

DEVELOPING THE EDUCATION ESTATE IN CARDIFF

EDUCATION, EMPLOYMENT & SKILLS (COUNCILLOR SARAH MERRY)

AGENDA ITEM: 4

DIRECTOR OF EDUCATION AND LIFELONG LEARNING

Reason for this Report

1. To outline the challenges and opportunities facing Cardiff in the development of the education estate and to highlight aspects which require proposals to be brought forward to subsequent Cabinet meetings in the following areas:
 - Cardiff priority schemes for Band B of the 21st Century Schools Programme
 - An approach to the development of provision for learners with additional learning needs (ALN), including the development of new provision and the remodelling of existing provision in Cardiff schools

Context

2. The Council and its partners outlined in 2016 a clear vision for education in the city in Cardiff 2020: a renewed vision for education and learning in Cardiff

“All children and young people in Cardiff attend a great school and develop the knowledge skills and characteristics that lead them to become personally successful, economically productive and actively engaged citizens.”
3. There are five key goals to deliver Cardiff’s aspiration:
 - Excellent outcomes for all learners
 - A high quality workforce
 - 21st Century learning environments
 - A self-improving school system
 - Schools and Cardiff in partnership
4. The Council’s Capital Ambition strategy 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. The delivery of 21st century learning environments will ensure that there are appropriate, high quality school places for young people which meets the needs of Cardiff's growing and changing population.

5. In recent years there has been significant investment in the development of the education estate in Cardiff, both prior to, and then as part of, the Band A phase of the Welsh Government 21st Century Schools Programme. Cardiff has benefitted greatly from the initial "Band A" investment programme of the 21st Century Schools programme, with circa £164 million to expand the number of both English and Welsh medium places. Band A will deliver two new High Schools: Eastern High in collaboration with Cardiff & Vale College and Cardiff West Community High School as well as six new primary schools.
6. However significant challenges remain as a result of the rapid growth in the school age population, and against a background of many of the existing school buildings requiring significant further investment to bring them up to an acceptable standard.
7. The first part of this report outlines the:
 - Sufficiency needs of the school population;
 - Condition of the school estate;
 - Suitability of the estate to meet the demands of 21st Century Learning;
 - Projected growth in education provision resulting from the Local Development Plan.
8. **Sufficiency** refers to the capacity of the school estate to meet the numbers of young people who require school places.
9. There are four categories used to define the **condition** of school buildings.

These are:

 - A - Performing as intended and operating efficiently;
 - B - Performing as intended but exhibiting minor deterioration;
 - C - Exhibiting major defects and not operating as intended;
 - D - Life expired and risk of imminent failure.
10. The factors that influence **suitability** of use for the delivery of 21st Century learning are:
 - Age of school (c.50% of Cardiff schools built 1945-1976; 25% Victorian schools);
 - Building design;
 - Pedagogy;
 - Best use of facilities.

The report then sets out the challenges facing Cardiff in relation to:

- Cardiff priorities for Band B of the 21st Century Schools Programme
- Funding for the management and maintenance of the existing education estate
- An approach to the development of provision additional learning needs (ALN), including the development of new, and the remodelling of existing, provision in Cardiff schools.

Analysis of Need

Sufficiency Issues in the Mainstream

11. The Council, as the Local Education Authority, has a statutory duty under the Education Act 1996 to ensure that it provides sufficient school places in Cardiff. This requires the Council to ensure that it has local schools for local children and an appropriate balance of school places in primary, secondary, and special sectors and through the mediums of both English and Welsh for the young people of Cardiff.
12. The significant factors that influence the sufficiency of school places in Cardiff include:
 - A rapidly growing population in the city that has seen growth by 1.1% per annum, which is equivalent to around 4,000 individuals for the past 10 years;
 - This has resulted in successive, large reception age cohorts of 4,200 children entering the system and significantly exceeding the intakes in the last 10-year period. The most recent reception intake represents an increase of 28%, with over 800 more children, compared to the 2006 intake of 3,381;
 - The large primary cohorts are now reaching secondary school age and by September 2019, they will exceed the numbers of places available across the city at entry to Year 7;
 - As Cardiff's population has grown, so has the number of children with Additional Learning Needs (ALN). At present, 23.4% of pupils in Cardiff schools have an Additional Learning Need (ALN). There are currently appropriately 1,800 statements of ALN across the authority. There are a range of schools and settings located across Cardiff which meet the educational needs of this cohort of young people. However the demand for places exceeds the number of places available and this trend is set to continue into the future.
 - The Local Development Plan adopted by Cardiff maps the infrastructure required to facilitate and sustain the city's growth up to 2026. This involves the potential building of 41,415 homes over the period of the plan, including sizeable strategic sites in the north and west of the city. There will be up to 5000 homes in each area. This will generate significant increases in the demand for school places across the city over the next 10 years.

Primary Sector Sufficiency

13. 4,339 children entered reception in September 2016. There was a 5% surplus of places at reception and a 6.4% surplus in the other year groups of the mainstream primary sector (ages 4-11). The Council has delivered:
 - 6% surplus in English Medium primary schools (age 4-11);
 - 9% surplus in Welsh Medium primary schools (age 4-11).
14. An analysis of levels of surplus in the primary school sector indicate that a broad balance in the supply of, and demand for, English Medium places may be achieved through changes to catchment areas and/ or other organisational changes. There remain some localised sufficiency issues in Butetown and in Fairwater.
15. In accordance with the Welsh Government Policy aspirations and the Cardiff Council's Welsh in Education Strategic Plan (WESP), some additional investment is necessary to increase Welsh medium places in primary phase.

Secondary Sector Sufficiency

16. The rising primary aged school population will lead to a shortage of English medium secondary school places in 2019.
17. There are currently 134 forms of entry for Year 7 combining Foundation, Faith and Community secondary schools across both English and Welsh language mediums.
18. The most recent secondary school projections suggests that demand for:
 - English-medium places at entry to secondary education (Year 7) will exceed places available by September 2019;
 - English-medium places throughout the whole secondary age range (11-16) will exceed places available by September 2022;
 - Welsh-medium places at entry to secondary education will exceed places available by September 2021.
19. The projections indicate that there will need to be an additional 8 Forms of Entry (equating to 240 pupil places more per year) over and above the existing 114 form of entry city-wide at entry to Year 7 in the English-medium sector, in order to accommodate the existing residential population and known migration patterns. The central areas of the city have the most acute need for additional schools places.

Bilingual Cardiff 2017-202 and Welsh in Education Strategic Plan 2017-2020

20. The Welsh Government's Welsh Language Strategy sets out the vision of a million Welsh speakers across Wales by 2050. Cardiff Council has developed a five-year Bilingual Cardiff strategy to increase the number of Welsh speakers within Cardiff that builds upon the work already undertaken to meet the needs of Welsh speakers, learners and communities across the city.
21. Cardiff Council believes that the education system is a key element in ensuring that children are able to develop their Welsh skills, and for creating new speakers. Cardiff's Welsh in Education Strategic Plan (WESP) supports both strategies. The WESP also contributes to the seven national well-being goals within the Well-being of Future Generations Act. In particular to a prosperous Wales providing high quality education and training to children and young people in the language of their choice and creating a vibrant and thriving Welsh culture.
22. Between 2016/17 and 2021/22, there is a projected increase of total pupils taught through the medium of Welsh in Cardiff to 15.2% making a significant contribution to meeting the targets set in the Council's Bilingual Cardiff Strategy.
23. It is recognised that the continued growth in the Welsh-medium primary sector will necessitate an increase in provision in the Welsh-medium secondary sector, however it is not anticipated that this will be required until after 2022. There is currently a 16% net surplus capacity within the secondary sector due to the 3rd Welsh Medium High School, Ysgol Bro Ederm, opening in the 2013/13 academic year. Therefore, adaptation to existing provision can be utilised until after 2024, taking the need for additional Welsh secondary provision outside of the timescales of Band B. For Reception applications in September 2017, there was 12% surplus capacity across 10 Welsh medium primary schools, as Cardiff has invested heavily in primary sufficiency as part of its Band A capital programme.
24. The Council will continue to monitor pupil projections, conduct feasibility studies and undertake planning and development work to ensure that the Council will be in a position to ensure the sufficiency of Welsh medium secondary places when necessary. Additional provision will be required to accommodate the residential population generated by the Local Development Plan (LDP) major housing sites in the North and West of the City.

Sufficiency Issues in the special sector

25. There has been a significant growth in the numbers of young people with Additional Learning Needs (ALN) since 2012. This can be attributed to the general population growth but it is also related to other factors, such

as the improved survival rates for children with complex disabilities and increased incidence/identification of autism spectrum conditions.

26. The need for special school places is projected to grow over the next 5-10 years. Increased need is anticipated in all areas of ALN and particularly in:
 - Behaviour emotional and social needs (BESN);
 - Complex learning needs (CLN); The term CLN is used here as a generic term for a range of primary need labels, including severe learning difficulties (SLD), physical and medical needs (PMED), profound and multiple learning disabilities (PMLD).
 - Autism spectrum conditions (ASC).
27. Between 2017 and 2022 an additional 220 places for pupils with autism spectrum conditions and complex learning needs, and approximately 70 additional places for pupils with behaviour emotional and social needs, will be required in order to meet growing demand.
28. The rate of growth over the last 5-10 years has exceeded earlier projections. Over the last two years, the Local Authority special school provision has been unable to meet fully the current need. The additional provision, afforded by the development of Ty Gwyn and the Marion Centre, are now at capacity, with no further scope to extend specialist places within the current accommodation.
29. Cardiff has been obliged to turn to the independent sector in order to comply with statutory duties. In 2017-18, Cardiff will be funding 113 pupils in independent special school places at a total cost of £2.5M. The cost of these places ranges from £28K to £57k per annum, compared to costs for Cardiff special schools of £14k to £25k per annum. The reliance on independent schools is a significant financial challenge for Cardiff.
30. Ty Gwyn Special School expanded and transferred to a new building in 2009. It is now at maximum capacity and provides 170 places for young people who have profound and multiple learning difficulties or autism spectrum conditions.
31. The Marion Centre, on the site of the Bishop of Llandaff School, provides 55 places for young people with autism. There has been successive growth year-on-year and this specialist provision is now at maximum capacity.
32. Over the same period, Cardiff has expanded places in other Specialist Resource Bases (SRBs) located in mainstream schools, particularly for pupils with autism spectrum conditions. Since 2012, 40 additional places have been provided through the development of new SRBs.

Condition & Suitability Issues

33. Cardiff has a very large education estate, with over 127 school properties. Many sites comprise of multiple blocks, constructed during

different decades. A large number of primary, secondary and special schools are in a poor state of repair.

34. Using a detailed and robust methodology, a prioritisation matrix has been developed to classify all properties across the school estate from A to D, with D being the worst category for the following issues:
 - Sufficiency of places available;
 - Condition of the school buildings;
 - Suitability of the environment for teaching.
35. The sufficiency ratings for all schools were prepared using the corporate population database and methodology used for the planning of school places. The condition and suitability rating were prepared independently, using Welsh Government approved methodology.
36. Approximately £17m, or 14%, of maintenance and condition issues of the estate have been addressed through Band A of the 21st Century Schools investment programme. There has been significant investment in the construction of two new high schools in the East and West of the City and suitability works undertaken in primary schools.
37. This nonetheless leaves a significant maintenance backlog of approximately £68M, of which circa £8M is Equality Act 2010 compliance. The Local Authority's current spend on school asset renewal has been circa £3m per annum. This resource is allocated on a priority basis and is predominantly limited to keeping properties safe and watertight.
38. Works to address the compliance issues in a number of secondary schools in 2016-2017 required an additional investment of approximately £5 million. A complete review of electrical compliance issues across the city's entire education stock resulted in additional compliance works, estimated to have cost approximately £350K.
39. Electrical works completed in response to condition surveys have resulted in a much reduced asset management budget for the medium term. Resources have been brought forward from future years to address the immediate problems and during the summer vacation in 2017 further asset management works have been completed.
40. The electrical compliance works, and the significant backlog in condition and suitability works, require the Council to explore ways of securing significant additional investment in the education estate. This investment is required to ensure that its ageing educational properties remain safe and are fit-for-purpose into the future.
41. In order to understand fully the current condition and suitability of the school estate, Project Management Consultants were engaged in 2017 to update the 2010 conditions surveys. The focus of the 2017 analysis was the top 15% of the school estate in the worst condition, or properties with significant suitability issues. It is intended that the entirety of the

education estate is resurveyed by the end of the year. Table 1 shows the proportion of schools classified as C and D.

Table 1: C and D Condition Properties

| C Condition Property | D Condition Property |
|--|-------------------------------------|
| 42% Primary Sector (41 schools) 56% Secondary Sector (10 schools) 88% Special Sector (6 schools) | 16% of Secondary Sector (3 schools) |

42. There are now three High Schools in Cardiff that are classed as “D”, which means that they are at the end of life in terms of their condition. These are Cantonian High, Willows High and Fitzalan High.
43. A large proportion of primary, secondary and special schools are classified as “C” condition, which means that they are exhibiting major deterioration. This represents 46% of the overall estate. There are two schools, which are in the sub-classification of “C-“. This means that the buildings are nearing their end of life and will require urgent attention in the very near future. These are the Court Special School and Riverbank Special School.

Suitability

44. In a number of Cardiff schools, teaching is inhibited by the suitability of both internal and external accommodation. Factors such as the flexibility of the space, its size and shape, levels of light, accessibility, ventilation and acoustics are restricting the access of young people to a broad and balanced curriculum.
45. From the suitability surveys, it was found that the majority of secondary and primary schools surveyed were classed a “C”. This means that their environments are poor, inhibit 21st Century teaching and learning and have an adverse impact on the school organisation.
46. Four schools in the special sector are classified as “D” for suitability (Table 2). These properties have poor environments, with the buildings seriously inhibiting the schools’ ability to deliver the curriculum.

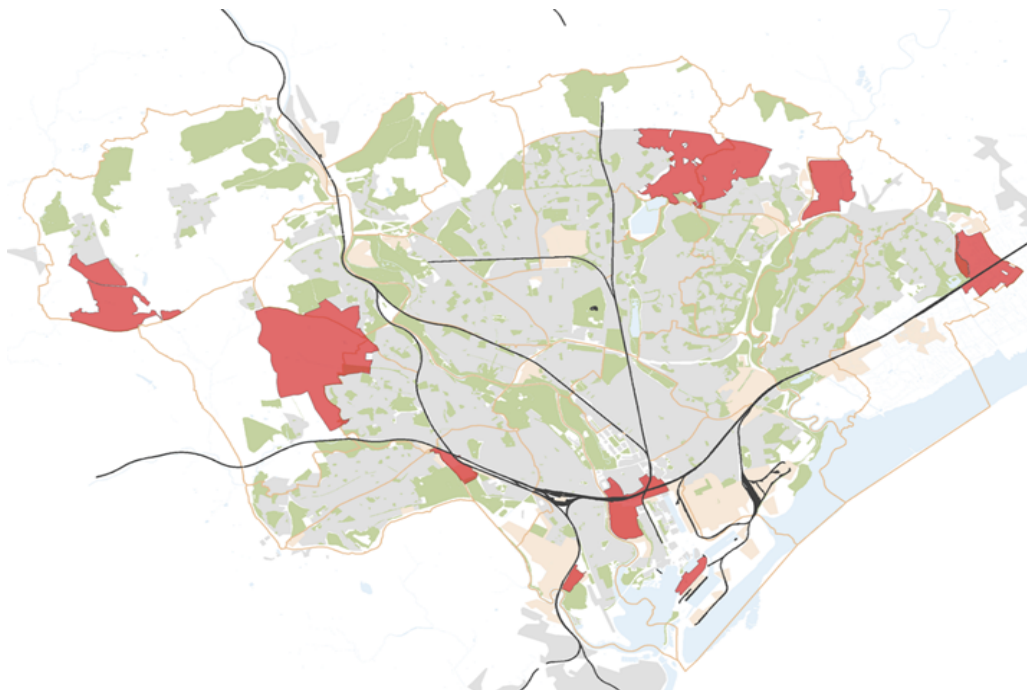
Table 2: D Suitability Properties

| D Suitability Property | ALN Category |
|-------------------------------|---------------------|
| The Court Special School | BESD (4-11) |
| Greenhill Special School | BESD (11-16) |
| Riverbank Special School | CLN (4-11) |
| Woodlands Special School | CLN (11-19) |

Local Development Plan & Major Housing Sites

47. The current northeast housing site is expected to generate demand for a 8-form entry high school, with the same demand situation projected in the west of the city. Current indications are that these will not be required until 2022/23 onwards. However, some temporary measures may be required to accommodate demand from the early phases of housing.
48. Determining the type of educational provision and the time-frame for delivery will be a significant aspect of the planning of educational places in the new housing sites. There will also be special school provision included in these new areas. The proportion of education provision in each medium and denomination will vary according to demand within particular communities at the time of the building development. The nature of the demand will be monitored throughout the build periods to ensure that there is a sufficiency of places in all mediums and school categories across the city.
49. The provision of new schools serving newly established communities, in the Local Development Plan major housing sites in the North East and North West provides Cardiff with the opportunity to provide new Welsh-medium provision. It may also provide opportunities to re-organise existing English-medium and Welsh-medium provision, where appropriate, in adjacent communities to deliver the aims of Cardiff's Welsh in Education Strategic Plan (WESP), Bilingual Cardiff Strategy and the Welsh Government Welsh Language strategy.

Map 2: Local Development Plan, Housing Areas



Action required to address the needs in the education estate in Cardiff

50. The city has already responded to the statutory duties to provide a sufficiency of school places through the delivery of the Band A 21st Century Schools and Education Programme and through other investment as outlined earlier in this report. However it is clear that the growth of the pupil population, the age and condition of much of the existing education estate and the marked growth in the need for further special additional learning needs provision, require action to be taken both within the timespan of Band B, 2019-2014 and prior to it.

21st Century Schools Programme

51. The 21st Century Schools and Education Programme is a collaboration between the Welsh Government (WG), the Welsh Local Government Association (WLGA) and Local Authorities. It is a major, long-term and strategic, capital investment programme with the aim of creating a generation of 21st century schools in Wales. The programme focuses resources on the right schools in the right places, from early years through to Post-16. Band B of the programme runs for 2019-2024. Councils have been invited by Welsh Government to outline their priorities in the allocation of this funding, which in Band B draws on two funding models.
52. The Band A programme for 21st Century Schools was predicated on a 50:50 funding split with each local authority. The funding provided by Welsh Government took the form of either capital grant funding passed directly to each local authority or revenue funding provided to each local authority to fund the capital financing costs associated with prudential borrowing undertaken in respect of the Welsh Government's 50% share. The Council's 50% share was funded through a combination of capital receipts, released as a result of certain schemes undertaken, Section 106 funding and prudential borrowing. The prudential borrowing undertaken was funded through the SOP Revenue Reserve, set up to manage the revenue expenditure associated with Band A, which was itself funded from revenue release savings from the School Delegated Budget.
53. Welsh Government's approach to Band B is slightly different, in that an additional option has been made available to local authorities. Whilst the traditional capital grant funding model, predicated on a 50:50 cost sharing arrangement, continues to be available, the WG introduced the Mutual Investment Model (MIM) as an alternative option. The MIM is a revenue funded option and is based on a 75:25 cost sharing arrangement in the favour of local authorities. The basic premise of the model is that any new schools created would be initially funded by the private sector through Special Purpose Vehicles, in which Welsh Government would be represented, and local authorities would then lease the assets created over a period of 25 years. As such, local authorities would pay an annual lease payment for use of the new school facilities, rather than incurring the upfront capital costs associated with

constructing and then owning the facilities. Welsh Government's proposal would be to provide revenue funding towards 75% of the annual lease payments for the 25 year period. At the end of the 25 year period, the assets would transfer over to the respective local authorities.

54. Cardiff Council's proposed vision for its Band B 21st Century School Strategy is to deliver:

"Inspiring, sustainable, community-focused schools in which children and young people can achieve their potential"

55. This vision can be realised through the achievement of four Key Educational Aims that directly link to the Welsh Government's National Programme Objectives.

Aim 1: To provide a sufficiency of school places across the city that are in the right place and are at the right size to enable the delivery of excellent education provision.

Aim 2: To provide high quality educational facilities that will meet the diverse requirements of the 21st Century.

Aim 3: To optimise the use of education infrastructure for the benefit of the wider community across Cardiff.

Aim 4: To ensure that Cardiff achieves best value from its resources to improve the efficiency and cost effectiveness of the education estate.

56. A Stakeholder Reference group was formed in March 2017 to secure views of stakeholders on the priorities for Cardiff's school organisation programme for 2019-2024, including the Band B submission. Chaired by Chris Taylor, Professor of Education at the Wales institute of Social and Economic Research, the group had a wide range of headteacher and some governor representation from the primary, secondary and special schools and early years' representatives. The purpose of the group was to:

- Review the population projections for the city;
- Comment on the Local Development Plan (LDP) Education Strategy;
- Review the methodology for the Band B 21st Century Schools Programme.

57. The Stakeholders Reference Group met on six different occasions between March and June 2017. The group covered the funding context, population projections, the LDP, condition and suitability, the theory and design underpinning 21st Century Schools, Additional Learning Needs, Sixth Form provision, the influences of, and upon, parental preference and explored principles for prioritization of schemes. The outcome of the work of this group was disseminated to all headteachers at the citywide meeting in July 2017.

58. The Stakeholders' Reference Group proposed some guiding principles to inform the priorities for Band B in Cardiff. These are:

- Every school should be secure, safe and be fit for purpose for 21st Century learning;
 - Meeting the needs of learners should determine priorities;
 - Proposals should ensure/maximise equality of opportunity and accessibility (and conversely not worsen equality of opportunity).
59. The sufficiency, suitability and condition issues in Cardiff outlined in the first part of this report are the basis for the request for funding from Cardiff to Welsh Government under the Band B programme. Funding is required to enable the Council to:-
- Remove “D” condition, end of life, school properties;
 - Address the 8 form of entry sufficiency issue in the English medium secondary sector in the central area of the City;
 - Address the sufficiency, condition and suitability issues in the Special Sector, in both primary & secondary settings;
 - Address local sufficiency issues in Welsh medium primary schools in the East & West of the City;
 - Address local sufficiency issues in English medium primary schools in Cardiff Bay & West of the City.
60. The Band B phase of the 21st Century Schools Programme will commence in April 2019 and is scheduled to run until 2024.
61. The outline programme will address a significant proportion of the asset maintenance backlog within the school estate. It is not possible, however, to address all issues within Band B and other options will be considered for those schools not within the outline of this programme.
62. The funding required by the Council to match fund the 21st Century Schools will depend on clarification of the amount of funding available from Welsh Government and of the most viable funding model. It is anticipated that indicative allocations of funding will be announced in late October or early November 2017. Following this notification, proposals for specific schemes would be developed and would be outlined in a subsequent paper to Cabinet for decision.
63. Any specific project to increase the size of a school establishment, or change its location will require statutory consultation and Cabinet determination. The statutory consultation would set out the detailed proposals and proposed location for each scheme. It would also indicate whether there were any proposed co-locations with other educational establishments. It is important that these are considered in full, alongside any collaborative opportunities, in order to optimise the economies and educational benefits that can be delivered from the projects.

Asset Management

64. The Band B submission for 21st Century funding will only address some of the condition and suitability issues. The 46% of the overall school estate in a “C” condition, which is exhibiting major deterioration, will need attention in the near future.

65. The need to increase funding within the capital programme for school asset renewal will be progressed as part of the Council's future capital programme.
66. Schools comprise a very significant proportion of the Council's overall estate. Strengthened alignment between the management of school buildings and of the wider Council estate will be delivered through a refreshed approach to the exercise of the Council's responsibilities as "landlord" across all aspects of the estate, with, in particular, an enhanced focus on ensuring health and safety compliance.
67. Whilst Band B will significantly reduce the asset maintenance backlog, a limited number of schools will experience the benefit of the Welsh Government and Cardiff Council investment. As a result, a large number of schools will continue to experience issues in respect of the condition of their building. The pressure upon the annual asset renewal budget, approved as part of the Council's annual capital programme, will continue to be high.
68. In the Council's Budget Strategy Report, approved by Cabinet at the meeting of 27 July 2017, the approach to the capital programme was outlined for the next financial year. The need to address funding within the capital programme for school asset renewal will be progressed as part of the Council's process for developing the next iteration of the capital programme, and in light of funding allocation announcements from Welsh Government in relation to Band B. Proposals will be included in the February 2018 Budget report.

Developing provision to meet Additional Learning Needs

69. In order to address some of the immediate pressures related to the shortfall in the sufficiency of special school places, there is a need to implement short-term, interim measures in addition to planning for longer term expansion of provision.
70. With regard to the needs of children and young people with behavioural emotional and social needs (BESN), the Council has taken steps to provide additional 'revolving door' places for primary pupils, expand the Pupil Referral Unit (PRU) and secure alternative curriculum provision for secondary pupils from September 2017. A further 50 new places are likely to be needed between 2018 and 2022.
71. In the short-term, additional places could be provided by developing 6-8 additional Specialist Resource Bases (SRBs) across the city. The current geographical distribution of Specialist Resource Bases (SRBs) is unbalanced, with for example one area of the city hosting eight SRBs in six schools and no SRB provision in other areas. As far as possible, the Council will seek to open new Special Resource Bases (SRBs) in areas where there are gaps in provision in order to:
 - Reduce the need for Additional Learning Need (ALN) transport;

- Ensure a more balanced distribution of ALN expertise across the City.
72. There is therefore a need for proposals to be brought forward to Cabinet outlining options available as to how the above developments could be secured.

Reason for Recommendations

73. To inform Cabinet of the challenges and opportunities facing Cardiff in the development of the education estate and to highlight aspects which require proposals to be brought forward to subsequent Cabinet meetings.

Financial Implications

74. This report outlines a range of challenges in respect of the school estate, including the need to reduce the asset maintenance backlog, increase the amount of provision for pupils with additional learning needs and invest in the Council's school estate as part of the Welsh Government's 21st Century Schools Band B Programme. There are no direct financial implications arising from this report, however the future reports outlined as part of the recommendations will have significant financial implications. These implications will be considered and addressed as part of those reports and reflected in the Council's annual budget report, where appropriate.

Legal Implications

75. As stated within the report, the Council has a specific obligation under section 13 of the Education Act 1996 to secure efficient primary and secondary education to meet the needs of the population of the area, in order to do so the Council has to maintain the schools in its area. The Council also has legal obligations as owner of educational premises and contractual employer of staff, as well as a duty of care to ensure the wellbeing of pupils who attend maintained schools within Cardiff. In accordance with the Welsh language Standards the Council also has to consider the impact on the Welsh Language of any policy decisions and the Council must consider the Wellbeing of Future Generations (Wales) Act 2015.
76. Under section 88 and schedule 10 of the Equality Act the Council has to prepare and implement accessibility strategies and plans to increase disabled pupils' access to the curriculum and improve the physical environment and the provision of information. The Council also has to satisfy its public sector 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

77. As the proposals are developed and future reports are presented, the Council will have to consider all of the legal issues and where relevant statutory consultation processes will be followed and appropriate consultation undertaken.

HR Implications

78. There are no specific HR implications arising from this report. As proposals for improvements across the Education estate are progressed each will be assessed for HR implications.

RECOMMENDATIONS:

The Cabinet is recommended to note the matters outlined in this report and to receive for subsequent decision further Cabinet reports in the following areas:

- Proposed schemes for Cardiff under the Band B phase of the C21 schools programme in light of budget allocations from Welsh Government
- Proposals for the adaptation and enhancement of Additional Learning Needs provision in Cardiff.

NICK BATCHELAR

Director of Education & Lifelong Learning
6 October 2017