to publish the proposals as consultation on with any appropriate modifications, to abandon the proposals and retain the status quo or to significantly recast the proposals and re-consult.
135. This Cabinet report, together with the appendices constitutes the required consultation report; and seeks the Cabinet's approval to proceed to publish all proposals except those relating to Greenhill Special School. The only modification is in relation to the commencement date of the SRB at Eastern High School. In considering this matter, the Cabinet is required to review the proposals having regard to all further relevant information put forward during the consultation period (and otherwise).

#### Land Matters

136. It is anticipated that if The Court proposal proceeds, the Council would need to undertake due diligence on potential site constraints and subject to that, additional decisions may be required to deal with specific property, planning or procurement issues arising from this matter.

#### Statutory Determination Process and Other Considerations

137. If the Cabinet decides to proceed, the proposals must be published within 26 weeks from the end of the consultation period (unless an extension of time is obtained from the Welsh Ministers). Proposals must be published by way of a statutory notice, allowing a minimum of 28 days for objections ('the Objection Period'). The content of the statutory notice, manner of publication and persons to be notified are prescribed in the Code.

138. Within 16 weeks from the end of the Objection Period, the Council must conscientiously consider any objections received and determine whether or not to implement its proposals (under section 53 of the 2013 Act). Members will note that the recommendation is for Cabinet to receive a further report at that stage.
139. If any objections are received during the Objection Period, the Council is required to publish an Objections Report summarising all objections made (and not withdrawn) and its response to those objections. The Objections Report must be published within 7 days from the date of the Council's determination of the proposals and made available to the interested parties listed in the Code. At the same time as publishing the Objections Report, the Council must also notify its decision to the Welsh Ministers, the school governing body and all interested parties listed in the Code.
140. If the proposals are taken forward, the admission arrangements, including admission numbers and catchment areas, will need to be determined, following consultation, in accordance with the School Admission Code and the Education (Determination of Admission Arrangements) (Wales) Regulations 2006.
141. In considering the proposals, the Council must have regard to its public sector equality duties under the Equality Act 2010 (including specific Welsh public sector duties). Pursuant to these legal duties, Councils must in making decisions have due regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of protected characteristics. The Protected characteristics are: age, gender reassignment, sex, race – including ethnic or national origin, colour or nationality, disability, pregnancy and maternity, marriage and civil partnership, sexual orientation, religion or belief – including lack of belief.
142. When taking strategic decisions, the Council also has a statutory duty to have due regard to the need to reduce inequalities of outcome resulting from socio-economic disadvantage ('the Socio-Economic Duty' imposed under section 1 of the Equality Act 2010). In considering this, the Council must take into account the statutory guidance issued by the Welsh Ministers and must be able to demonstrate how it has discharged its duty.
143. Due regard and consideration should be given to the outcomes of the Equalities Impact Assessment.
144. The Council must also be mindful of the Welsh Language (Wales) Measure 2011 and the Welsh Language Standards and consider the impact of its proposals upon the Welsh language.
145. The Well-being of Future Generations (Wales) Act 2015 requires the Council to consider how the proposals will contribute towards meeting its wellbeing objectives (set out in the Corporate Plan). Members must also be satisfied that the proposals comply with the sustainable development principle, which requires that the needs of the present are met without compromising the ability of future generations to meet their own needs.

146. The decision makers must be satisfied that the proposals fall within the Council's approved policy and budget framework.

### **HR Implications**

#### **The Court Special School**

147. The proposed increase in pupil numbers for The Court Special School would require the Governing Body to plan for the workforce requirements in readiness for the expansion and proposal to operate across two sites. The Governing Body will be encouraged to undertake this work in line with the School Organisation Planning HR Framework.
148. HR People Services will provide advice, support and guidance to the Governing Body for the workforce planning and consequential recruitment processes. Where Governing Bodies have adopted the Council's School Redeployment and Redundancy Policy, any new vacancies arising as a consequence of an increase in the numbers on roll would provide opportunities for school-based staff on the school redeployment register.
149. The proposal to relocate the school and to operate across two sites will require high levels of staff and trade union consultation, clear communication plans regarding the arrangements for the transition from one school site to another and staff involvement in the development of building specifications or designs.

#### **Cardiff West Community High School**

150. HR People Services will work with the Governing Body to address any HR implications arising from the establishment of a Specialist Resource Base at the school and whether there is a need for staff resources.
151. Where the Governing Body has adopted the Council's School Redeployment and Redundancy Policy, any new vacancies arising as a consequence of the establishment of the Specialist Resource Base will provide opportunities for school-based staff on the school redeployment register.

#### **Eastern High**

152. HR People Services will work with the Governing Body to address the HR implications arising from the establishment of a Specialist Resource Base at the school and the resulting need for additional staffing.
153. Where the Governing Body has adopted the Council's School Redeployment and Redundancy Policy, any new vacancies arising as a consequence of the establishment of the Specialist Resource Base will provide opportunities for school-based staff on the school redeployment register.



## **Property Implications**

154. Strategic Estates continue to work with and support Education colleagues through the asset management process and any property matters relating and arising from the proposals. There are numerous options in this paper which will in time require further input as and when the consultation period completes, and we move towards business cases.

## **Traffic and Transport Implications**

155. The Council's Local Development Plan (2006-2026) includes a target of 50% of all journeys to be made by sustainable transport. Minimising the proportion of school journeys made by car and maximising opportunities for travel to school by active and sustainable modes can make an important contribution to achieving this target and reducing pressures on the transport network at peak times.
156. The individual needs of pupils at special schools and SRBs, together with the greater distances travelled, necessarily limit the scope for high rates of active travel compared with mainstream school pupils.
157. The Council applies the statutory qualifying walking distance criteria for pupils to qualify for free home to school transport to special schools and SRBs. Additionally, some learners who live within two / three miles of the school may be provided with free transport due to their individual learning needs and social issues.
158. The proposal for a better spread of provision at special schools and SRBs across the city means that the transport cost per individual learner is likely to decrease. However due to the increasing numbers of eligible learners there is still expected to be a risk of high transport costs. Further modelling is required to establish whether the demand on the school transport budget is likely to increase or decrease.
159. The existing high numbers of special school pupils eligible for Learner Transport are not generally expected to change significantly, however a proportion of Greenhill and secondary age SRB pupils are able to, and may already, travel to school independently. These pupils as well as staff and school visitors would benefit from any required improvements in facilities for active travel to school or public transport facilities.
160. Transport Assessments would be required for the new school proposals, and Transport Statements may be required for proposals to establish SRBs. These will identify measures to be included as part of the applications to maximise travel by sustainable modes.
161. The Council's current Corporate Plan includes a commitment to every school in Cardiff developing an Active Travel Plan. Each such plan will identify actions by the school to support and encourage active travel to school and also any improvements to on-site and off-site infrastructure required to facilitate active journeys.

162. Increasing travel to school by active modes will have a positive impact on children's health and wellbeing and will support the delivery of key actions and outcomes under Goal 5 the Council's Child Friendly City Strategy (2018), which relates to ensuring access to safe outdoor environments for formal and informal play, walking, cycling and scooting and active travel to school.
163. A number of initiatives have successfully demonstrated support and encouragement for active and sustainable travel amongst the ALN cohort, including Independent Travel Training for older pupils, cycle maintenance and cycle training.
164. Some pupils are able to travel independently or with parent/carers and if resident within the two-mile qualifying distance may not be eligible for Learner Transport.
165. Provision of recommended improvements for active travel would benefit these pupils as well as any mainstream pupils, staff and visitors to the sites.
166. Numbers of pupils who continue to use Learner Transport for their journey to school will be likely to increase in line with the trend for increasing numbers of pupils requiring places at special schools or SRBs. Each school location with new or increased demand for Learner Transport vehicles will require suitable new, improved and / or expanded facilities for drop-off and pick-up within the site. The areas required would need to accommodate appropriate numbers of vehicles which may approximate to one taxi for a typical average of 3 pupils. In some cases minibuses may be suitable, but this is also dependent on individual pupil needs, home locations and co-ordination of routes.
167. Car parking provision at new schools would be in line with the Council's parking standards. Allocations for special schools and SRBs are agreed on a case-by-case basis but requirements are expected to generally correlate with 1 car space per typical number of pupils in a class. This is in line with the standard 1 space per 30 pupils in mainstream schools, but results in a higher ratio of spaces due to the much smaller class sizes.

Transport matters relating to The Court at the proposed Fairwater Primary School site

168. There are very good public transport links with several bus services a short walk from the school. Waun-gron Park rail station is approximately 0.75 miles (1.2km) from the school.
169. There is good walking route access to the school and good existing and proposed cycling links. Short term improvements due through the Ely Mill development with links via Cycleway 5 to the city centre. The Ely Trail runs along Bwlch Road immediately to the south of the site and continues to Cardiff Bay of varying standards: traffic-free/ on-road. Signed routes

link through Canton to the centre with medium term improvements due for on-road light segregation cycle tracks.

170. A recent Transport Assessment for this site identified acceptable traffic impact due to a comparable (but larger) development.
171. Further various facilities for walking and cycling, including upgrading of the Bwlch Road crossing are proposed in the Fairwater area for another school project with provision due by late 2023. These would also improve walking and cycling access to/from Ely south of railway line and river Ely and north east through Fairwater, Llandaff and the wider network.
172. The proposed location at the Fairwater Primary School site would give potential for a separate second access from the existing primary school access.
173. The development proposals may require a revised Transport Assessment which will confirm measures to be included as part of the application to maximise travel by sustainable modes and identify any further provision relating specifically to a proposal for The Court.

#### Transport matters relating to The Court at the proposed St Mellons CiW Primary School site

174. There are good public transport links via Llanrumney & Countisbury Avenue and also from Newport Road which are within short walking distance for staff access. There is good walking route accessibility for local pupils and staff.
175. Cycleway 2 is planned along this section of Newport Road. A short-medium term future phase will replace the existing cycle lanes provision on this busy main road.
176. There are current parking issues outside the adjacent Pen Y Bryn Primary along Dunster Road. While the Transport team is monitoring the situation and reviewing the need for additional measures and parking controls outside all schools, the need for any additional measures outside the proposed site would be considered as part of that process.

#### Transport matters relating to Cardiff West Community High School

177. With the expected increased demand for Learner Transport at Cardiff West Community High School suitable improved and / or expanded facilities for drop-off and pick-up may be required within the site to accommodate the appropriate numbers of vehicles. Additional parking restrictions along Penally Road around school start and finish times would reduce congestion and parking issues and improve safety for pupils.

#### Transport matters relating to Eastern High

178. With the expected increased demand for Learner Transport at Eastern High School the site would be assessed to ensure there is suitable facilities

for drop-off and pick-up to accommodate the appropriate numbers of vehicles. Measures to improve traffic issues outside the school may include additional parking restrictions or consideration of a School Street around school start and finish times to reduce congestion and parking issues and improve safety for pupils.

### **Impact of the proposals on the Welsh Language**

179. The Council is committed to developing a Bilingual Cardiff.
180. Cardiff's Welsh in Education Strategic Plan (WESP) 2022-2031 sets out a series of ambitious commitments to build on the progress achieved to date. These will ensure that every child in the city can receive an education in the language of Welsh, the number receiving their education in Welsh-medium schools will increase, and through the significant use of Welsh in English medium education all will have the opportunity to become confident in speaking Welsh.
181. The level of special educational needs/ additional learning needs in the Welsh-medium sector has historically been lower than in the English medium sector. This has however been changing over the last 4-5 years, with schools reporting an increased incidence of additional learning needs, in all areas of need.
182. A review of additional learning needs in the Welsh-medium sector was undertaken with Welsh medium schools in 2016 to inform the Welsh in Education Strategic Plan (WESP). Schools reported a small but significant number of examples of pupils with additional learning needs leaving the Welsh-medium sector in order to access Specialist Resource Bases or special schools.
183. There was also some anecdotal evidence to suggest that some families who would otherwise choose Welsh-medium education opt instead for English medium if their child has additional learning needs, through concern that their child may need to transfer to the specialist sector at a later date.
184. Through the WESP, Cardiff has invested in specialist provision in the sector, including some capacity to respond to growing demand and to generate more confidence in the availability of specialist provision in the sector.
185. A new primary base was established at Ysgol Gymraeg Pwll Coch, within the catchment area of Ysgol Gyfun Gymraeg Glantaf, where the secondary base is established. The two bases cater for learners with severe learning difficulties, providing a specialist curriculum and supporting a range of secondary needs including physical and medical needs, speech and language difficulties and autism.

186. As the Welsh sector continues to grow it will be important to develop additional provision in anticipation of the need, to ensure Welsh-medium education is a genuine choice for learners with complex additional learning needs.
187. Following engagement sessions with members of Cardiff's Welsh Education Forum in summer 2021, the Council formally consulted on its draft Welsh in Education Strategic Plan (WESP) 2022-2032 between 15 October 2021 and 13 December 2021.
188. Links to the plan (including the full draft WESP, the easy read summary version and the Trajectory for Growth) and survey webpage were circulated to statutory stakeholders including Cardiff schools and Cardiff's Welsh Education Forum member organisations.
189. The draft WESP sets out the strategy for the development of Welsh-medium additional learning needs provision and proposals would be brought forward as part of the implementation of the Council's Welsh in Education Strategic Plan following agreement of the strategy by the Welsh Government and formal adoption by the Council later in 2022.
190. The Cabinet approved Cardiff's WESP 2022-2031 at its meeting of 24 February 2022, for submission to the Welsh Government Ministers.
191. The ongoing development of additional learning needs provision including new and existing provision will be kept under review to ensure proposals are brought forward in a strategic and holistic way that takes into account the needs of all of our learners and reflects the additionality required to ensure parity in the Welsh-medium sector as new places are delivered throughout the proposed WESP.

### **Wellbeing of Future Generations**

192. In line with the Well-being of Future Generations Act Cardiff's Band B programme is committed to providing Local Schools for Local Children, together with encouraging use of sustainable modes to travel to schools, such as walking and cycling. Each School project takes into account key transport issues when they are being designed and the firm need to provide safer routes to encourage walking, cycling and other active travel modes to schools.
193. With the current investments in ICT across the city, student movements may be further reduced as mobile technology develops further allowing for flexible teaching methods. These have the potential to result in a more efficient Travel Plan and further contribute to the Council's targets to reduce its carbon emissions.

194. In order to maximise the long-term impact of this significant investment, any design taken forward for each school included in this proposal would be developed to ensure the delivery of high-quality modern facilities that are able to respond to the current pupil populations needs and support the delivery of effective teaching and learning methods. They would also incorporate the flexibility to take account of changes depending on need as time progresses, such as changing demographics and pupil numbers, changing curriculum and changing types of pupil needs.

### **Equality Impact Assessment**

195. An Equality Impact Assessment has been carried out. It concluded that the proposed changes would not negatively affect a particular group in society.
196. The Equality Impact Assessment is attached as Appendix 9.

### **RECOMMENDATIONS**

The Cabinet is recommended to

1. authorise officers to proceed to publish proposals in accordance with section 48 of The School Standards and Organisation (Wales) Act 2013 to:
  - Increase the capacity of The Court Special School from 42 to 72 places. The school would transfer to new build accommodation across two sites at Fairwater Primary School and the current St Mellons, CiW Primary School site in Llanrumney with 36 pupils on each site from September 2025.
  - establish a 20-place Specialist Resource Base for emotional health and wellbeing at Cardiff West Community High School from September 2022.
  - establish a 20-place Specialist Resource Base for emotional health and wellbeing at Eastern High from September 2023.
2. Note progress the proposal to increase the capacity of Greenhill School.
3. Note that officers will bring a further report to Cabinet for consideration, setting out details of revised proposals for the provision of secondary English-medium and Welsh-medium education health and wellbeing special school places.

<b>SENIOR RESPONSIBLE OFFICER</b>	<b>Melanie Godfrey</b> Director of Education & Lifelong Learning
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*The following appendices are attached:*

Appendix 1: Consultation documents

Appendix 2: Summary documents

Appendix 3: Notes of meetings with Governing Bodies and Staff

Appendix 4: Notes from pupil engagement meetings

Appendix 5: Notes from public meetings

Appendix 6: Formal responses received

Appendix 7: Summary of responses received, and appraisal of views expressed

Appendix 8: Summary analysis of responses received

Appendix 9: Equality Impact Assessment

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## CARDIFF COUNCIL

### SCHOOL STANDARDS AND ORGANISATION (WALES) ACT 2013

Appendix 2

#### EMOTIONAL HEALTH AND WELLBEING PROVISION FOR PRIMARY AGED PUPILS

#### THE COURT SPECIAL SCHOOL

**NOTICE IS HEREBY GIVEN** in accordance with Section 44 of the School Standards and Organisation (Wales) Act 2013 and the School Organisation Code, that Cardiff Council (herein after “the Authority”), having consulted such persons as appeared to them to be appropriate, propose to alter The Court Special School, Station Rd, Llanishen, Cardiff CF14 5UX as follows:

- Increase the capacity of The Court Special School from 42 to 72 places.
- Transfer The Court Special School to new build accommodation across two sites at Fairwater Primary School, Wellright Road, Cardiff, CF5 3ED and the current St Mellons, Church in Wales Primary School site, Dunster Road, Llanrumney, Cardiff, CF3 5TP with 36 pupils on each site.

It is proposed to implement the proposal in September 2025.

The school is currently maintained by Cardiff Council.

The Authority undertook a period of consultation before deciding to publish this proposal. A consultation report containing a summary of the issues raised by consultees and the Authority’s responses and the views of Estyn on the proposed changes is available to view at:

[Agenda for Cabinet on Thursday, 10th March, 2022, 2.00 pm : City of Cardiff Council \(moderngov.co.uk\)](#)

The current school capacity is 42 places. The current number of pupils at the school is 40.

Children are taught in mixed classes and the numbers per age group may vary however the overall number would not exceed 72.

The school will continue to provide places for primary aged learners with emotional health and wellbeing needs.

There are no plans to change the Council’s policy on the admission of children to schools as a result of these proposals.

Admissions to the school are managed by the local authority and subject to a statement of Special Educational Needs (SEN) or Individual Development Plan (IDP) as appropriate.

Any arrangements for the transport of pupils will be made in accordance with the Authority’s existing policies on school transport.

Within a period of 28 days of the date of publication of these proposals, that is to say by 02 June 2022, any person may object to these proposals.

Objections should be sent to the Director of Education and Lifelong Learning, Cardiff Council, County Hall, Atlantic Wharf, Cardiff CF10 4UW.

Objections may also be sent to the Director of Education and Lifelong Learning, Cardiff Council using the following e-mail address: [SchoolResponses@cardiff.gov.uk](mailto:SchoolResponses@cardiff.gov.uk)

Please note that any such objection must contain the full name and postal address of the objector.

The Authority will publish a summary of any such objections made (and not withdrawn in writing) within the objection period, together with their observations thereon, before the end of 7 days beginning with the day the proposal is determined.

Dated this 06 day of May 2022

Signed: Davina Fiore  
Director of Legal, Governance and Monitoring Officer  
For Cardiff Council

### **EXPLANATORY NOTE**

(This does not form part of the Notice but is intended to explain its general meanings)

Cardiff Council is committed to the principles of inclusion. The majority of learners with Additional Learning Needs (ALN) attend a local mainstream school, and benefit from effective Additional Learning Provision (ALP). These learners do not need to attend a special school or specialist resource base. However, the number of pupils with severe and complex needs, who need a place in a special school or specialist resource base has continued to grow.

The Council is seeking to provide a better distribution of specialist provision across the city. This would improve access for learners, and reduce travel times for many pupils, as well as increasing the number of places available.

All pupils enrolled at The Court Special School have a statement of Special Educational Needs. The statutory assessment process for these young people has identified that their additional learning needs cannot be met in a less specialised environment. The purpose of The Court Special School is to provide a specialist learning environment and curriculum, where learners can fulfil their potential.

It is proposed that The Court School is expanded from 42 to 72 places and that the school transfers to new build accommodation across two sites at Fairwater Primary School in Fairwater and the current St Mellons Church in Wales Primary School site in Llanrumney with 36 pupils on each site. St Mellons Church is Wales Primary School is transferring to new build premises on the new housing development at St Edeyrn's, Bridge Road, Cardiff, CF3 6UZ.

A number of other expansions, and new provision at other schools city-wide, are also being progressed.

In addition to the proposal for The Court Special School, proposals to establish specialist resource base provision for secondary age pupils at Cardiff West Community High School and Eastern High are being progressed. Details of these proposals and copies of the statutory notices can be found at [Emotional Health & Wellbeing provision \(cardiff.gov.uk\)](https://www.cardiff.gov.uk/emotional-health-wellbeing-provision)

Proposals to expand provision at Greenhill Special School are not being progressed at this time with further work being undertaken to develop proposals for the provision of secondary English-medium and Welsh-medium emotional health and wellbeing special school places.

## CARDIFF COUNCIL

### SCHOOL STANDARDS AND ORGANISATION (WALES) ACT 2013

#### ADDITIONAL LEARNING NEEDS PROVISION

#### CARDIFF WEST COMMUNITY HIGH SCHOOL

**NOTICE IS HEREBY GIVEN** in accordance with Section 42 of the School Standards and Organisation (Wales) Act 2013 and the School Organisation Code, that Cardiff Council (herein after “the Authority”), having consulted such persons as appeared to them to be appropriate, propose to alter Cardiff West Community High School, Penally Road, Caerau, Cardiff, CF5 5XP as follows:

- establish a 20-place Specialist Resource Base (SRB) at Cardiff West Community High School for secondary aged pupils with emotional health and wellbeing needs.

It is proposed to implement the proposal from September 2022.

The school is currently maintained by Cardiff Council.

The Authority undertook a period of consultation before deciding to publish this proposal. A consultation report containing a summary of the issues raised by consultees and the Authority’s responses and the views of Estyn on the proposed change is available to view at:

[Agenda for Cabinet on Thursday, 10th March, 2022, 2.00 pm : City of Cardiff Council \(modern.gov.co.uk\)](#)

The current school capacity is 1500 places including sixth form. The current number of pupils at the school is 955 (11-16) and 68 (sixth form).

There are no plans to change the Council’s policy on the admission of children to schools as a result of these proposals.

Admissions to the specialist resource base would be managed by the local authority and be subject to a statement of Special Educational Needs (SEN) or Individual Development Plan (IDP) as appropriate.

Admissions to the specialist resource base would be separate to admission to the main school and would be in addition to the Published Admission Number (PAN).

Any arrangements for the transport of pupils will be made in accordance with the Authority’s existing policies on school transport.

Within a period of 28 days of the date of publication of these proposals, that is to say by 02 June 2022, any person may object to these proposals.

Objections should be sent to the Director of Education and Lifelong Learning, Cardiff Council, County Hall, Atlantic Wharf, Cardiff CF10 4UW.

Objections may also be sent to the Director of Education and Lifelong Learning, Cardiff Council using the following e-mail address: [SchoolResponses@cardiff.gov.uk](mailto:SchoolResponses@cardiff.gov.uk)

Please note that any such objection must contain the full name and postal address of the objector.

The Authority will publish a summary of any such objections made (and not withdrawn in writing) within the objection period, together with their observations thereon, before the end of 7 days beginning with the day the proposal is determined.

Dated this 06 day of May 2022

Signed: Davina Fiore  
Director of Legal, Governance and Monitoring Officer  
For Cardiff Council

### EXPLANATORY NOTE

(This does not form part of the Notice but is intended to explain its general meanings)

Cardiff Council is committed to the principles of inclusion. The majority of learners with Additional Learning Needs (ALN) attend a local mainstream school, and benefit from effective Additional Learning Provision (ALP). These learners do not need to attend a special school or specialist resource base. However, the number of learners with severe and complex needs, who need a place in a special school or specialist resource base has continued to grow.

The Council is seeking to provide a better distribution of specialist resource provision across the city. This would improve access for pupils, and reduce travel times for many learners, as well as increasing the number of places available. A number of other expansions, and new provision at other schools city-wide, are also being progressed.

In addition to the proposal for Cardiff West Community High School, proposals to establish specialist resource base provision for secondary age pupils at Eastern High and the proposed expansion of The Court Special School which provides places for primary aged pupils are being progressed. Details of these proposals and copies of the statutory notices can be found at [Emotional Health & Wellbeing provision \(cardiff.gov.uk\)](https://www.cardiff.gov.uk/emotional-health-wellbeing-provision)

Proposals to expand provision at Greenhill Special School are not being progressed at this time with further work being undertaken to develop proposals for the provision of secondary English-medium and Welsh-medium emotional health and wellbeing special school places.

## CARDIFF COUNCIL

### SCHOOL STANDARDS AND ORGANISATION (WALES) ACT 2013

#### ADDITIONAL LEARNING NEEDS PROVISION

#### EASTERN HIGH

**NOTICE IS HEREBY GIVEN** in accordance with Section 42 of the School Standards and Organisation (Wales) Act 2013 and the School Organisation Code, that Cardiff Council (herein after “the Authority”), having consulted such persons as appeared to them to be appropriate, propose to alter Eastern High, Trowbridge Road, Cardiff, CF3 1XZ as follows:

- establish a 20-place Specialist Resource Base (SRB) at Eastern High, for secondary aged pupils with emotional health and wellbeing needs.

It is proposed to implement the proposal from September 2023.

The school is currently maintained by Cardiff Council.

The Authority undertook a period of consultation before deciding to publish this proposal. A consultation report containing a summary of the issues raised by consultees and the Authority’s responses and the views of Estyn on the proposed change is available to view at:

[Agenda for Cabinet on Thursday, 10th March, 2022, 2.00 pm : City of Cardiff Council \(moderngov.co.uk\)](#)

The current school capacity is 1200 places. The current number of pupils at the school is 1176.

There are no plans to change the Council’s policy on the admission of children to schools as a result of these proposals.

Admissions to the specialist resource base would be managed by the local authority and be subject to a statement of Special Educational Needs (SEN) or Individual Development Plan (IDP) as appropriate.

Admissions to the specialist resource base would be separate to admission to the main school and would be in addition to the Published Admission Number (PAN).

Any arrangements for the transport of pupils will be made in accordance with the Authority’s existing policies on school transport.

Within a period of 28 days of the date of publication of these proposals, that is to say by 02 June 2022, any person may object to these proposals.

Objections should be sent to the Director of Education and Lifelong Learning, Cardiff Council, County Hall, Atlantic Wharf, Cardiff CF10 4UW.



Objections may also be sent to the Director of Education and Lifelong Learning, Cardiff Council using the following e-mail address: [SchoolResponses@cardiff.gov.uk](mailto:SchoolResponses@cardiff.gov.uk)

Please note that any such objection must contain the full name and postal address of the objector.

The Authority will publish a summary of any such objections made (and not withdrawn in writing) within the objection period, together with their observations thereon, before the end of 7 days beginning with the day the proposal is determined.

Dated this 06 day of May 2022

Signed: Davina Fiore  
Director of Legal, Governance and Monitoring Officer  
For Cardiff Council

### EXPLANATORY NOTE

(This does not form part of the Notice but is intended to explain its general meanings)

Cardiff Council is committed to the principles of inclusion. The majority of learners with Additional Learning Needs (ALN) attend a local mainstream school, and benefit from effective Additional Learning Provision (ALP). These learners do not need to attend a special school or specialist resource base. However, the number of learners with severe and complex needs, who need a place in a special school or specialist resource base has continued to grow.

The Council is seeking to provide a better distribution of specialist resource provision across the city. This would improve access for pupils and reduce travel times for many learners, as well as increasing the number of places available. A number of other expansions, and new provision at other schools city-wide, are also proposed.

In addition to the proposal for Eastern High, proposals to establish specialist resource base provision for secondary age pupils at Cardiff West Community High School and the proposed expansion of The Court Special School which provides places for primary aged pupils are being progressed. Details of these proposals and copies of the statutory notices can be found at [Emotional Health & Wellbeing provision \(cardiff.gov.uk\)](http://www.cardiff.gov.uk/emotional-health-wellbeing-provision)

Proposals to expand provision at Greenhill Special School are not being progressed at this time with further work being undertaken to develop proposals for the provision of secondary English-medium and Welsh-medium emotional health and wellbeing special school places.

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Equality Impact Assessment  
Corporate Assessment Template



## Appendix 3

<b>Policy/Strategy/Project/Procedure/Service/Function Title:</b> <b>SCHOOL ORGANISATION PLANNING: EMOTIONAL HEALTH AND WELL BEING PROVISION FOR PRIMARY AND SECONDARY AGED PUPILS</b>
<b>Post Statutory Notice</b>

<b>Who is responsible for developing and implementing the Policy/Strategy/Project/Procedure/Service/Function?</b>	
Name: Richard Portas	Job Title: Programme Director
Service Team: Schools Programme	Service Area: Education
Assessment Date: May 2022	

**1. What are the objectives of the Policy/Strategy/Project/ Procedure/ Service/Function?**

<p>1. To inform Cabinet of any objections received to the statutory notices to:</p> <ul style="list-style-type: none"> <li>• Increase the capacity of The Court Special School from 42 to 72 places. The school would transfer to new build accommodation across two sites at Fairwater Primary School and the current St Mellons CiW Primary School site in Llanrumney with 36 pupils on each site from September 2025.</li> <li>• establish a 20-place Specialist Resource Base for emotional health and wellbeing at Cardiff West Community High School from September 2022.</li> <li>• establish a 20-place Specialist Resource Base for emotional health and wellbeing at Eastern High School from September 2023.</li> </ul>
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**2. Please provide background information on the Policy/Strategy/Project/Procedure/Service/Function and any research done [e.g. service users data against demographic statistics, similar EIAs done etc.]**

<p>1. At its meeting on 10 March 2022, the Cabinet, in accordance with the terms of the Schools Standards and Organisation (Wales) Act, approved a recommendation for the publication of a statutory notices relating to the proposals as set out at paragraph 1. A copy of the Cabinet Report of 10 March 2022 is attached as Appendix 1.</p> <p>2. The statutory notices were published on 06 May 2022 for a period of 28 days to allow for objections. The statutory notice period expired on 02 June 2022. A copy of the notices is attached at Appendix 2.</p>
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## CARDIFF COUNCIL

### Equality Impact Assessment Corporate Assessment Template

3. The notices were published on the Council website and posted at The Court Special School, Fairwater Primary School, St Mellons CiW Primary School, Cardiff West Community High School and Eastern High School.
4. Copies of the notices were distributed via e-mail to organisations and consultees required under the School Organisation Code 2018.
5. Residents and businesses in the local area were notified of publication of the statutory notices by letter.

Following the end of the statutory notice period on 02 June 2022 **no objections** were received.

### 3 Assess Impact on the Protected Characteristics

#### 3.1 Age

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative/]** on younger/older people?

	Yes	No	N/A
Up to 18 years	x		
18 - 65 years	x		
Over 65 years	x		

#### **Please give details/consequences of the differential impact, and provide supporting evidence, if any.**

The impact will be positive as the proposals will support the sufficiency of places in suitable specialist learning environments. This provision is age dependent and therefore not accessible to pupils outside of this age range, or adults, either locally or in the wider community. The Council would manage admissions to special school and specialist resource base provision in accordance with the ALN Code.

#### **What action(s) can you take to address the differential impact?**

If the proposals were to proceed, an equality impact assessment would be carried out to identify the accessibility of any new accommodation. The equality impact assessment would take into account policies such as the Equality Act 2010, TAN 12: Design 2014 as well as building regulations such as, BS8300, Part M and relevant Building Bulletins.

The Council's procedure for managing staffing changes arising from the proposal would be used in implementing any changes as a result of this proposal. This would ensure that good practice is followed, including the application of the Council's policies on equal opportunities.

**CARDIFF COUNCIL**

**Equality Impact Assessment  
Corporate Assessment Template**

**3.2 Disability**

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on disabled people?

	Yes	No	N/A
Hearing Impairment			
Physical Impairment			
Visual Impairment			
Learning Disability	<b>x</b>		
Long-Standing Illness or Health Condition			
Mental Health			
Substance Misuse			
Other			

**Please give details/consequences of the differential impact, and provide supporting evidence, if any.**

The impact will be positive as the proposals will support the sufficiency of places in suitable specialist learning environments. The Council would manage admissions to special school and specialist resource base provision in accordance with the ALN Code.

**What action(s) can you take to address the differential impact?**

If the proposals were to proceed, an equality impact assessment would be carried out to identify the accessibility of any new accommodation new school building. The equality impact assessment would take into account policies such as the Equality Act 2010, TAN 12: Design 2014 as well as building regulations such as, BS8300, Part M and relevant Building Bulletins.

The Council's procedure for managing staffing changes arising from the proposal would be used in implementing any changes as a result of this proposal. This would ensure that good practice is followed, including the application of the Council's policies on equal opportunities.

**3.3 Gender Reassignment**

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on transgender people?

	Yes	No	N/A
<b>Transgender People</b> (People who are proposing to undergo, are undergoing, or have undergone a process [or part of a process] to reassign their sex by changing physiological or other attributes of sex)			

**CARDIFF COUNCIL**

**Equality Impact Assessment  
Corporate Assessment Template**

**Please give details/consequences of the differential impact, and provide supporting evidence, if any.**

The proposed changes would not have a differential impact as the schools and specialist resources bases will continue to apply the Council's policies on equal opportunities. The Council would manage admissions to special school and specialist resource base provision in accordance with the ALN Code.

**What action(s) can you take to address the differential impact?**

The Council's procedure for managing staffing changes arising from reorganisation would be used in implementing any changes as a result of this proposal. This would ensure that good practice is followed, including the application of the Council's policies on equal opportunities.

**3.4. Marriage and Civil Partnership**

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on marriage and civil partnership?

	Yes	No	N/A
Marriage		x	
Civil Partnership		x	

**Please give details/consequences of the differential impact, and provide supporting evidence, if any.**

The proposed changes would not have a differential impact as the schools and specialist resource bases will continue to apply the Council's policies on equal opportunities.

**What action(s) can you take to address the differential impact?**

The Council's procedure for managing staffing changes arising from reorganisation would be used in implementing any changes as a result of this proposal. This would ensure that good practice is followed, including the application of the Council's policies on equal opportunities.

**3.5 Pregnancy and Maternity**

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on pregnancy and maternity?

	Yes	No	N/A
Pregnancy			x

**CARDIFF COUNCIL**

**Equality Impact Assessment  
Corporate Assessment Template**

Maternity			X
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**Please give details/consequences of the differential impact, and provide supporting evidence, if any.**

The proposed changes would not have a differential impact as the schools and specialists resource bases will continue to apply the Council's policies on equal opportunities.

**What action(s) can you take to address the differential impact?**

The Council's procedure for managing staffing changes arising from reorganisation would be used in implementing any changes as a result of this proposal. This would ensure that good practice is followed, including the application of the Council's policies on equal opportunities.

**3.6 Race**

Will this Policy/Strategy/Project//Procedure/Service/Function have a **differential impact [positive/negative]** on the following groups?

	Yes	No	N/A
White		X	
Mixed / Multiple Ethnic Groups		X	
Asian / Asian British		X	
Black / African / Caribbean / Black British		X	
Other Ethnic Groups		X	

**Please give details/consequences of the differential impact, and provide supporting evidence, if any.**

The proposed changes would not have a differential impact as the schools and specialist resource bases will continue to apply the Council's policies on equal opportunities.

The Council would manage admissions to special school and specialist resource base provision in accordance with the ALN Code.

**What action(s) can you take to address the differential impact?**

The Council's procedure for managing staffing changes arising from reorganisation would be used in implementing any changes as a result of this proposal. This would ensure that good practice is followed, including the application of the Council's policies on equal opportunities.

**3.7 Religion, Belief or Non-Belief**

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**Equality Impact Assessment  
Corporate Assessment Template**

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on people with different religions, beliefs or non-beliefs?

	<b>Yes</b>	<b>No</b>	<b>N/A</b>
Buddhist		X	
Christian		X	
Hindu		X	
Humanist		X	
Jewish		X	
Muslim		X	
Sikh		X	
Other		X	

**Please give details/consequences of the differential impact, and provide supporting evidence, if any.**

The proposed changes would not have a differential impact as the schools and specialist resource bases will continue to apply the Council's policies on equal opportunities. The Council would manage admissions to special school and specialist resource base provision in accordance with the ALN Code.

**What action(s) can you take to address the differential impact?**

The senior staff in a school would be best placed to manage diversity in terms of belief. (e.g., provision of a space for prayer).

**3.8 Sex**

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on men and/or women?

	<b>Yes</b>	<b>No</b>	<b>N/A</b>
Men		X	
Women		X	

**Please give details/consequences of the differential impact, and provide supporting evidence, if any.**

The proposed changes would not have a differential impact as the schools and special resources bases will continue to apply the Council's policies on equal opportunities. The Council would manage admissions to special school and specialist resource base provision in accordance with the ALN Code.

**What action(s) can you take to address the differential impact?**

# CARDIFF COUNCIL

## Equality Impact Assessment Corporate Assessment Template

Maintained school provision admits pupils of both sexes and this would continue to be the case.

The Council's procedure for managing staffing changes arising from reorganisation would be used in implementing any changes as a result of this proposal. This would ensure that good practice is followed, including the application of the Council's policies on equal opportunities.

### 3.9 Sexual Orientation

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on the following groups?

	Yes	No	N/A
Bisexual			
Gay Men			
Gay Women/Lesbians			
Heterosexual/Straight			

**Please give details/consequences of the differential impact, and provide supporting evidence, if any.**

The proposed changes would not have a differential impact as the schools and special resource bases will continue to apply the Council's policies on equal opportunities. The Council would manage admissions to special school and specialist resource base provision in accordance with the ALN Code.

**What action(s) can you take to address the differential impact?**

Evidence collated by the Stonewall lobby group alleges that Lesbian, Gay, Bisexual people are likely to be discriminated against in workplace recruitment. The Council's procedure for managing staffing changes arising from reorganisation would be used in implementing any changes as a result of this proposal. This would ensure that good practice is followed, including the application of the Council's policies on equal opportunities.

### 3.10 Socio-economic Duty

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on the Socio-economic Duty?

	Yes	No	N/A

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**Equality Impact Assessment  
Corporate Assessment Template**

**Please give details/consequences of the differential impact, and provide supporting evidence, if any.**

The proposed changes are expected to have a positive impact on the Socio-economic Duty. The Council has made a clear commitment to continuing the investment in, and improvement of, Cardiff schools to make sure every child has the best possible start in life ([www.cardiffcommitment.co.uk](http://www.cardiffcommitment.co.uk)).

The delivery of additional ALN places will ensure that there are appropriate, high quality school places for young people, which meet the needs of Cardiff's growing and changing population.

The Council works closely with the governing bodies of schools to ensure that standards in schools are high, that teaching is good, and that leadership and governance is strong.

The Council does not expect the proposal to have any negative impact on the quality of standards of education for pupils, at these schools.

Some of the funding that a school receives is based on the number of pupils in the school who receive Free School Meals.

All schools in Cardiff would receive funding for these pupils. There is no information available that suggests that the proposals would have a negative effect on pupils who receive Free School Meals.

**What action(s) can you take to address the differential impact?**

N/A

**3.11 Welsh Language**

Will this Policy/ Strategy/Project/Procedure/Service/Function have a **differential impact (positive/negative)** on the Welsh Language?

	Yes	No	N/A

**Please give details/ consequences of the differential impact, and provide supporting evidence, if any.**

The Council is committed to developing a Bilingual Cardiff.



## CARDIFF COUNCIL

### Equality Impact Assessment Corporate Assessment Template

Cardiff's Welsh in Education Strategic Plan (WESP) 2022-2031 sets out a series of ambitious commitments to build on the progress achieved to date. These will ensure that every child in the city can receive an education in the language of Welsh, the number receiving their education in Welsh-medium schools will increase, and through the significant use of Welsh in English medium education all will have the opportunity to become confident in speaking Welsh.

The level of special educational needs/ additional learning needs in the Welsh-medium sector has historically been lower than in the English medium sector. This has however been changing over the last 4-5 years, with schools reporting an increased incidence of additional learning needs, in all areas of need.

A review of additional learning needs in the Welsh-medium sector was undertaken with Welsh medium schools in 2016 to inform the Welsh in Education Strategic Plan (WESP). Schools reported a small but significant number of examples of pupils with additional learning needs leaving the Welsh-medium sector in order to access Specialist Resource Bases or special schools.

There was also some anecdotal evidence to suggest that some families who would otherwise choose Welsh-medium education opt instead for English medium if their child has additional learning needs, through concern that their child may need to transfer to the specialist sector at a later date.

Through the WESP, Cardiff has invested in specialist provision in the sector, including some capacity to respond to growing demand and to generate more confidence in the availability of specialist provision in the sector.

A new primary base was established at Ysgol Gymraeg Pwll Coch, within the catchment area of Ysgol Gyfun Gymraeg Glantaf, where the secondary base is established. The two bases cater for learners with severe learning difficulties, providing a specialist curriculum and supporting a range of secondary needs including physical and medical needs, speech and language difficulties and autism.

As the Welsh sector continues to grow it will be important to develop additional provision in anticipation of the need, to ensure Welsh-medium education is a genuine choice for learners with complex additional learning needs.

Following engagement sessions with members of Cardiff's Welsh Education Forum in summer 2021, the Council formally consulted on its draft Welsh in Education Strategic Plan (WESP) 2022-2032 between 15 October 2021 and 13 December 2021.

Links to the plan (including the full draft WESP, the easy read summary version and the Trajectory for Growth) and survey webpage were circulated to statutory stakeholders including Cardiff schools and Cardiff's Welsh Education Forum

# CARDIFF COUNCIL

## Equality Impact Assessment Corporate Assessment Template

member organisations.

The draft WESP sets out the strategy for the development of Welsh-medium additional learning needs provision and proposals would be brought forward as part of the implementation of the Council's Welsh in Education Strategic Plan following agreement of the strategy by the Welsh Government and formal adoption by the Council later in 2022.

The Cabinet approved Cardiff's WESP 2022-2031 at its meeting of 24 February 2022, for submission to the Welsh Government Ministers.

The ongoing development of additional learning needs provision including new and existing provision will be kept under review to ensure proposals are brought forward in a strategic and holistic way that takes into account the needs of all of our learners and reflects the additionality required to ensure parity in the Welsh-medium sector as new places are delivered throughout the proposed WESP.

### **What action(s) can you take to address the differential impact?**

Demand for WM ALN places will be kept under review and proposals brought forward in line with the Welsh in Education Strategic Plan.

#### **4. Consultation and Engagement**

What arrangements have been made to consult/engage with the various Equalities Groups?

The Council's Accessibility Officer would be given the opportunity to comment on the schemes.

#### **5. Summary of Actions [Listed in the Sections above]**

<b>Groups</b>	<b>Actions</b>
Age	
Disability	
Gender Reassignment	
Marriage & Civil Partnership	

**CARDIFF COUNCIL**

**Equality Impact Assessment  
Corporate Assessment Template**

Pregnancy & Maternity	
Race	
Religion/Belief	
Sex	
Sexual Orientation	
Socio-economic Duty	
Welsh Language	
Generic Over-Arching [applicable to all the above groups]	<p>See Generic Over Arching below:</p> <p>If the proposals were to proceed:</p> <ul style="list-style-type: none"> <li>• compliance with the Council’s policies on equal opportunities would need to be ensured.</li> <li>• an equality impact assessment would be carried out to identify the accessibility of any new school building. The equality impact assessment would take into account policies such as the Equality Act 2010, TAN 12: Design 2014 as well as building regulations such as, BS8300, Part M and relevant Building Bulletins.</li> <li>• Demand for WM ALN places will be kept under review and proposals brought forward in line with the Welsh in Education Strategic Plan</li> </ul>

**6. Further Action**

Any recommendations for action that you plan to take as a result of this Equality Impact Assessment (listed in Summary of Actions) should be included as part of your Service Area’s Business Plan to be monitored on a regular basis.

**7. Authorisation**

The Template should be completed by the Lead Officer of the identified Policy/Strategy/Project/Function and approved by the appropriate Manager in each Service Area.

Completed By : Rachel Burgess Willis	Date: June 2022
Designation: School Organisation Project Officer	
Approved By:	
Designation:	
Service Area: Education	

7.1 On completion of this Assessment, please ensure that the Form is posted on your Directorate’s Page on CIS - *Council Wide/Management*

**CARDIFF COUNCIL**

**Equality Impact Assessment  
Corporate Assessment Template**

*Systems/Equality Impact Assessments* - so that there is a record of all assessments undertaken in the Council.

For further information or assistance, please contact the Citizen Focus Team on 029 2087 2536 / 3262 or email [equalityteam@cardiff.gov.uk](mailto:equalityteam@cardiff.gov.uk)

**CYNGOR CAERDYDD  
CARDIFF COUNCIL**

**CHILDREN & YOUNG PEOPLE SCRUTINY COMMITTEE**

**5 JULY 2022**

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**THE EXPANSION OF PENTYRCH PRIMARY SCHOOL AND  
ESTABLISHMENT OF NURSERY PROVISION AT THE SCHOOL**

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**Purpose of the Report**

1. To provide Members with the opportunity to carry out pre-decision scrutiny of proposals, attached at **Appendix A**, prior to its consideration by Cabinet at its meeting on the 14 July 2022.
  
2. The reason for the proposal is to meet demand for community English-medium primary school places in the local area and provide maintained nursery provision at the school, by:
  - Increasing the capacity of Pentyrch Primary School from 140 to 210 places.
  - Extending the age range of the school from 4 to 11, to 3 to 11 by establishing nursery provision at the school to allow for 32 part-time places.

**Structure of Papers**

3. Attached to this report are the following:
  - **Appendix A** – the draft Report to Cabinet – 14 July 2022. This in turn has a number appendices, namely;
    - **Appendix 1:** Cabinet Report, 10 March 2022 (*returning Scrutiny Members will have already received and considered this report*)
    - **Appendix 2:** Statutory Notice
    - **Appendix 3:** Statutory Screening Tool and Equality Impact Assessment

## School Organisation Programming Process

4. If local authorities want to undertake 'school organisation proposal' to make changes to a community school, they must meet Welsh Government requirements, as set out in the School Organisation Code. These include commitments and goals of transforming education in Wales and providing better educational outcomes. There is a statutory process that must be followed for certain proposals. The criteria for following this process are if the local authority wishes to:

- open a new school;
- make a school bigger or smaller, where the change exceeds a certain number or percentage;
- close a school and move the pupils to another school;
- add or take away a 6th form from a secondary school;
- add or take away special educational needs (SEN) units or classes;
- change the language used in school from English to Welsh or Welsh to English.

5. The specific requirements set by Welsh Government for each of the above and a full copy of the Welsh Government Code will be distributed with the Agenda and papers for this meeting. The process for undertaking school organisation proposals broadly adhere to the following steps:

- **Step 1 - Consultation** – this is undertaken at a formative stage of the proposals, setting out sufficient reasons and information for particular proposals to enable intelligent consideration and response. The timeline for this is a minimum of 6 weeks. Consultees must include governors, teachers, school staff, parents, families in the community, and children and young people.

Following the consultation period, the local authority must publish a report on the output from the consultation. The report must be published at least two weeks prior to the publication of a statutory proposals, and set out the following:

- a summary of each of the issues raised by consultees;
  - responding to these issues by means of clarification, amendment to the proposal or rejection of the concerns, with supporting reasons;
  - setting out Estyn’s response to the consultation in full; and
  - responding to Estyn’s response by means of clarification, amendment to the proposal or rejection of the concerns, with supporting reasons
- **Step 2 – Publication of Statutory Proposals** - If the local authority decides to proceed with the proposal, they must publish the proposal by way of a notice (or “Statutory Proposal”). The Proposal must include the main comments and views that the local authority got back from the consultation, and how these will affect the changes they want to make. This step gives anyone a second chance to have a say on why they think the changes should not happen or tell the local authority anything else they think they should know before they make the changes – known as the objection period. This step is open for 28 days beginning with the day on which the notice was published.
  - **Step 3 - Determining Proposals** – following the 28-day objection period, the local authority must publish a summary of the statutory objections and the local authority’s response to those objections. This report must be published on the Council’s website and will explain why or why not they are making the changes to the school. The report must be communicated to a wide range of stakeholders (see Welsh Government Code pages 43 – 44 for details). Some proposals will need approval by Welsh ministers, but the majority will be approved by the local authority. The Local Authority may also determine proposals for changes to Voluntary Aided, Voluntary Controlled or Foundation Schools where objections have been received to proposals published by their Governing Bodies.

## **This Proposal and Previous Scrutiny**

6. This proposal is at **Step 3** in the School Organisation Planning Proposals process outlined above.
  
7. Previous Scrutiny and links to **Step 1** can be found here. *Returning CYPSC Members would have already considered this issue at the CYPSC meeting on the 13 July 2021.*
  - 13<sup>th</sup> July 2021 - [Agenda for Children and Young People Scrutiny Committee on Tuesday, 13th July, 2021, 4.30 pm : Cardiff Council \(moderngov.co.uk\)](#)
  
8. Previous Scrutiny of **Step 2** is the Cabinet report set out in Appendix 1 to the Cabinet report attached to this report (**Appendix A**). *Returning CYPSC Members would have already considered this report at the CYPSC meeting on the 8<sup>th</sup> March 2022.*
  - 8<sup>th</sup> March 2022 - [Agenda for Children and Young People Scrutiny Committee on Tuesday, 8th March, 2022, 4.30 pm : Cardiff Council \(moderngov.co.uk\)](#)

## **Reasons for the Cabinet Proposal**

9. The Cabinet report is to inform the Cabinet of any objections received to the published statutory notices to:
  - Increase the capacity of Pentyrch Primary School from 140 to 210 places.
  - Extend the age range of the school from 4 to 11, to 3 to 11 by establishing nursery provision at the school to allow for 32 part-time places.



## Background and Process for this Proposal

10. At its meeting on 10 March 2022, the Cabinet, in accordance with the terms of the Schools Standards and Organisation (Wales) Act, approved a recommendation for the publication of a statutory notices relating to the proposals as set out at point 1 of the Cabinet report (*and point 9 of this report above*). A copy of the Cabinet Report of 10 March 2022 is attached as **Appendix 1** to the Cabinet report. *Returning CYPSC Members will have already considered **Appendix 1** at their meeting on the 8<sup>th</sup> March 2022.*
11. The statutory notice was published on 06 May 2022 for a period of 28 days to allow for objections. The statutory notice period expired on 02 June 2022. A copy of the notice is attached at Appendix 2.
12. The notice was published on the Council website, posted at the school site, at the Village Hall on Heol y Bryn, and outside the local shops.
13. Copies of the notice were distributed via e-mail to organisations and consultees required under the School Organisation Code 2018.
14. Residents in the local area were notified of publication of the statutory notice by letter.

## Objections to the Proposals

15. There were four objections received by the statutory notice closing date.
16. All of the objections were from residents living within the village of Pentyrch.
17. A summary of the objections, which related to traffic, transport and the sustainability of provision, are set out in points 73-76 in the Cabinet Report.
18. An appraisal and response to views expressed is set out in points 77 – 83 of the Cabinet report.

## Further Information Highlighted in the Cabinet Report

19. The following further issues are highlighted in the Cabinet report, as at

### **Appendix A:**

- Section 1.3 Quality and Standards in Education (*points 13 - 19 in the Cabinet report*)
- Section 1.4 Need for Places and the Impact on Accessibility of Schools (*points 20 - 37 in the Cabinet report*)
- Section 1.5 Resourcing of Education and Other Financial Implications (*points 37 – 44 in the Cabinet report*)
- Section 1.6 Other General Factors (*points 45 - 48 in the Cabinet report*)
- Section 1.9 Specific factors to be taken into account for proposals to add or remove nursery classes (*points 49 - 63 in the Cabinet report*)
- Section 1.15 Factors to be taken into account in approving/determining school organisation proposals (*points 64 - 70 in the Cabinet report*)
- Admissions and Catchment areas (*points 84 - 87 in the Cabinet report*)
- Partnerships (*points 88 - 97 in the Cabinet report*)
- Impact of the proposals on the Welsh Language (*points 98 - 102 in the Cabinet report*)
- School Governance (*points 103 - 104 in the Cabinet report*)
- Wellbeing of Future Generations (*points 105 - 108 in the Cabinet report*)
- Local Member consultation (*point 109 of the Cabinet Report*)
- Scrutiny Consideration (*point 110 of the Cabinet Report*)

20. The draft Cabinet report also provides details on the following areas:

- Financial Implications (*points 112 - 117 in the Cabinet report*)
- Legal Implications (*points 118 - 125 in the Cabinet report*)
- Wellbeing of Future Generations (*points 126 - 131 in the Cabinet report*)
- HR Implications (*points 132 - 134 in the Cabinet report*)
- Property Implications (*points 135 - 136 in the Cabinet report*)
- Traffic and Transport Implications (*points 137 - 141 in the Cabinet report*).

- Equality Impact Assessment (*points 142 - 144 in the Cabinet report; plus Appendix 3 to the Cabinet Report*)

## **Recommendations set out in the Cabinet Proposals**

21. Cabinet is recommended to:

- (i) Approve the proposals in respect of changes to Pentyrch Primary School as set out in paragraph 1 of this report, without modification.
- (ii) Authorise officers to take the appropriate actions to implement the proposals as set out in paragraph 1.
- (iii) Authorise officers to publish the decision within 7 days of determination of the proposal
- (iv) Delegate authority to the Director of Education & Lifelong Learning (in consultation with the Cabinet Members for Education, Employment & Skills and Finance, Modernisation & Performance, the Director of Governance and Legal Services, the Director of Economic Development and the Corporate Director for Resources) to determine all aspects of the procurement process (including for the avoidance of doubt development of all procurement documentation and selection and award criteria, commencement of procurement through to award of contracts).

## **Scope of Scrutiny**

22. The scope of this scrutiny is for Members to consider and provide comments on the draft report to Cabinet, prior to its consideration of the report on the 14 July 2022.

23. Given that the 4 objections related to traffic, transportation and sustainability issues (*details at points 73 – 76 in the Cabinet report*), Members may wish to consider points 77 – 83 (*appraisal of views*); and points 137 – 141 (*traffic transport implications*) in the Cabinet report in conjunction with the objections.

## **Way Forward**

24. Councillor Sarah Merry (Deputy Leader and Cabinet Member for Education Employment, Skills) has sent her apologies for this meeting, but the Chair of this Committee has agreed that Officers can present this Item to this Committee. Therefore, Melanie Godfrey (Director of Education and Lifelong learning), Richard Portas (Programme Director for the School Organisation Programme), and Brett Andrewartha (SOP Programme Planning Manager) will present the report to the Committee and be available to answer any questions Members may have.

25. This report will also enable Members to provide any comments, concerns or recommendations to the Cabinet Member prior to its consideration by Cabinet.

## **Legal Implications**

26. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters there are no direct legal implications. However, legal implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any legal implications arising from those recommendations. All decisions taken by or on behalf of the Council must (a) be within the legal powers of the Council; (b) comply with any procedural requirement imposed by law; (c) be within the powers of the body or person exercising powers on behalf of the Council; (d) be undertaken in accordance with the procedural requirements imposed by the Council e.g. Scrutiny Procedure Rules; (e) be fully and properly informed; (f) be properly motivated; (g) be taken having regard to the Council's fiduciary duty to its taxpayers; and (h) be reasonable and proper in all the circumstances.

## **Financial Implications**

27. There are no direct financial implications arising from this report. However, financial implications may arise if and when the matters under review are implemented with or without any modifications.

## **RECOMMENDATIONS**

The Committee is recommended to:

1. Review and assess the information contained in the draft Cabinet Report, attached at **Appendix A**, together with any information provided at the meeting;
2. Provide any recommendations, comments or advice to the Cabinet Member and / or Director of Education and Lifelong Learning prior to the report's consideration by Cabinet.

**Davina Fiore**

**Director of Governance and Legal Services**

**28 June 2022**

Mae'r dudalen hon yn wag yn fwriadol

### CARDIFF COUNCIL CYNGOR CAERDYDD

#### CABINET MEETING: 14 July 2022

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#### THE EXPANSION OF PENTYRCH PRIMARY SCHOOL AND ESTABLISHMENT OF NURSERY PROVISION AT THE SCHOOL

#### EDUCATION, EMPLOYMENT & SKILLS (COUNCILLOR SARAH MERRY)

#### AGENDA ITEM:

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##### Reason for this Report

1. This report is to inform the Cabinet of objections received to the published statutory notice to:
  - Increase the capacity of Pentyrch Primary School from 140 to 210 places.
  - Extend the age range of the school from 4 to 11, to 3 to 11 by establishing nursery provision at the school to allow for 32 part-time places.

##### Background

2. At its meeting on 10 March 2022 the Cabinet, in accordance with the terms of the Schools Standards and Organisation (Wales) Act, approved a recommendation for the publication of a statutory notice relating to Pentyrch Primary School as set out at paragraph 1. A copy of the Cabinet Report of 10 March 2022 is attached as Appendix 1.
3. The statutory notice was published on 06 May 2022 for a period of 28 days to allow for objections. The statutory notice period expired on 02 June 2022. A copy of the notice is attached at Appendix 2.
4. The notice was published on the Council website, posted at the school site, at the Village Hall on Heol y Bryn, and outside the local shops.
5. Copies of the notice were distributed via e-mail to organisations and consultees required under the School Organisation Code 2018.
6. Residents in the local area were notified of publication of the statutory notice by letter.

## **Issues**

7. In accordance with the requirements of the School Organisation Code the Council Cabinet has responsibility for the determination of school organisation proposals including those which receive objections (save for those that are required to be considered by the Welsh Government).
8. In accordance with this the Cabinet must decide whether to approve, reject or approve with modifications, the proposals. The Council must not approach the decision with a closed mind and any objections must be conscientiously considered.

## **Objections Received**

9. There were four objections received by the statutory notice closing date.
10. All of the objections were from residents living within the village of Pentyrch.
11. A summary of the objections received, and the Council's response can be seen at paragraphs 73-83.
12. As set out in the School Organisation Code, the following factors should be taken into account by relevant bodies when exercising their function of approving/determining proposals. The Council must at all times consider the interests of learners.

## **Section 1.3 Quality and Standards in Education**

13. The Council works closely with the governing bodies of schools to make sure that standards in schools are high, that teaching is good, and that leadership and governance is strong.
14. Standards at Pentyrch Primary School are good. It is not expected that the proposal would negatively impact on standards at the school.
15. The proposal supports continuity and progression in children's learning from age three and facilitates transition between the nursery and primary sector providing a high-quality learning environment for children and supporting improved outcomes.
16. The proposal is not expected to have any negative impact on the quality of standards of education or the delivery of the Foundation Phase and each Key Stage of education at the school. The likely impact of the proposal on the ability of the school to deliver the full curriculum at the Foundation Phase and each key stage of education would be positive.
17. Pentyrch Primary School has an appropriate range of policies and provision in place to promote pupils' health and well-being.
18. The school is committed to providing an environment in which learning is valued and children achieve their potential in a happy, safe environment in which they show respect and tolerance for each other.



19. The school has been in a formal collaboration with Llanishen Fach Primary School since 2017 with a leadership team working across both schools. Pentyrch Primary school has made great progress is likely to maintain the current standards in terms of education, provision and leadership and management.

#### **Section 1.4 Need for places and the impact on accessibility of schools**

20. A number of new housing developments have been proposed in North West Cardiff in recent years which will increase the number of children in the area seeking school places and will impact on the availability of school places.
21. The Council's Supplementary Planning Guidance sets out the circumstances in which the Council could seek s106 contributions from developers towards school facilities. S106 contributions may only be sought when the school's local to a development will continue to be fully subscribed and there is a need to expand provision either by expanding existing schools or building new schools. Land, building or financial contributions must be directly proportionate to the needs arising from a development. S.106 contributions do not allow the Council to invest in schools to resolve existing needs that have been identified.
22. The Cabinet Report of 15 July 2021 set out the need for additional local English-medium primary school places and the benefit to the community and the school for the introduction of nursery provision at the school.
23. Citywide intakes to primary education in September 2021 to September 2024 are projected to reduce significantly as a consequence of a further fall in the birth rate and changes to migration patterns, which are evidenced in data published by the Office of National Statistics and the most recent NHS GP registration data sets. However, changes to populations are not consistent in all parts of the city.
24. Overall existing capacity in the mainstream primary sector is projected to be sufficient to accommodate demand in existing residential areas of the city until at least 2025, in each language medium. Additional primary school provision is planned to serve new housing developments in the North East and North West of the city. To allow for changes in population as birth rates and migration changes, a reasonable level of surplus places must be retained.
25. Whilst changes in school catchment areas could provide a temporary balance in the supply of and take up of places in areas of new housing, the rate of house completion and planned new provision would mean that such changes would not be sustainable and further changes would be necessary within a short period. This would be excessively disruptive and would not assist parents in planning education for their families.
26. The timing of any new or expanded provision to serve new housing developments must therefore take account of the growing number of

surplus places in existing schools to ensure that the additional provision is sustainable from the time of implementation, and that existing provision remains viable if some parents in existing communities seek to take up places in the additional provision.

27. The work undertaken to establish the likely demand for places in English-medium primary school places in the communities of Creigiau and St Fagans, Pentyrch, and Radyr and Morganstown indicates that there will be a shortfall of places at Pentyrch Primary School to serve its catchment area in future years.
28. An evaluation of different educational settings (i.e. English-Medium, Welsh-Medium, faith-based and voluntary aided schools) has been undertaken based on historical take up of places in the catchment and how place availability would potentially drive parental preference.
29. In the period January 2016 to January 2020, the total number of children resident in the catchment area of Pentyrch Primary School taking up Reception places in English-medium community primary schools exceeded the Published Admission Number at the school of 20 places, fluctuating between 21 and 29 pupils.
30. The projected yield of primary school age children from the Goitre Fach Farm development, at the time of the assessment being undertaken in 2016, was projected at 10 children per year group. Projections taking account of NHS GP registration data in 2016 indicated that the number of children in the area, taking up English-medium community places, would reach or exceed the number of places at Pentyrch Primary School. The Council secured S106 funds to provide additional places on this basis.
31. The proposal to expand Pentyrch Primary School would provide sufficient places for children resident in existing housing within the school's catchment area and children resident in the new housing development at Goitre Fach Farm.
32. The proposed expansion would also provide some surplus places in the short term to meet the needs of the wider Northwest Cardiff LDP sites prior to the completion of the proposed new schools at Plasdŵr. Additional primary school provision south of Llantrisant Road is planned at a later stage of the Plasdŵr development.
33. For children in the village of Pentyrch, the nearest maintained nursery class facilities in a primary school setting are at Creigiau Primary School, Bryn Deri Primary School, Radyr Primary School and Danescourt Primary School.
34. Whilst parents have been able to apply to, and gain admission to, these schools in neighbouring localities in recent years, the development of housing in North-West Cardiff is expected to impact the opportunity for families to take up of places at those schools in future.

35. The proposed changes would enable learners within the catchment area of Pentyrch Primary School to access English-medium education in a community school environment from the age of 3-11 and would reduce the number of families commuting to provision elsewhere.
36. An expansion of places at the school, and the establishment of maintained nursery provision at Pentyrch Primary School would increase the number of journeys taken to the school by families resident within the village. However, families within the village of Pentyrch are already commuting to the school or are commuting out of the village to schools elsewhere.
37. These proposals would therefore provide enhanced opportunities to bring forward provision to better enable local pupils, particularly those in the village of Pentyrch, to walk, scoot and cycle to their local school with reduced reasons to drive.

### **Section 1.5 Resourcing of education and other financial implications**

38. The proposed scheme would primarily be funded by S.106 contributions secured from the Goitre Fach Farm development.
39. Any extra funding that may be required for building works or adaptations would be obtained through the Education capital schemes, giving due regard to the affordability and prioritisation of the project.
40. As schools' revenue budgets are predominantly predicated on the basis of pupil numbers, any increase in pupil numbers would mean that the revenue budget for Pentyrch would increase in comparison to previous years.
41. Any additional costs would be met from within the existing delegated schools budget, with consideration given to the new nursery provision and transport implications.
42. Current published admissions figures reflect present schools' intake, and the impact on surrounding primary and secondary schools has been shown to be limited.
43. The number of maintained nursery places offered through this proposal would allow for the delivery of wrap around childcare on the Pentyrch Primary School site through partnership with an external provider. This would enhance the local offer available to families with nursery age children. Any costs associated with the delivery of this type of service would be revenue neutral to the school.
44. Further financial implications arising from the proposal are outlined in paragraphs 112 - 117.

## **Section 1.6 Other General Factors**

45. The Council does not expect the proposal to have any negative impact on the quality of standards of education for children from economically deprived backgrounds.
46. The school would continue to provide support for pupils with Additional Learning Needs as required. There is no information available that suggest that the proposals would have any detrimental effect on what is currently in place.
47. The Council must also take into consideration any detrimental impact that could be caused to the community if the proposals did not proceed. The proposals seek to establish nursery provision which would retain a greater number of learners in the school and would support the school's budget. If the proposals were not to proceed, Pentyrch Primary School would be the smallest primary school in Cardiff. Small schools can face greater challenges in balancing their budget and in turn attracting and maintaining high quality staff and leadership. This proposal would be expected to reduce outflow from the Pentyrch community to access neighbouring areas as they could benefit from a more comprehensive education and childcare offer locally.
48. If the proposed changes were not to be implemented, the current pattern of a significant proportion of families in Pentyrch choosing to access primary school provision outside of the village would be expected to continue. The associated traffic implications, and a lack of comprehensive and cohesive nursery and wrap around care option for local families, would continue.

## **Section 1.9 Specific factors to be taken into account for proposals to add or remove nursery classes**

49. Children in Cardiff can attend a part-time nursery place in school from the start of the term after their third birthday. They must attend the nursery class for at least five half days per week. There are no catchment areas for nursery classes.
50. Currently Pentyrch Primary School serves only children aged 4-11 years. Families' resident in Pentyrch seeking nursery places either take up places in a private nursery setting in the village or travel out of Pentyrch.
51. Plans for a new 2FE primary school to serve the Plasdŵr development were as approved in 2020. The school is to be dual stream with 1FE Welsh-medium and 1 FE dual language consistent with Category 2 of the Guidance on school categories according to Welsh-medium Provision published by the Welsh Government in December 2021. The new primary school is to also offer nursery provision with 48 part-time places in Welsh-medium and 48 part-time places with potential to work in conjunction with local childcare providers. In addition, Ysgol Creigiau offers nursery places in Welsh.

52. The Council believes that whilst there is nursery provision in the village, there are significant benefits for the children, parents and staff of Pentyrch Primary School in establishing a maintained nursery on site.
53. The following benefits may be realised:
- Additional English-medium nursery places serving local families
  - Continuity of the school's provision, to support and embed the ethos and culture of the school
  - The development of strong and effective parental links from the earliest opportunity
  - Ease of transition for a nursery-aged child when promoting to Reception
  - Early identification of vulnerable groups so the needs of children can be identified as early as possible
  - An opportunity for children to attend nursery at the same site as their older siblings. This should impact positively on parents' time and reduce the logistical difficulties that seeking an alternative childcare provider may cause, and would particularly benefit those resident in the village of Pentyrch.
  - By having an Early Years unit within the school, pupils' well-being and learning will be advantaged. Continuity and progression between Early Years and Foundation Phase will be secured, enhancing the opportunity to appropriately address individual developmental and cultural needs.
  - Potential for wrap around childcare for nursery age children enhancing the local offer and building on established links with local provision in the village.
54. The Council is currently funding a small number of 'non-maintained' nursery education places at the private nursery, Pentyrch Nursery, which operates from the Pentyrch Village Hall. This funding stream would cease in the event should a nursery class be established at the primary school.
55. The private nursery also provides childcare places to children who are not eligible for a funded education place at the nursery. The places funded by the Council provide one of the sources of income for the nursery. The private nursery operates in the morning only.
56. The potential financial impact on the local private nursery of establishing nursery provision at Pentyrch Primary School is acknowledged by the

Council and was highlighted in the consultation information published by the Council.

57. The impact on the private nursery may be mitigated through a number of measures. Representatives of Pentyrch Primary School, the private nursery, and Council Officers have held constructive discussions during and since the consultation period, to continue to shape the proposals.
58. Since consultation, the proposed number of nursery places at Pentyrch Primary School has been reduced from 48 to 32 which could allow for alternate education and childcare sessions.
59. Alternate sessions (e.g. school nursery class sessions in morning or afternoon only) would support the private nursery to operate as a wrap-around childcare setting. This could potentially be facilitated by the sharing of the proposed nursery class accommodation on the school site. Such arrangements have operated successfully on other school sites in Cardiff, and the arrangements have allowed families to access the nursery education offer and wrap-around childcare.
60. 'The childcare offer for Wales' provides working parents with a mixture of childcare and early education for children aged three or four. Offering both nursery education and wrap around care on the school site would enhance the local offer available in Pentyrch and would allow parents to access a nursery class place in a school of up to 12.5 hours and to receive funding for wrap-around childcare for up to 17.5 hours.
61. If progressed, a single-site education and childcare facility could therefore have a positive impact on the take up of places at both the school, as parents are able to access the full age range of education provision with childcare, and could also have a positive impact on the take up of places at the private nursery as local families would not need to travel out of the village to be able to access their full education and childcare funding offer.
62. The school has also been active in discussions with the private nursery and other providers regarding opportunities to expand their offer to provide for other groups should they be interested to do so to cater for the wider primary age group operating from the Pentyrch Primary School site in order to enhance the current offer available to families in the village and wider community.
63. Further work will be undertaken with Pentyrch Primary School and with Pentyrch Nursery to enable a greater number of children in the community to benefit from nursery provision and childcare within Pentyrch. Any agreement with Pentyrch Nursery or any other private provider would be expected to be revenue neutral for the school (i.e. no use of the school's per pupil funding to enable delivery) with any additional costs for operation of the childcare to be met by the provider with a lease agreement to support mutual operating terms.

## **Section 1.15 Factors to be taken into account in approving/determining school organisation proposals**

64. There are no related school organisation proposals.
65. The consultation on the proposed changes was carried out in accordance with the requirements of the Welsh Government School Organisation Code (November 2018).
66. The consultation document was sent to those it should have been sent to and pupils at local schools were consulted. The required amount of time (42 days of which at least 20 are school days) was provided to respond to the consultation.
67. The consultation document contained the prescribed information set out in the Code.
68. The timescale and content required have been complied with in relation to the consultation report.
69. The publication of the statutory notice complied with the requirements of the Code and the notice contained all of the prescribed information.
70. The proposal was published in accordance with the requirements of the Code and contained all of the required information.

### **Objections to the proposal**

71. The Council received four objections to the statutory notices by the closing date.
72. A summary of the objections, which related to traffic, transport and the sustainability of provision, and the Council's response to these objections, follows below.

### **Traffic, Transport and Sustainability objections**

73. *"My objection to the planning centers [sic] around a lack of provision for the additional traffic this will create in the short term due to construction and in the long term due to more staff and pupil's being dropped off and the increased risk of injury to children this creates*
74. *"The main area of my concern is the impact of increased traffic, between the new estates on the Llantrisant Road and Pentyrch. Increasing the number of pupils in the school will be reflected in an increased traffic flow."*  
  
*"Given the Climate emergency any increase in traffic will result in increased pollution and release of greenhouse gasses. The expansion of the new estates on the Llantrisant Road is already causing an increase in traffic along Bronllwyn."*

75. *“When the new housing was proposed along the Llantrisant Road (A4119), I remember seeing there were plans for primary schools to be built. I am at a loss as to why these schools have not been built now, given that so many houses are built and occupied. It seems totally inappropriate to expand Pentyrch primary school, just in order to accommodate a short-term expansion of pupils from the new housing, and until the new schools are built.”*

*“This will put intolerable pressure on minor country lanes, which have already seen marked increases in traffic, (due to all the new housing developments on the A4119). There should be double yellow lines for a long distance from the school in Bronllwyn and more speed narrowing to slow traffic down (or whatever system works best).”*

*“Also, we need 20mph on all roads in Pentyrch and severe speed restrictions on the country lanes, as none of them are suitable for the current 60mph!”*

*“It is also incredible to read that of the current catchment, 48% travel by car to school already, compared with 43% that walk. The majority of these pupils must surely live within walking distance. This needs to be addressed urgently.”*

76. *“We live on the same street as Pentyrch Primary School and are often impacted by the lack of parking provision for the school. Any expansion would necessarily exacerbate the problems. If the school expansion goes ahead, we would expect - at the very least - some yellow lines to prevent parking outside our house.*

### **Appraisal of views expressed**

77. The Council recognises that the proposal would be likely to increase travel to the school site which would need mitigation to alleviate existing traffic-related issues in the vicinity of the school.
78. The Council’s Local Development Plan (2006-2026) includes a target of 50% of all journeys to be made by sustainable transport. Minimising the proportion of school journeys made by car and maximising opportunities for travel to school by active and sustainable modes can make an important contribution to achieving this target and reducing pressures on the transport network at peak times. Increasing travel to school by active modes will have a positive impact on children’s health and wellbeing and will support the delivery of key actions and outcomes under Goal 5 the Council’s Child Friendly City Strategy (2018), which relates to ensuring access to safe outdoor environments for formal and informal play, walking, cycling and scooting and active travel to school.
79. The Council’s current Corporate Plan includes a commitment to every school in Cardiff developing and implementing an Active Travel Plan. Pentyrch Primary School has developed an Active Travel Plan. This plan has been developed with full involvement of the school supported by the Council’s Active Travel Plan officers. It identifies actions by the school to



support and encourage active travel to school and highlights the need for improvements to off-site infrastructure required to facilitate active journeys including the need for the existing crossing facility on Bronllwyn to be upgraded (It is recommended that the crossing is upgraded in conjunction with the expansion of places and the Transport team will work closely with the project team to secure funding to enable this).

80. It is anticipated that with the introduction of a nursery, take up of places by those that reside within the village of Pentyrch will increase. This should provide greater scope for increased numbers of families to benefit from an appropriate Active Travel Plan. Additionally, the need to travel outside the village to reach available nursery provision would also decrease, further reducing vehicle trips.
81. The development proposals will also require a Transport Assessment which will identify measures to be included as part of the application to maximise travel by sustainable modes. These would be expected to include appropriate improved facilities for walking, scooting and cycling, for example upgrading of the existing crossing on Bronllwyn. On-site parking would be in line with the council's Parking Standards to encourage use of sustainable and active modes of travel.
82. The scope for introducing parking restrictions - to help discourage short distance car travel and maximise active travel to school - will be investigated and put in place, where appropriate and feasible. Consideration will also be given to identifying a suitable Park and Stride/Park and Scoot facility for any pupils being driven to school from further afield to help manage parking and alleviate traffic issues in the vicinity of the school.
83. Where it has been identified that some children would be eligible for free home to school transport, suitable provision may be required at Pentyrch Primary School to accommodate the Learner Transport drop-off and pick-up. If so, this would be likely to be a designated area immediately outside the school to create clear space for the small number of minibuses and /or taxis required, (anticipated to be one or two), This will need to be designed in a way which does not impact negatively upon children travelling to school by active modes and enforced by parking restrictions.

### **Admissions and Catchment areas**

84. The increased Published Admission Number, from 20 places to 30 places, would apply to all year groups from Reception to Year 6 for admissions from September 2023. Admissions arrangements for the nursery class would also take effect from September 2023.
85. Detailed information regarding admission arrangements is contained in the Council's Admission to Schools booklet, and this information can be viewed on the Council's website ([www.cardiff.gov.uk](http://www.cardiff.gov.uk)).

86. There are no plans to change the Council's policy on the admission of children to schools, as a result of this proposal.
87. Detailed information regarding admission arrangements is contained in the Council's Admission to Schools booklet, and this information can be viewed on the Council's website ([www.cardiff.gov.uk](http://www.cardiff.gov.uk)).

## Partnerships

88. The [Cardiff Commitment](#) is a vision which the city of Cardiff is dedicated to realising and that seeks to ensure all children and young people have access to opportunities that deliver ambition and skills and supports them to progress into education, employment, and training.
89. The **Cardiff Commitment** through school, employer networks (in growth sectors of the economy in particular), community, further and higher education partnerships, delivers knowledge, skills and experiences for pupils to fulfil their potential and contribute to the economic growth of our capital city.
90. The **Cardiff Commitment** works with employers to support the development of learning pathways, careers and work related experiences and collaboration to co-construct authentic learning experiences with industry as per the requirements of the [Curriculum for Wales](#) with a focus on supporting children and young people who need it most.
91. Through the Cardiff Commitment, the council has built a city-wide alliance to support educational achievement; in particular to raise the aspirations of learners, create opportunities, develop skills and support progression into the world of work. The number and breadth of partners involved has grown significantly since 2016, with over 300 partners now involved in various ways.
92. This approach enables both universal and targeted programmes to work together and stay focused upon the shared vision that any child growing up in Cardiff should have equal opportunity to realise their potential. And importantly that the journey to independence is a continuum that should be nurtured from primary school into secondary school, and through to Post 16 education, training and employment.
93. The breadth of companies now involved with the initiative is 300+ and the significance of the pledges they make opens up a variety of opportunities for children and young people as the Cardiff Commitment is utilised as a touch stone for all Council relationships with employers.
94. The Council's proposals for Band B of the 21st Century Schools Programme and the Cardiff 2030 strategy clearly state the link between improving the environment for learning and raising standards of achievement.
95. Accelerator projects led by the Core Team and undertaken with schools are informed by data held in relation to FSM, LACE, ALN and Wales

Index of Multiple Deprivation areas. The Cardiff Commitment accelerator areas aim to get most benefit and value from partnerships and look to provide sustainable and scalable approaches for schools and employers. Six Priority Areas support the development of opportunities and include creating school/business partnerships to deliver experiences of work and target skills development in the key economic growth sectors of the Cardiff Capital Region across age continuum.

96. An example of this is the Business Forum approach which sees partners from across the Growth Sectors in the region working with schools to develop opportunities and skills which support ambition and progression into education, employment and training.
97. The significant school developments proposed would provide opportunities for strong partnerships with businesses and employers from a range of sectors in the Cardiff economy. Opportunities for further partnerships are being explored and will be progressed in line with the priorities set out in the Cardiff Commitment.

### **Impact of the proposal on the Welsh Language**

98. The Council is committed to developing a Bilingual Cardiff.
99. Cardiff's Welsh in Education Strategic Plan (WESP) 2022-2031 sets out a series of ambitious commitments to build on the progress achieved to date. These will ensure that every child in the city can receive an education in the language of Welsh, the number receiving their education in Welsh-medium schools will increase, and through the significant use of Welsh in English medium education all will have the opportunity to become confident in speaking Welsh.
100. Following engagement sessions with members of Cardiff's Welsh Education Forum in summer 2021, the Council formally consulted on its draft Welsh in Education Strategic Plan (WESP) 2022-2032 between 15 October 2021 and 13 December 2021.
101. The draft WESP sets out that separate proposals would be brought forward as part of the implementation of the Council's Welsh in Education Strategic Plan following agreement of the strategy by the Welsh Government and formal adoption by the Council later in 2022.
102. The Cabinet approved Cardiff's WESP 2022-2031 at its meeting of 24 February 2022, for submission to the Welsh Government Ministers.

### **School Governance**

103. Pentyrch Primary School entered a formal collaboration with Llanishen Fach Primary School in 2017, with a leadership team working across both schools. Pentyrch Primary School has made great progress on its continuous improvement journey, working closely with Llanishen Fach Primary School on joint school improvement priorities.

104. The Council has supported the two schools and Governing Bodies in developing the collaboration model. Shared governance arrangements are in place to monitor and evaluate the development and success of the collaboration, and to advise on/consider issues that are relevant to both schools.

### **Wellbeing of Future Generations**

105. In line with the Well-being of Future Generations Act Cardiff is committed to providing Local Schools for Local Children, together with encouraging use of sustainable modes to travel to schools, such as walking and cycling. Each School project takes into account key transport issues when they are being designed and the firm need to provide safer routes to encourage walking, cycling and other active travel modes to schools.
106. With the current investments in ICT across the city, student movements may be further reduced as mobile technology develops further allowing for flexible teaching methods. These have the potential to result in a more efficient Travel Plan and further contribute to the Council's targets to reduce its carbon emissions.
107. In order to maximise the long-term impact of this significant investment, any design taken forward for each school included in this proposal would be developed to ensure the delivery of high-quality modern facilities that are able to respond to the current pupil populations needs and support the delivery of effective teaching and learning methods. They would also incorporate the flexibility to take account of changes depending on need as time progresses, such as changing demographics and pupil numbers, changing curriculum and changing types of pupil needs.
108. The project will consult with all statutory bodies when developing a planning application to ensure that environmental and biodiversity impacts are fully considered.

### **Local Member consultation**

109. Local members were consulted during the consultation period, between 14 December 2021 and 25 January 2022.

### **Scrutiny Consideration**

110. The Children & Young People's Scrutiny Committee will consider this report on 5 July 2022. Any comments received will be circulated at the Cabinet meeting.

### **Reason for Recommendations**

111. To meet demand for community English-medium primary school places in the local area and provide maintained nursery provision at the school.

## **Financial Implications**

112. In considering the financial implications of the report, the decision-maker should have assurance that the pupil numbers stated in the report (which relate to the period 2016-2020) are indicative of pupil numbers anticipated for current and future years.
113. In respect of the revenue implications, the resources required to fund additional places at Pentyrch Primary will need to be met from within the existing delegated schools budget. All other things being equal, an increase in pupil numbers in one school would result in a dilution of the overall delegated budget and would result in a reduction in the per pupil (Age Weighted Pupil Unit) amount for all schools.
114. Schools' revenue budgets are predominantly predicated on the basis of actual pupil numbers, and therefore any increase in the Published Admission Number (PAN) alone, has no financial impact unless these places are actually taken up. There is therefore no guarantee that an increase in the PAN would equate to an increase in the schools' budget. In fact, particularly in the short term, the change may actually result in a decrease, should the school only just go above 150 pupils, as this is the threshold for receiving the small school lump sum in the formula.
115. The financial implications of the report are not limited to Pentyrch Primary, as there is reference to possible impact on other schools mentioned in the body of the report, particularly at a time of reducing demand for places in the primary sector. Consideration should be given to the financial impact on all affected schools as a result of the reallocation of pupils (and school budget) from one school to another.
116. In respect of any financial implications of the proposal to expand the school age range to include a nursery provision, the decision-maker should be assured that the benefits of doing so outweigh the costs, and that other nearby established maintained nursery provisions do not have the capacity to offer the same provision at reduced, or no cost (particularly in respect of set-up costs).
117. It is noted that S106 contributions are the primary source of any required capital funding, but no quantum is stated. Based on previous contribution levels, the decision-maker should seek assurance that any amounts projected to be recoverable from developers are achievable. The report also notes that any additional funding would be obtained through Education Capital schemes (SOP), and again, the decision-maker should have assurance that funding is available, given the significant projects and priorities already allocated to those schemes.

## **Legal Implications**

118. The school organisation proposals set out in the report must be considered having regard to the provisions of the School Standards and Organisation (Wales) Act 2013 ('the Act') and the School Organisation Code 2018 ('the Code'). The Code sets out the factors which should be

considered in respect of different proposals, the statutory procedures, legal requirements and guidance.

119. The statutory procedures involve a public consultation, publication of a consultation report, statutory notice and a 28-day objection period, prior to determination of the proposals. The previous reports to Cabinet on these proposals are referred to in the body of the report. In March 2022, Cabinet considered the consultation report and resolved to proceed with the proposals and authorised publication of the statutory notice, with the required 28-day objection period (which ended on 2 June 2022).
120. The content of the statutory notice, manner of publication and persons to be notified are prescribed in the Code. Under section 49 of the Act, when objections have been received, the Council must publish a summary of the statutory objections and the Council's response to those objections ("the Objection Report") on its website and make this available to the interested parties listed in the Code. This Cabinet report constitutes the Objections Report.
121. The Council must decide whether or not to implement its proposals within 16 weeks from the end of the objection period (under section 53 of the 2013 Act). If the Council fails to determine the proposals within the 16-week period, it is taken to have withdrawn the proposals. When determining its proposals, the Council must be satisfied that the statutory consultation has been conducted and the proposals published in accordance with the Code; and it must conscientiously consider the Objections Report and any responses to the notice supporting the proposals, having regard to the relevant factors set out in the Code
122. The decision on whether or not to proceed with the proposals must be set out, with reasons having regard the factors set out in the Code, and issued in the form of a decision letter, published on the Council's website and notified to the Welsh Ministers, the school governing body and all interested parties listed in the Code.
123. If the proposals are taken forward, the admission arrangements for the school, including admission numbers and catchment areas, will need to be determined, following consultation, in accordance with the School Admission Code and the Education (Determination of Admission Arrangements) (Wales) Regulations 2006.
124. In considering this matter, the Council must have regard to its public sector equality duties under the Equality Act 2010 (including specific Welsh public sector duties). This means the Council must give due regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of protected characteristics. The protected characteristics are age, gender reassignment, sex, race – including ethnic or national origin, colour or nationality, disability, pregnancy and maternity, marriage and civil partnership, sexual orientation, religion or belief – including lack of belief.

125. When taking strategic decisions, the Council also has a statutory duty to have due regard to the need to reduce inequalities of outcome resulting from socio-economic disadvantage ('the Socio-Economic Duty' imposed under section 1 of the Equality Act 2010). In considering this, the Council must take into account the statutory guidance issued by the Welsh Ministers (WG42004 A More Equal Wales The Socio-economic Duty Equality Act 2010 (gov.wales) and must be able to demonstrate how it has discharged its duty.

#### Well-Being of Future Generations (Wales) Act 2015

126. The Well-Being of Future Generations (Wales) Act 2015 ('the Act') places a 'well-being duty' on public bodies aimed at achieving 7 national well-being goals for Wales - a Wales that is prosperous, resilient, healthier, more equal, has cohesive communities, a vibrant culture and thriving Welsh language, and is globally responsible.
127. In discharging its duties under the Act, the Council has set and published well-being objectives designed to maximise its contribution to achieving the national well-being goals. The well-being objectives are set out in Cardiff's Corporate Plan 2021-24. When exercising its functions, the Council is required to take all reasonable steps to meet its well-being objectives. This means that the decision makers should consider how the proposed decision will contribute towards meeting the well-being objectives and must be satisfied that all reasonable steps have been taken to meet those objectives.
128. The well-being duty also requires the Council to act in accordance with a 'sustainable development principle'. This principle requires the Council to act in a way which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs. Put simply, this means that Council decision makers must take account of the impact of their decisions on people living their lives in Wales in the future. In doing so, the Council must:
- Look to the long term
  - Focus on prevention by understanding the root causes of problems
  - Deliver an integrated approach to achieving the 7 national well-being goals
  - Work in collaboration with others to find shared sustainable solutions
  - Involve people from all sections of the community in the decisions which affect them
129. The decision maker must be satisfied that the proposed decision accords with the principles above; and due regard must be given to the Statutory Guidance issued by the Welsh Ministers, which is accessible using the link below:

[http://gov.wales/topics/people-and-communities/people/future generations-act/statutory-guidance/?lang=en](http://gov.wales/topics/people-and-communities/people/future_generations-act/statutory-guidance/?lang=en)

#### General

130. The decision maker should be satisfied that the decision is in accordance with the financial and budgetary policy.
131. The decision maker should also have regard to, when making its decision, to the Council's wider obligations under the Welsh Language (Wales) Measure 2011 and the Welsh Language Standards.

### **HR Implications**

132. The proposed increase in pupil numbers at Pentyrch Primary School would require the Governing Body and Senior Leadership Team to plan for workforce requirements of additional staffing arising from the school expansion and introduction of a nursery.
133. The Council's HR People Services would provide advice, support and guidance to the Governing Body for this in line with the framework set out for any Schools Organisation and Planning proposal. HR People Services encourages the school to undertake a review of their current staff structure to consider how the recruitment of additional staff fits into this structure.
134. Further HR implications of the proposal would need to be determined as the project develops, particularly in relation to the potential sharing of the nursery accommodation with a local private nursery. However, the Council will monitor the staffing implications, and if necessary, ensure that the legal obligations contained within the Welsh Government Code of Practice on Workforce Matters 2014 (the Code), and Transfer of Undertakings (Protection of Employment) Regulations 2006 (amended 2014 and commonly known as TUPE), are met.

### **Property Implications**

135. This report does not recommend any immediate property decisions, but Strategic Estates note the potential consequences of the consultation which may in the future, result in the requirement to undertake land and property transactions.
136. Any decisions relating the development, acquisition or disposal of property in regard to this scheme will need to be undertaken in conjunction with Strategic Estates in accordance with the agreed asset management processes and delegated authorities.

### **Traffic and Transport Implications**

137. The Council's current Corporate Plan includes a commitment to every school in Cardiff developing and implementing an Active Travel Plan. Pentyrch Primary School has developed an Active Travel Plan. This plan has been developed with full involvement of the school supported by the Council's Active Travel Plan officers. It identifies actions by the school to support and encourage active travel to school and highlights the need for improvements to off-site infrastructure required to facilitate active



journeys including the need for the existing crossing facility on Bronllwyn to be upgraded (It is recommended that the crossing is upgraded in conjunction with the expansion of places and the Transport team will work closely with the project team to secure funding to enable this).

138. It is anticipated that with the introduction of a nursery, take up of places by those that reside close to the school will increase. This should provide more scope for increased numbers of people to benefit from an appropriate Active Travel Plan. Additionally, the need to travel outside the village to reach available nursery provision would also decrease, further reducing vehicle trips.
139. The development proposals will also require a Transport Assessment which will identify measures to be included as part of the application to maximise travel by sustainable modes. These would be expected to include appropriate improved facilities for walking, scooting and cycling, for example upgrading of the existing crossing on Bronllwyn. On-site parking would be in line with the council's Parking Standards to encourage use of sustainable and active modes of travel.
140. The scope for introducing parking restrictions - to help discourage short distance car travel and maximise active travel to school - will be investigated and put in place, where appropriate and feasible. Consideration will also be given to identifying a suitable Park and Stride/Park and Scoot facility for any pupils being driven to school from further afield to help manage parking and alleviate traffic issues in the vicinity of the school.
141. Where it has been identified that some children would be eligible for free home to school transport, suitable provision may be required at Pentyrch Primary School to accommodate the Learner Transport drop-off and pick-up. If so, this would be likely to be a designated area immediately outside the school to create clear space for the small number of minibuses and /or taxis required, (anticipated to be one or two), This will need to be designed in a way which does not impact negatively upon children travelling to school by active modes and enforced by parking restrictions.

### **Equality Impact Assessment**

142. The Equality Impact Assessment prepared ahead of the consultation phase has been reviewed to take account of the responses received and any further information made available or secured since the original documents was prepared relevant to the proposal from the Council and/or its partners. No changes were found to be necessary to the document at this point.
143. In the event the proposal(s) are able to proceed to implementation the EQIA will be kept under regular review as part of the planning and delivery process.
144. The Equality Impact Assessment is attached at Appendix 3.

## RECOMMENDATIONS

Cabinet is recommended to

- (i) Approve the proposals in respect of changes to Pentyrch Primary School as set out in paragraph 1 of this report, without modification.
- (ii) Authorise officers to take the appropriate actions to implement the proposals as set out in paragraph 1
- (iii) Authorise officers to publish the decision within 7 days of determination of the proposal
- (iv) Delegate authority to the Director of Education & Lifelong Learning (in consultation with the Cabinet Members for Education, Employment & Skills and Finance, Modernisation & Performance, the Director of Governance and Legal Services, the Director of Economic Development and the Corporate Director for Resources) to determine all aspects of the procurement process (including for the avoidance of doubt development of all procurement documentation and selection and award criteria, commencement of procurement through to award of contracts).

<b>SENIOR RESPONSIBLE OFFICER</b>  Richard Portas	<b>Director Name</b>  Melanie Godfrey
	Date submitted to Cabinet office

*The following appendices are attached:*

Appendix 1: Cabinet Report, 10 March 2022

Appendix 2: Statutory Notice

Appendix 3: Statutory Screening Tool and Equality Impact Assessment

**CABINET MEETING: 10 MARCH 2022**

**THE EXPANSION OF PENTYRCH PRIMARY SCHOOL AND  
ESTABLISHMENT OF NURSERY PROVISION AT THE SCHOOL**

**EDUCATION, EMPLOYMENT & SKILLS (COUNCILLOR SARAH  
MERRY)**

**AGENDA ITEM: 9**

**Reason for this Report**

1. The purpose of this report is to inform Cabinet of the responses received following consultation on proposal regarding the expansion of Pentyrch Primary School and the establishment of nursery provision at the school. We would seek authorisation to proceed and where appropriate to publish proposals in accordance with section 48 of The Schools Standards and Organisation (Wales) Act 2013.

**Background**

2. At its meeting on 15 July 2021, the Council's Cabinet agreed a recommendation to hold public consultation on the proposals to:
  - Increase the number of primary school places at Pentyrch Primary School from 140 places to 210 places
  - Extend the age range of the school from 4 to 11, from 3 to 11 by establishing nursery provision at the school to allow for 48 part-time places

**Issues**

3. The consultation period ran from 14 December 2021 until 25 January 2022.
4. The consultation process involved:
  - Publication of a bilingual consultation document outlining background, rationale and implications to parents, Headteachers and Chairs of Governors of nearby schools, all Members of local wards, local residents and other stakeholders. A copy of the consultation document can be found in Appendix 1.
  - Publication of information in community languages upon request.
  - Consultation meetings via Microsoft Teams with Staff at Pentyrch Primary School. Notes from the meeting can be found in Appendix 2.

- Consultation meetings via Microsoft Teams with Governing Body at Pentyrch Primary School. Notes from the meeting can be found in Appendix 2.
  - Public consultation meeting via Microsoft Teams at which the proposal was explained and questions answered. Notes from this meeting can be found in Appendix 3.
  - Consultation meeting via Microsoft Teams with pupil representatives at Pentyrch Primary School. Notes from this meeting can be found in Appendix 4.
  - An online survey.
  - Drop-in sessions via Microsoft Teams where officers were available to answer questions. No requests made for these.
  - Letters setting out details of the proposal and where further information could be found were sent to local residents and businesses.
  - A consultation response slip for return by post or e-mail, attached to the consultation document.
  - An online response from at [www.cardiff.gov.uk/pentyrchschoolproposals](http://www.cardiff.gov.uk/pentyrchschoolproposals)
5. In line with national Coronavirus restrictions that were in place during the consultation period all meetings took place virtually via Microsoft Teams.
6. For stakeholders who did not have access to digital platforms the opportunity to discuss the proposed changes via telephone was available.

### **Responses received regarding the proposal during the consultation period**

7. The Council received 82 responses submitted through the online consultation form.
8. In addition, four formal responses were also submitted from:
- Estyn
  - Pentyrch Primary School Governing Body
  - Pentyrch Community Council
  - Proprietor, Pentyrch Nursery
9. The response from Estyn sets out its view that:
- the Council has considered the likely effect of local developments on school places carefully, and has considered the capacity, admission number, surplus capacity and projected demand for schools affected by the proposal. They predict the need to expand capacity at Pentyrch Primary School, despite the creation of new schools to address the increase in housing stock in the area.
  - the proposer sees the establishment of a nursery as a means of enhancing the opportunity to appropriately address individual developmental and cultural needs as well as establishing strong and effective parental links from the earliest opportunity.

- the Council considered other alternatives to the preferred proposal fairly.
10. The response from Estyn sets out its view that the proposal is likely to maintain the current standards in terms of education, provision, and leadership and management.
  11. Full copies of the formal responses can be seen at Appendix 5.
  12. Views were sought from interested stakeholders via an online survey and a hard copy version of the survey within the consultation document.
  13. Of the 82 responses received, over half (53.7%) were from local residents, followed by around two in five (42.7%) from a parent or guardian.
  14. Of those who provided their postcode when responding, the vast majority (89.9%) of respondents live within Pentyrch. A small proportion (3.4%) reside in the Creigiau/ St Fagans area and the remainder (6.8%) live in other electoral wards.
  15. Just over half (53.7%) of all the respondents supported the proposal to increase the capacity of Pentyrch Primary School from 140 to 210 places. About two out of five respondents did not agree with this part of the proposal.
  16. However, when considering the 24 responses submitted by those identifying themselves as affiliated to Pentyrch Primary School, agreement with the proposal rises to 87.5%.
  17. Around two in five (41.5%) of all respondents supported the proposal to establish nursery provision at the school, whilst over half (51.2%) stated they did not. When considering the 24 responses submitted by those identifying themselves as affiliated to Pentyrch Primary School, agreement with the proposal rises to 54.2%.
  18. The details presented in this report, represent the views expressed during the consultation process. These include the wider stakeholder survey, formal responses, views expressed at public meetings, drop-in sessions and pupil consultation meetings.

### **Views Expressed**

19. Reasons for supporting the proposed changes included:
  - Expansion of the school would help retain a school within Pentyrch to serve the local community.
  - Nursery provision would support the growing needs of the community.
  - There is insufficient nursery provision for local residents.
  - The proposal allows children to enter the school environment earlier, which supports transition.
  - Continuity of provision in a school.

- Concerns around standards of current private nursery provision.
  - More convenient for parents wishing to attend a local nursery class.
  - Nursery place with wraparound care perceived as a positive for working families who currently need to travel outside Pentyrch to access this type of offer.
20. Whilst there was support for the development of the school there were a number of concerns raised related to the proposed increase in the capacity of the school from 140 to 210 school places:
- Traffic issues around the school site, including potential to exacerbate congestion, parking, pollution and danger to pedestrians
  - Lack of demand for additional primary school places
  - Disruption of construction period
21. A number of concerns were raised related to the proposal to establish nursery provision at the school:
- Traffic issues around the school site, including congestion, parking, pollution and danger to pedestrians
  - Lack of demand for nursery places
  - Stating support for the existing nursery provision in the village and the negative impact the proposal could have on this business
  - Potential job losses at private nursery
  - Part-time nursery places don't suit parents
22. A summary of the responses received from all stakeholders, and appraisal of views expressed, are attached at Appendix 6.
23. A summary analysis of the responses received are attached at Appendix 7.

### **Engagement with pupils at Pentyrch Primary School**

24. Officers met virtually with pupils from years 3,4,5 and 6 from Pentyrch Primary School to discuss the proposals and gather their opinions.
25. The points raised by the pupils included the following:
- A school library would be of benefit to pupils as part of any changes to the school.
  - Would like a new hall for lunchtimes.
  - Where would the extension be built?
  - How would the build affect the play area/school yard; would not want to lose any of the playground or green space.
  - When would the building works be done; would this be while pupils were in school?
  - Would the old part of the school stay the same?
  - Would part of the school be knocked down?
  - What would happen to the existing nursery provision in the village?
  - What would happen to clubs if the village hall closed?

- How many extra pupils would come to the school?
- It would be good to have more children at the school.
- A bigger school and new friends would be a good thing.
- If there are more children, there will be more friends
- Would older children be able to mix the younger ones?
- The school is too small.

26. Notes of the meeting are attached at Appendix 4.

### **Response to views expressed**

27. The Council sought to engage with local stakeholders and with the school community on changes at the formative stage of their development to ensure that any such changes are developed with their input, and any concerns identified could shape the proposals taken forward.
28. Responses to the proposed changes expressed support for the school and highlighted the importance of primary school and nursery provision to the community of Pentyrch.
29. The concerns expressed in respect of the proposals mainly related to the potential impact of increased traffic, the potential impact on the long-established private nursery in the village of Pentyrch of any changes, the wider impact on the village of Pentyrch and general concerns that any changes to available provision are unnecessary.
30. Responses from the school community highlighted the risk to the sustainability of the primary school should the outflow of pupils to other areas continue. Many other responses gave greater prominence to the risk to the local private nursery which would be affected by the proposed changes. However, it is notable that responses were not received from the high proportion of parents who have already taken the decision to commute to nursery and primary school provision outside of Pentyrch.
31. For children in the village of Pentyrch, the nearest nursery class facilities in a primary school setting are at Creigiau Primary School, Radyr Primary School and Danescourt Primary School. Whilst parents have been able to apply to, and gain admission to, those schools in recent years, the development of housing in North-West Cardiff is expected to impact the opportunity for families to take up of places at those schools in future.
32. The proposed changes would enable learners within the catchment area of Pentyrch Primary School to access English-medium education in a community school environment from the age of 3-11 and would reduce the number of families commuting to provision elsewhere.
33. An expansion of places at the school, and the establishment of nursery provision would increase the number of journeys taken to the school by families resident within the village. However, families within the village of Pentyrch are already commuting to the school or are commuting to schools elsewhere. These proposals would therefore provide the opportunity to

bring forward provision to better enable local pupils to walk, scoot and cycle to their local school with reduced reasons to drive.

34. The Council is currently funding a small number of children for non-maintained nursery education at the private nursery operating from the Pentyrch Village Hall. This funding stream would cease in the event that maintained places were offered in the village through establishment of a nursery class at the primary school. The private nursery also provides childcare to children who are not eligible for a funded place at the nursery. The places funded by the Council provide a source of income for the nursery.
35. The potential financial impact on the local private nursery of establishing nursery provision at Pentyrch Primary School is acknowledged by the Council and this was highlighted in the consultation information published by the Council.
36. The impact on the private nursery may be mitigated through a number of measures which have been discussed at length with the owner during the consultation period. These may include each setting offering alternate sessions (e.g. school nursery class sessions in morning or afternoon only) which would allow the nursery to operate as a wrap-around childcare setting, and potentially the sharing of the proposed nursery class accommodation on the school site. Such arrangements have operated successfully on other school sites, and the arrangements have allowed families to access the nursery education offer and wrap-around childcare.
37. 'The childcare offer for Wales' provides working parents with a mixture of childcare and early education for children aged three or four. This would allow parents to access a nursery class place in a school of up to 12.5 hours and to receive funding for wrap-around childcare for up to 17.5 hours.
38. It is clear from school census data, and from school admissions preference data, that many families in the catchment area of Pentyrch Primary School commute to other areas for English-medium nursery education in a community school. These families often proceed to apply for admission to primary education on the same school site where the relationship with the school, children and other families has been established. At present, a high number of families commute from the Pentyrch Primary School catchment area to access provision elsewhere by polluting modes of transport.
39. In the context of increasing demands on the wider road network in North-West Cardiff, it is beneficial that communities are able to access local school and childcare provision and that the length of journeys to access provision are reduced.
40. Taking the above information into account, it is recommended that the proposed expansion of Pentyrch Primary School from 140 places to 210 places is progressed. It is also recommended that the proposed increase in the age range of the school, to incorporate nursery provision, is



progressed. However, it is proposed that the number places offered is reduced from 48, as initially proposed, to 32 places.

41. Several discussions with the private nursery have been held during the consultation period. As reflected in the response received from the owner of the setting the first preference would be for the current model to be retained without implementation of the proposed changes. However, the response also sets out suggestions as to how if the proposal were to proceed, there is a willingness to further explore how to best deliver services for the benefit of the community in a way that would allow for both a maintained nursery and the childcare setting to operate from the Pentyrch Primary site.
42. The school has also been active in discussions with the private nursery regarding opportunities to expand their offer to provide for other groups should they be interested to do so to cater for the wider primary age group operating from the Pentyrch Primary School site in order to enhance the current offer available to families in the village and wider community.
43. Further work will be undertaken with Pentyrch Primary School and with Pentyrch Nursery to address the issues that informed the original proposal, to take account of the concerns raised during the consultation, and to enable a greater number of children in the community to benefit from nursery provision and childcare within Pentyrch.

#### **Admission to Reception classes – September 2022**

44. The cohort of applicants<sup>1</sup> for admission to Reception Year in September 2022 who are resident in the catchment area of Pentyrch Primary School totals 34 children.
45. Of this group of 34 applicants for Reception places who are resident in the Pentyrch Primary School catchment area:
  - Eight children in the catchment area have stated a first preference for admission Pentyrch Primary School.
  - Eight in the Pentyrch Primary School catchment have stated a first preference for admission to the Welsh-medium stream at Creigiau Primary School, which is the catchment area Welsh-medium provision for their address.
46. The remaining 18 applicants have expressed first preferences for other schools.
47. This group of 18 applicants includes those who have commuted to nursery provision in those schools and wish to continue with that provision for a number of stated reasons including proximity (although further away than Pentyrch Primary School), to maintain friendships established attending from nursery class together and establish childcare arrangements where they are able to benefit from wrap around care options aligned to these

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<sup>1</sup> Source: Capita ONE live database, 28 January 2022.

schools. This indicates a correlation between the take up nursery places and the reasons stated by parents for Reception places at the time of application and affirms the reasons for proposing the establishment of nursery provision at Pentyrch Primary School.

### **Admissions arrangements**

48. In accordance with the requirements of the Welsh Government's Admissions Code, the Council has consulted on Admissions arrangements for the 2023/2024 school year which include an increase in Published Admission Number, from 20 places to 30 places, subject to the proposed changes being implemented. This would apply to all year groups from Reception to Year 6 for admissions from September 2023.
49. The outcome of the consultation on Admission arrangements will be considered by the Cabinet at its meeting on 10 March 2022.

### **School Governance**

50. Pentyrch Primary School entered a formal collaboration with Llanishen Fach Primary School in 2017, with a leadership team working across both schools. Pentyrch Primary School has made great progress on its continuous improvement journey, working closely with Llanishen Fach Primary School on joint school improvement priorities.
51. The Council has supported the two schools and Governing Bodies in developing the collaboration model. Shared governance arrangements are in place to monitor and evaluate the development and success of the collaboration, and to advise on/consider issues that are relevant to both schools.

### **Community Impact**

52. In a semi-rural area such as Pentyrch, the School Organisational Code recognises that schools may also be the main focal point for community activity, and any changes to provision could have implications beyond the issue of the provision of education.
53. The Cabinet Report of 15 July 2021 noted that there may be an increase in traffic for short periods of the school days, however this would be mitigated where possible by working with the school to promote the Council's Active Travel Plan.
54. A number of concerns have been raised during consultation in respect of the impact on the local community. These include increased traffic, the potential impact on a local business, and the potential reduced income for the village hall.
55. Should the proposals proceed to implementation, measures would be identified by a Transport Assessment to maximise active travel. Expected improvements would be in the provision for walking, scooting and cycling with appropriate road crossings in Pentyrch. These changes would be

expected to reduce the proportion travelling by car from within the village and mitigate the impact on the Pentyrch community.

56. The introduction of nursery provision and more primary school places in this area would be a benefit to many in the local community and would support the 21st Century Schools Programme vision for Cardiff which aims to have schools of the right size and in the right place. It seeks to place schools at the heart of their communities with a shared responsibility for all children and young people in the area. The addition of wrap around childcare will also benefit those families that need additional provision beyond the statutory school day meaning there is a comprehensive offer local to their home.
57. The Council has identified that existing local nursery provision could be impacted by the introduction of nursery provision on the school site. Options to involve the provider to enhance the current offer and thereby mitigate the impact have been offered and are supported by the school.
58. The Council must also take into consideration any detrimental impact that could be caused to the community if the proposals did not proceed. The proposals seek to establish nursery provision which would retain a greater number of learners in the school and would support the school's budget. If the proposals were not to proceed, Pentyrch Primary School would be the smallest primary school in Cardiff. Small schools can face greater challenges in balancing their budget and in turn attracting and maintaining high quality staff and leadership. This proposal would be expected to reduce outflow from the Pentyrch community to access neighbouring areas as they could benefit from a more comprehensive education and childcare offer locally.
59. The Council has, through the consultation process, engaged with the leadership of the school and with the local private nursery in order to consider mutually beneficial measures. The impact on the private nursery and village hall may be mitigated by the establishment of a nursery class of 32 places which would enable the private nursery to continue to operate a wrap-around model of childcare provision and potentially expand this provision.

### **Wellbeing of Future Generations**

60. In line with the Well-being of Future Generations Act Cardiff's Band B programme is committed to providing Local Schools for Local Children, together with encouraging use of sustainable modes to travel to schools, such as walking and cycling. Each School project takes into account key transport issues when they are being designed and the firm need to provide safer routes to encourage walking, cycling and other active travel modes to schools.
61. With the current investments in ICT across the city, student movements may be further reduced as mobile technology develops further allowing for flexible teaching methods. These have the potential to result in a more

efficient Travel Plan and further contribute to the Council's targets to reduce its carbon emissions.

62. In order to maximise the long-term impact of this significant investment, any design taken forward for each school included in this proposal would be developed to ensure the delivery of high quality modern facilities that are able to respond to the current pupil populations needs and support the delivery of effective teaching and learning methods. They would also incorporate the flexibility to take account of changes depending on need as time progresses; such as changing demographics and pupil numbers, changing curriculum and changing types of pupil needs.
63. The project will consult with all statutory bodies when developing a planning application to ensure that environmental and biodiversity impacts are fully considered.

#### **Local Member consultation**

64. Local members were consulted as part of the consultation.

#### **Scrutiny Consideration**

65. The Children and Young People's Scrutiny Committee will consider this report on 8 March 2022. Any comments received will be circulated at the Cabinet meeting.

#### **Reason for Recommendations**

66. To provide English-medium community primary school and nursery places to serve parts of Creigiau and St Fagans, Pentyrch, Radyr and Morganstown.

#### **Financial Implications**

67. This report recommends that the published admission number for Pentyrch Primary School be increased to a full form of entry (from 140 to 210 pupil places). As schools' revenue budgets are predominantly predicated on the basis of pupil numbers, any increase in pupil numbers would mean that the revenue budget for Pentyrch would increase in comparison to previous years. Current published admissions figures reflect present schools' intake, and the impact on surrounding primary and secondary schools has been shown to be limited. It is important that the impact on neighbouring schools, whose pupil numbers could reduce as a consequence of this expansion, is continued to be monitored closely and any financial impacts managed appropriately.
68. This recommendation does not, in itself result in any direct capital financial implications. However, any building works or adaptations required will need design/ cost development and will need to consider a range of financial aspects, including S.106 funding available alongside the affordability and prioritisation of this project against ongoing Education capital schemes.

69. In terms of revenue implications, the resources required to fund the additional places at Pentyrch Primary will need to be met from within the existing delegated schools budget, with additional consideration required for the new nursery provision and transport implications, once a final course has been determined.

### **Legal Implications**

70. Under the Education Act 1996, the Council has a general statutory obligation to promote high standards of education and to provide sufficient school places for pupils of compulsory school age. Section 89 of the School Standards and Framework Act 1998 determines that the Admission Authorities must carry out consultation before determining the admission arrangements which are to apply. These consultations have taken place and the responses have been analysed.
71. A local authority can make school organisation proposals, including making 'regulated alterations' to a community school under sections 42-44 of the Schools Standards and Organisation (Wales) Act 2013. The proposals set out in the report constitute 'regulated alterations' and must be considered having regard to the provisions of the 2013 Act and the School Organisation Code 2018, which sets out factors to be considered in respect of different proposals, the statutory procedures, legal requirements and guidance. Where an increase in a school's capacity is proposed, the Council must have regard to evidence of current or future need/demand in the area for additional places, with reference to the school's language category (and religious character / gender intake if applicable). The Code includes specific factors to be considered in relation to proposals to add nursery classes. Cabinet will need to be satisfied that all relevant factors are properly considered in relation to the proposals.
72. Taking into account the formal responses, the recommendation in the report is to proceed as per consultation although with a smaller nursery of 32 places, instead of 48.
73. The Council has complied with its requirements to publish its proposals, to undertake a consultation on its proposals in accordance with section 48 of that Act and the School Organisation Code 2018 set out below.
74. The recommendations seek authority to carry out that statutory consultation. Case law has established that the consultation process should:
- (i) be undertaken when proposals are still at a formative stage;
  - (ii) include sufficient reasons and information for particular proposals to enable intelligent consideration and response;
  - (iii) provide adequate time for consideration and response; and;
  - (iv) ensure that the product of consultation is conscientiously taken into account when the ultimate decision is taken.

75. Formal responses were received and reviewed which led to a change of recommendation demonstrates compliance with (i) – (iv) above.
76. The School Organisation Code sets out further detailed requirements and guidance in relation to the statutory consultation, including the requirement for publication of a consultation document (and the contents of that document), a minimum 42 days consultation period including at least 20 school days, and a list of statutory consultees, including parents, pupils, governing bodies, religious bodies, the Welsh Ministers and Estyn.
77. This has been fully complied with in the consultation.
78. The Council has secured financial contributions under a section 106 agreement for Education purposes. The agreement permits the spending of the contribution in improving provision of school places at Pentyrch Primary school and/or within three miles of the school.
79. If the proposals are taken forward, the admission arrangements, including admission numbers and catchment areas, will need to be determined, following consultation, in accordance with the School Admission Code and the Education (Determination of Admission Arrangements) (Wales) Regulations 2006.
80. The Council also has to satisfy its public sector duties and obligations under the Equality Act 2010 (including the specific Welsh public sector duties). Pursuant to these legal duties, Councils must in making decisions have due regard to the need to (1) eliminate unlawful Page 34 of 36 discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of protected characteristics. The Council must also not directly or indirectly discriminate against any pupil in its admission arrangements, this means that no pupil or group of pupils may be treated less favourably based on a protected characteristic. Protected characteristics are:
- Age
  - Gender reassignment
  - Sex
  - Race – including ethnic or national origin, colour or nationality
  - Disability
  - Pregnancy and maternity
  - Marriage and civil partnership
  - Sexual orientation
  - Religion or belief – including lack of belief.
81. The Equality Impact Assessment (see Appendix 8) specifically considers how the proposals may affect pupils with protected characteristics. The purpose of the Equality Impact Assessment is to ensure that the Council has understood the potential impacts of the proposal in terms of equality so that it can ensure that it is making proportionate and rational decisions having due regard to its public sector equality duty. The Council must have due regard to these obligations when this decision is taken to determine the admission arrangements.

82. In accordance with the Welsh Language (Wales) Measure 2011 and the Welsh Language standards, the Council also has to consider the impact upon the Welsh language any decision that it makes and in accordance with the Welsh in Education Strategic Plan, the Council must consider how it can promote Welsh medium education. This report reflects those requirements.
83. The Council must also consider its legal obligations under the Wellbeing of Future Generations (Wales) Act 2015 to think more about the long term, work better with people and communities and each other, look to prevent problems and take a more joined-up approach.
84. There are also legal obligations under the Education Act 1996 which require pupils with statements of special educational needs to be admitted to the school named in the statement and the Education (Admission of Looked After Children) (Wales) Regulation 2009 which requires the Council to admit children who are currently looked after (in accordance with the definition in section 74 of the Social Services and Wellbeing Act (Wales) 2014. The report and proposed admission arrangements reflect these obligations.

### **HR Implications**

85. The proposed increase in pupil numbers at Pentyrch Primary School would require the Governing Body and Senior Leadership Team to plan for workforce requirements of additional staffing arising from the school expansion and introduction of a nursery.
86. The Council's HR People Services would provide advice, support and guidance to the Governing Body for this in line with the framework set out for any Schools Organisation and Planning proposal. HR People Services encourages the school to undertake a review of their current staff structure to consider how the recruitment of additional staff fits into this structure.
87. Further HR implications of the proposal would need to be determined as the project develops, particularly in relation to the potential sharing of the nursery accommodation with a local private nursery.

### **Property Implications**

88. This report does not recommend any immediate property decisions but Strategic Estates note the potential consequences of the consultation which may in the future, result in the requirement to undertake land and property transactions.
89. Any decisions relating the development, acquisition or disposal of property in regards to this scheme will need to be undertaken in conjunction with Strategic Estates in accordance with the agreed asset management processes and delegated authorities.

## **Traffic and Transport Implications**

90. The Council's Local Development Plan (2006-2026) includes a target of 50% of all journeys to be made by sustainable transport. Minimising the proportion of school journeys made by car and maximising opportunities for travel to school by active and sustainable modes can make an important contribution to achieving this target and reducing pressures on the transport network at peak times. Increasing travel to school by active modes will have a positive impact on children's health and wellbeing and will support the delivery of key actions and outcomes under Goal 5 the Council's Child Friendly City Strategy (2018), which relates to ensuring access to safe outdoor environments for formal and informal play, walking, cycling and scooting and active travel to school.
91. The Council's current Corporate Plan includes a commitment to every school in Cardiff developing an Active Travel Plan by 2022. Such a plan will identify actions by the school to support and encourage active travel to school and also inform any improvements to on-site and off-site infrastructure required to facilitate active journeys.
92. It is also anticipated that with the introduction of a nursery, take up of school places by those that reside in areas close to the school will increase. This should provide more scope for increased numbers of people to benefit from an appropriate Active Travel Plan. Additionally, the need to travel outside the village to reach available nursery provision would also decrease, further reducing vehicle trips.
93. The development proposals will also require a Transport Assessment which will identify measures to be included as part of the application to maximise travel by sustainable modes. These would be expected to include appropriate improved facilities for walking, scooting and cycling, for example, road crossings. On-site parking would be in line with the council's Parking Standards to encourage use of sustainable and active modes of travel.
94. As it has been identified that there is no safe walking route between the Goitre Fach Farm development and any school, nor any plans for one ahead of 2023/24, children residing on the development would be eligible for free home to school transport to their nearest appropriate school with places available at the time of applying.
95. Suitable provision for the Learner Transport drop-off and pick-up may be required at Pentyrch Primary School to accommodate this. If so, this would be likely to be a designated area immediately outside the school to create clear space for the required numbers of minibuses and /or taxis. We anticipate this would be only one or two vehicles. Parking restrictions would be required to enforce such a space at the school, situated on the main through route between Creigiau and Gwaelod y Garth.
96. Other parking restrictions would also be likely to be required to discourage short distance car travel by those within walking distance and to maximise levels of active travel to school.



97. A Hands Up Survey undertaken last school year (2020/21) shows that of the five classes (146 pupils) that took part, modes of travel were walk 43%, car 48%, car share 1%, park and stride 7% and taxi 1%.
98. Where it is identified that there is a need to manage parking for those who need to drive from further afield, consideration would be given to identify a suitable provision for a Park and Stride facility.
99. These proposals will provide the opportunity to bring forward provision to better enable local pupils to walk, scoot and cycle to their local school with reduced reasons to drive.

### **Equality Impact Assessment**

100. An Equality Impact Assessment on this proposal has been carried out. The assessment concluded that this proposal would not adversely affect a particular group in society (details of the Equality Impact Assessment can be seen at Appendix 8).

### **RECOMMENDATIONS**

The Cabinet is recommended to:

1. Authorise officers to issue a statutory notice to:
  - Increase the number of primary school places at Pentyrch Primary School from 140 places to 210 places
  - Extend the age range of the school from 4 to 11, from 3 to 11 by establishing nursery provision at the school to allow for 32 part-time places
2. Note that prior to implementation of the proposals a further report will be provided to the Cabinet providing details of any objections received, the proposed responses to those objections and recommendations for implementation or otherwise of the proposals.

<b>SENIOR RESPONSIBLE OFFICER</b>	<b>Melanie Godfrey</b> Director of Education & Lifelong Learning
	4 March 2022

*The following appendices are attached:*

Appendix 1 – Consultation Document

Appendix 2 – Notes of meetings with Pentyrch Primary School Staff and Governing Body

Appendix 3 – Notes of public consultation meeting

Appendix 4 – Notes of pupil meeting

Appendix 5 – Formal responses received

Appendix 6 – Summary of consultation responses

Appendix 7 – Summary analysis of consultation responses

Appendix 8 – Equality Impact Assessment

Mae'r dudalen hon yn wag yn fwriadol

## CARDIFF COUNCIL

### SCHOOL STANDARDS AND ORGANISATION (WALES) ACT 2013

### Appendix 2

#### ENGLISH MEDIUM PRIMARY SCHOOL PROVISION

#### PENTYRCH PRIMARY SCHOOL

**NOTICE IS HEREBY GIVEN** in accordance with Section 42 of the School Standards and Organisation (Wales) Act 2013 and the School Organisation Code, that Cardiff Council (herein after “the Authority”), having consulted such persons as appeared to them to be appropriate, propose to alter Pentyrch Primary School, Bronllwyn, Pentyrch, Cardiff CF15 9QL by:

- Increasing the capacity of Pentyrch Primary School from 140 to 210 places
- Extending the age range of the school from 4 to 11, to 3 to 11 by establishing nursery provision at the school to allow for 32 part-time places

It is proposed to implement these changes from September 2023.

Pentyrch Primary School is currently maintained by Cardiff Council.

The Authority undertook a period of consultation before deciding to publish this proposal. A consultation report containing a summary of the issues raised by consultees and the Authority’s responses and the views of Estyn is available to view at:

[Agenda for Cabinet on Thursday, 10th March, 2022, 2.00 pm : City of Cardiff Council \(moderngov.co.uk\)](#)

The current pupil capacity of the school is 140 places. The current number of pupils at the school is 145.

The proposed capacity once the proposal is implemented will be 210.

The number of pupils to be admitted to the school in Reception (the relevant age group), at age 4 or 5 in the first school year in which the proposal will have been implemented will be 30.

There will be 32 part time nursery places at the school. This will enable up to 32 children aged 3-4 (from the term following their third birthday) to receive part-time nursery education at the school.

The school will continue to admit children of both sexes.

Admissions to the school are managed by the local authority.

There are no plans to change the Council’s policy on the admission of children to schools as a result of these proposals.

Parents of children who are admitted for nursery education would still need to apply for a place at the school if they want their child to transfer to the Reception class.

Attendance at the nursery will not guarantee admission to the school.

Any arrangements for the transport of pupils will be made in accordance with the Authority's existing policies on school transport.

Within a period of 28 days of the date of publication of these proposals, that is to say by 02 June 2022, any person may object to these proposals.

Objections should be sent to the Director of Education and Lifelong Learning, Cardiff Council, County Hall, Atlantic Wharf, Cardiff CF10 4UW.

Objections may also be sent to the Director of Education and Lifelong Learning, Cardiff Council using the following e-mail address: [SchoolResponses@cardiff.gov.uk](mailto:SchoolResponses@cardiff.gov.uk)

Please note that any such objection must contain the full name and postal address of the objector.

The Authority will publish a summary of any such objections made (and not withdrawn in writing) within the objection period, together with their observations thereon, before the end of 7 days beginning with the day the proposal is determined.

Dated this 06 Day of May 2022

Signed: Davina Fiore  
Director of Legal, Governance and Monitoring Officer  
For Cardiff Council

### EXPLANATORY NOTE

(This does not form part of the Notice but is intended to explain its general meanings)

Pentyrch Primary School is a community English-medium school located on Bronllwyn in the village of Pentyrch.

It is proposed that the capacity of Pentyrch Primary School is increased from 20 pupils per year group to 30 pupils per year group from September 2023.

The school would also extend its age range from 4-11 to 3-11 by establishing nursery provision at the school. The admission number for the new nursery would be set at 32 part-time places from September 2023.

School admission arrangements for Pentyrch Primary School are administered by the local authority and would not be subject to change.

Admission arrangements for the nursery would also be managed by the local authority. There are no catchment areas for nursery places. A place at a nursery does not provide automatic entry to Reception at the school, a new application must be made.

The admission policies can be found at:

<https://www.cardiff.gov.uk/ENG/resident/Schools-and-learning/Schools/Applying-for-a-school-place/Documents/School%20Admissions%202022-23.pdf>

It has been identified that there is no safe walking route between the Goitre Fach Farm development and Pentyrch Primary School, nor any plans for one ahead of 2023/2024, therefore, children residing here would be eligible for free home to school transport to the nearest appropriate school that has places available at the time of applying.

The Council's School Transport policy is not subject to change and can be found at:

[SCHOOL TRANSPORT POLICY \(cardiff.gov.uk\)](https://www.cardiff.gov.uk/school-transport-policy)

Mae'r dudalen hon yn wag yn fwriadol



**Equality Impact Assessment  
Corporate Assessment Template**

**Policy/Strategy/Project/Procedure/Service/Function Title:**

**Schools Organisation Planning: To provide additional English-medium primary and nursery school places at Pentyrch Primary School**

**New**

**Who is responsible for developing and implementing the Policy/Strategy/Project/Procedure/Service/Function?**

Name: Richard Portas	Job Title: Assistant Director
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Service Team: School Organisation Programme	Service Area: Education
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Assessment Date: June 2021	Reviewed June 2022
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**1. What are the objectives of the Policy/Strategy/Project/ Procedure/ Service/Function?**

To inform Cabinet of any objections received to the statutory notice to:

- Expand Pentyrch Primary School from 140 places to 210 places (one form of entry) and to establish a nursery provision with 32 part time places to serve parts of Pentyrch, Creigiau & St Fagans and Radyr/ Morganstown.

**2. Please provide background information on the Policy/Strategy/Project/Procedure/Service/Function and any research done [e.g. service users data against demographic statistics, similar EIAs done etc.]**

At its meeting on 10 March 2022, the Cabinet, in accordance with the terms of the Schools Standards and Organisation (Wales) Act, approved a recommendation for the publication of a statutory notices relating to the proposals as set out at paragraph 1. A copy of the Cabinet Report of 10 March 2022 is attached as Appendix 1.

The statutory notices were published on 06 May 2022 for a period of 28 days to allow for objections. The statutory notice period expired on 02 June 2022. A copy of the notice is attached at Appendix 2.

The notice was published on the Council website, posted at the school site, at the Village Hall on Heol y Bryn and outside the local shops.

Copies of the notice were distributed via e-mail to organisations and consultees required under the School Organisation Code 2018.

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Equality Impact Assessment  
Corporate Assessment Template

Residents in the local area were notified of publication of the statutory notice by letter.  
During the statutory notice period four objections were received.

3 Assess Impact on the Protected Characteristics

3.1 Age

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative/]** on younger/older people?

	Yes	No	N/A
Up to 18 years	x		
18 - 65 years	x		
Over 65 years	x		

**Please give details/consequences of the differential impact, and provide supporting evidence, if any.**

The aim of this proposal is to provide additional English-medium places for children aged 3-11 years in the area of Creigiau & St Fagans, Pentyrch and Radyr / Morganstown.

This provision is age dependent and therefore not accessible to pupils outside of this age range, or adults, either locally or in the wider community.

It is believed that the additional English-medium school places provided by this proposal would benefit the community in this area and would be implemented in such a way that the potential for negative impact on existing other local schools would be limited.

**What action(s) can you take to address the differential impact?**

The council has a statutory duty to provide pupil places to meet the needs of all pupils in Cardiff. As part of this strategic approach, demand is forecast based on:

- Recent and historic populations known to be living in each area utilising NHS data;
- Recent and historic Numbers on roll taken from verified PLASC (Pupil Level Annual Census) for Cardiff schools;
- Recent and historic percentages of children attending English-medium and Welsh-medium community and faith places

Provision for age groups not accommodated by this proposal have been considered outside of this proposal as part of the Local Authority's



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## Equality Impact Assessment Corporate Assessment Template

implementation of the 21st Century Schools program which includes provision of school places at all stages of education.

The project is considered to be a legitimate proposal to achieve a desired aim.

### 3.2 Disability

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on disabled people?

	Yes	No	N/A
Hearing Impairment		x	
Physical Impairment		x	
Visual Impairment		x	
Learning Disability		x	
Long-Standing Illness or Health Condition			x
Mental Health			x
Substance Misuse			x
Other			x

**Please give details/consequences of the differential impact, and provide supporting evidence, if any.**

If the proposal were to proceed, an equality impact assessment would be carried out to identify the accessibility of the existing school building and any alterations made to it.

The equality impact assessment would take into account policies such as the Equality Act 2010, TAN 12: Design 2014 as well as building regulations such as, BS8300, Part M and relevant Building Bulletins to ensure that any differential impact on disability was addressed appropriately.

**What action(s) can you take to address the differential impact?**

As above

### 3.3 Gender Reassignment

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on transgender people?

	Yes	No	N/A
<b>Transgender People</b> (People who are proposing to undergo, are undergoing, or have undergone a process [or part of a process] to reassign their sex		x	

**CARDIFF COUNCIL**

**Equality Impact Assessment  
Corporate Assessment Template**

by changing physiological or other attributes of sex)			
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<b>Please give details/consequences of the differential impact, and provide supporting evidence, if any.</b>
The proposed changes would not have a differential impact as the schools will continue to apply the Council's policies on equal opportunities.
<b>What action(s) can you take to address the differential impact?</b>
The Council's procedure for managing staffing changes arising from reorganisation would be used in implementing any changes as a result of this proposal. This would ensure that good practice is followed, including the application of the Council's policies on equal opportunities.

**3.4. Marriage and Civil Partnership**

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on marriage and civil partnership?

	Yes	No	N/A
Marriage			x
Civil Partnership			x

<b>Please give details/consequences of the differential impact, and provide supporting evidence, if any.</b>
The proposed changes would not have a differential impact as the schools will continue to apply the Council's policies on equal opportunities.
<b>What action(s) can you take to address the differential impact?</b>
The Council's procedure for managing staffing changes arising from reorganisation would be used in implementing any changes as a result of this proposal. This would ensure that good practice is followed, including the application of the Council's policies on equal opportunities.

**3.5 Pregnancy and Maternity**

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on pregnancy and maternity?

	Yes	No	N/A
Pregnancy		x	

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Maternity		x	
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**Please give details/consequences of the differential impact, and provide supporting evidence, if any.**

The Council's procedure for securing staffing requirements to implement this proposal would be used in implementing this proposal. This would ensure that good practice is followed, including the application of the Council's policies on equal opportunities.

**What action(s) can you take to address the differential impact?**

As above

**3.6 Race**

Will this Policy/Strategy/Project//Procedure/Service/Function have a **differential impact [positive/negative]** on the following groups?

	Yes	No	N/A
White	x		
Mixed / Multiple Ethnic Groups	x		
Asian / Asian British	x		
Black / African / Caribbean / Black British	x		
Other Ethnic Groups	x		

**Please give details/consequences of the differential impact, and provide supporting evidence, if any.**

The proposal would have greater impact on the population closer to the development than on the city as a whole. If this local population is made up of a racial mix which is disproportionate to that typically found across the city, then there is potential for the proposal to have a differential impact on this community relative to that of the wider Local Authority population.

**What action(s) can you take to address the differential impact?**

The provision being proposed would be accessible to all ethnic groups. Compliance with the Council's policies on equal opportunities would be adhered to.

**3.7 Religion, Belief or Non-Belief**

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Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on people with different religions, beliefs or non-beliefs?

	Yes	No	N/A
Buddhist		x	
Christian		x	
Hindu		x	
Humanist		x	
Jewish		x	
Muslim		x	
Sikh		x	
Other		x	

**Please give details/consequences of the differential impact, and provide supporting evidence, if any.**

The proposed changes would not have a differential impact as the schools will continue to apply the Council's policies on equal opportunities.

**What action(s) can you take to address the differential impact?**

The senior staff in a school would be best placed to manage diversity in terms of belief. (e.g. provision of a space for prayer).

**3.8 Sex**

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on men and/or women?

	Yes	No	N/A
Men		x	
Women		x	

**Please give details/consequences of the differential impact, and provide supporting evidence, if any.**

None

**What action(s) can you take to address the differential impact?**

Maintained school provision admits pupils of both sexes and this would continue to be the case.

The Council's procedure for managing staffing changes arising from

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**Equality Impact Assessment  
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reorganisation would be used in implementing any changes as a result of this proposal. This would ensure that good practice is followed, including the application of the Council's policies on equal opportunities.

**3.9 Sexual Orientation**

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on the following groups?

	Yes	No	N/A
Bisexual		x	
Gay Men		x	
Gay Women/Lesbians		x	
Heterosexual/Straight		x	

**Please give details/consequences of the differential impact, and provide supporting evidence, if any.**

None

**What action(s) can you take to address the differential impact?**

(Fears that recruitment opportunities could be affected by sexual orientation)

Evidence collated by the Stonewall lobby group alleges that Lesbian, Gay, Bisexual people are likely to be discriminated against in workplace recruitment.

The Council's procedure for managing staffing changes arising from reorganisation would be used in implementing any changes as a result of this proposal. This would ensure that good practice is followed, including the application of the Council's policies on equal opportunities.

**3.10 Socio-economic Duty**

Will this Policy/Strategy/Project/Procedure/Service/Function have a **differential impact [positive/negative]** on the Socio-economic Duty?

	Yes	No	N/A
		x	

**Please give details/consequences of the differential impact, and provide supporting evidence, if any.**

The proposal seeks to offer additional school places within the area of Pentyrch,

CARDIFF COUNCIL

Equality Impact Assessment  
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Creigiau & St Fagans and Radyr/ Morganstown. There will be no impact outside of the socio-economic duty of the residents in this part of the city.

If this local population is disproportionately advantaged / disadvantaged to that typically found across the city, then there is potential for the proposal to have a differential impact on this community relative to that of the wider Local Authority population.

**What action(s) can you take to address the differential impact?**

Increased admission to Pentyrch Primary School based on the proposed extra pupil numbers would be based on the existing Admission Policy. There are no plans to change the Council's policy on the admission of children to community schools as a result of this proposal.

Detailed information regarding admission arrangements is contained in the Council's Admission to Schools booklet, and this information can be viewed on the Council's website ([www.cardiff.gov.uk](http://www.cardiff.gov.uk)).

**3.11 Welsh Language**

Will this Policy/ Strategy/Project/Procedure/Service/Function have a **differential impact (positive/negative)** on the Welsh Language?

	Yes	No	N/A
		x	

**Please give details/ consequences of the differential impact, and provide supporting evidence, if any.**

The Council is committed to developing a Bilingual Cardiff.

Cardiff's Welsh in Education Strategic Plan (WESP) 2022-2031 sets out a series of ambitious commitments to build on the progress achieved to date. These will ensure that every child in the city can receive an education in the language of Welsh, the number receiving their education in Welsh-medium schools will increase, and through the significant use of Welsh in English medium education all will have the opportunity to become confident in speaking Welsh.

The level of special educational needs/ additional learning needs in the Welsh-medium sector has historically been lower than in the English medium sector. This has however been changing over the last 4-5 years, with schools reporting an increased incidence of additional learning needs, in all areas of need.

A review of additional learning needs in the Welsh-medium sector was undertaken with Welsh medium schools in 2016 to inform the Welsh in

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### Equality Impact Assessment Corporate Assessment Template

Education Strategic Plan (WESP). Schools reported a small but significant number of examples of pupils with additional learning needs leaving the Welsh-medium sector in order to access Specialist Resource Bases or special schools.

There was also some anecdotal evidence to suggest that some families who would otherwise choose Welsh-medium education opt instead for English medium if their child has additional learning needs, through concern that their child may need to transfer to the specialist sector at a later date.

Through the WESP, Cardiff has invested in specialist provision in the sector, including some capacity to respond to growing demand and to generate more confidence in the availability of specialist provision in the sector.

A new primary base was established at Ysgol Gymraeg Pwll Coch, within the catchment area of Ysgol Gyfun Gymraeg Glantaf, where the secondary base is established. The two bases cater for learners with severe learning difficulties, providing a specialist curriculum and supporting a range of secondary needs including physical and medical needs, speech and language difficulties and autism.

As the Welsh sector continues to grow it will be important to develop additional provision in anticipation of the need, to ensure Welsh-medium education is a genuine choice for learners with complex additional learning needs.

Following engagement sessions with members of Cardiff's Welsh Education Forum in summer 2021, the Council formally consulted on its draft Welsh in Education Strategic Plan (WESP) 2022-2032 between 15 October 2021 and 13 December 2021.

Links to the plan (including the full draft WESP, the easy read summary version and the Trajectory for Growth) and survey webpage were circulated to statutory stakeholders including Cardiff schools and Cardiff's Welsh Education Forum member organisations.

The draft WESP sets out the strategy for the development of Welsh-medium additional learning needs provision and proposals would be brought forward as part of the implementation of the Council's Welsh in Education Strategic Plan following agreement of the strategy by the Welsh Government and formal adoption by the Council later in 2022.

The Cabinet approved Cardiff's WESP 2022-2031 at its meeting of 24 February 2022, for submission to the Welsh Government Ministers.

The ongoing development of additional learning needs provision including new and existing provision will be kept under review to ensure proposals are brought forward in a strategic and holistic way that takes into account the needs of all of our learners and reflects the additionality required to ensure parity in the Welsh-

## CARDIFF COUNCIL

### Equality Impact Assessment Corporate Assessment Template

medium sector as new places are delivered throughout the proposed WESP.

**What action(s) can you take to address the differential impact?**

#### 4. Consultation and Engagement

What arrangements have been made to consult/engage with the various Equalities Groups?

The Council's Accessibility Officer would be given the opportunity to comment on the scheme.

#### 5. Summary of Actions [Listed in the Sections above]

Groups	Actions
Age	See Generic over-arching actions below
Disability	
Gender Reassignment	
Marriage & Civil Partnership	
Pregnancy & Maternity	
Race	
Religion/Belief	
Sex	
Sexual Orientation	
Socio-economic Duty	
Welsh Language	
Generic Over-Arching [applicable to all the above groups]	<p>If the proposal were to proceed, an equality impact assessment would be carried out to identify the accessibility of the new school building. The equality impact assessment would take into account policies such as the Equality Act 2010, TAN 12: Design 2014 as well as building regulations such as, BS8300, Part M and relevant Building Bulletins.</p> <p>Compliance with the Council's policies on equal opportunities would also be adhered to.</p>

#### 6. Further Action



## CARDIFF COUNCIL

### Equality Impact Assessment Corporate Assessment Template

Any recommendations for action that you plan to take as a result of this Equality Impact Assessment (listed in Summary of Actions) should be included as part of your Service Area's Business Plan to be monitored on a regular basis.

#### 7. Authorisation

The Template should be completed by the Lead Officer of the identified Policy/Strategy/Project/Function and approved by the appropriate Manager in each Service Area.

Completed By: S Karseras	Date: 02/06/22
Designation: Project Officer	
Approved By: Brett Andrewartha	
Designation: School Organisation Programme Planning Manager	
Service Area: Schools and Lifelong Learning	

- 7.1 On completion of this Assessment, please ensure that the Form is posted on your Directorate's Page on CIS - *Council Wide/Management Systems/Equality Impact Assessments* - so that there is a record of all assessments undertaken in the Council.

For further information or assistance, please contact the Citizen Focus Team on 029 2087 2536 / 3262 or email [equalityteam@cardiff.gov.uk](mailto:equalityteam@cardiff.gov.uk)

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