

**CABINET MEETING: 10 MARCH 2022**

---

**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**

---

**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/ALNschoollproposals](http://www.cardiff.gov.uk/ALNschoollproposals)
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
-----------------------------------	---------------------------------------------------------------------

*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