

CABINET MEETING: 15 JULY 2021

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

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

AGENDA ITEM: 4

Reason for this Report

1. To enable the Cabinet to consider recommendations to hold public consultation on proposals to transfer, expand and redevelop The Court Special School in line with the Band B 21st Century Schools priority scheme, and on the proposed establishment of specialist learning resource base provision at Moorland Primary School.
2. It is proposed 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 Special Resource Base (SRB) for primary aged children with Complex Learning Needs (CLN) at Moorland Primary School from September 2022.

Background

3. At its meeting on 14 December 2017, the Cabinet approved the prioritised scheme under Band B of the Cardiff's Band B 21st Century Schools Programme.
4. The Band B Programme seeks to address the most acute sufficiency and condition issues in Cardiff. Four special schools are identified for redevelopment: Riverbank Special School and Woodlands High School, for pupils with complex learning needs/ autism, and The Court School and Greenhill School, for pupils with emotional health and wellbeing needs.

5. Proposals in relation to Riverbank and Woodlands were agreed by the Welsh Minister on 21 July 2020. This paper sets out the proposals in relation to The Court School. Proposals regarding specialist provision for secondary age pupils with emotional health and wellbeing need and Greenhill School will be brought forward in later in the year. A copy of the 14 December 2017 Cabinet Report is included at Appendix 1.
6. Places for pupils with Complex Learning Needs are offered in a range of settings across Cardiff which support identified pupil needs. This includes supported placements at both primary and secondary level in mainstream school and places in Specialist Resource Bases and special schools.
7. At present, both primary and secondary schools in Cardiff host specialist resource base provision. Some are designated to support children with complex learning needs who require a specialist curriculum taught in a small class environment; some are designated for learners with autism or hearing impairments who require specialist support to access mainstream learning, with access to a nurturing base for some learning and unstructured time.
8. The purpose of a SRB designated for complex learning is to enable learners with severe learning difficulties to succeed in a mainstream school environment. Pupils are taught in a small class by specialist staff and benefit from a specialist curriculum, while benefiting from the full range of education opportunities available to all pupils at the school.
9. The number of children requiring specialist placement as a result of their complex learning disabilities has been increasing in Cardiff over the last 5 years, and steps were taken in 2018 to increase the number of specialist places available.
10. A review of cases of children aged 0-3 with ALN, known to the Council, confirms that the number of children with complex needs admitted to Reception year will continue to grow in coming years despite a fall in total school intakes.
11. Band B projects to expand special school places at Riverbank and Woodlands Special Schools are underway, but further work is needed to increase resource base provision in the short term to increase the range of options for learners with complex learning needs.
12. The majority of resource base places are currently located in the north and east of the city. To improve access to resource base places for children living in the central south areas of the city, it is proposed to establish a base at Moorland Primary School.

Issues

Condition and Suitability

13. 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.
14. 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, new primary school provision and suitability works undertaken in primary schools.
15. 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 £4.7m per annum. In 2018-2019, the Council allocated an additional £25m of funding over the next 5 years to the school's asset renewal budget. This resource is allocated on a priority basis and is predominantly limited to keeping properties safe and watertight.
16. As part of the prioritisation of schools within the Band B programme, all properties across the school estate were given a rating from A to D for the following issues, with D being the worst category:
 - Sufficiency of places available;
 - Condition of the school buildings;
 - Suitability of the environment for teaching.
17. The Court Special School is rated D for condition and D for suitability, with 'unsuitable' learning environments, which seriously inhibit the school's capacity to deliver the curriculum.
18. Replacing and significantly expanding this school is therefore essential if the Council is to fulfil its statutory responsibility to provide appropriate education for children with Additional Learning Needs.

Sufficiency in the Special Sector

19. The majority of learners with ALN attend a local mainstream school, and benefit from effective Additional Learning Provision (ALP), without the need for special school or Specialist Resource Base places. However, the number of pupils with severe and complex needs, requiring a place in a special school or specialist resource base has continued to grow due to:
 - Pupil population changes, with the larger primary cohorts now moving through to secondary phase.

- Improved survival rates for children born with significant disabilities, resulting in a higher incidence of severe and complex disabilities. Cardiff schools are highly inclusive, and the extent to which pupils' additional learning needs can be met in their local schools has increased steadily; however, the increased complexity of the population has meant that the need for specialist provision has continued to grow, and the range of expertise, specialist support and facilities required in special schools and SRBs has also increased.
 - Increased incidence and identification of specific needs such as autism, ADHD, physical disabilities and sensory impairments.
 - Higher incidence of children and young people with emotional health and wellbeing needs, a trend which pre-dates COVID 19, but has been exacerbated by school closures and other measures to manage the pandemic.
20. At the end of March 2021, Cardiff maintained 2265 statements. As the population grows, so will the number of children and young people with significant and complex Additional Learning Needs.
 21. Cardiff Council is committed to the principles of inclusion and recognises that the majority of children and young people with additional needs are best supported in their local mainstream schools. The Council will continue to provide support, training and resources to schools, promote the sharing of best inclusive practice and ensure that learners with ALN access effective support in their local school.
 22. However, it is recognised that in order to thrive and fulfil their potential, children and young people with the most complex Additional Learning Needs require access to the specialist environments and expertise of a special school or specialist resource base (SRB).
 23. In 2020-21, a total of 1,116 places were funded in Specialist Resource Bases or special schools, while the wellbeing and speech and language classes had capacity for up to 48 primary learners on temporary placements and 90 places in the Pupil Referral Unit (PRU).
 24. Whilst there are a number of existing specialist settings across Cardiff, there are currently insufficient places available. This insufficiency of places compared to need is projected to increase over coming years.
 25. Owing to insufficient places in Cardiff maintained special schools, the Council has also funded some places at special schools maintained by other LAs, or in independent schools. In addition, the Council is responsible for funding additional support or specialist placement provided by other local authorities for children looked after who are placed out of area. The total spend on all 'out of county' provision, was £6.3m in 2020-21. The budget for 2021-22 is currently set at £7.3m.
 26. Spending on independent places and special school places in neighbouring local authorities has grown to c£3.8m in 2020/21, of which c£2.5m has funded places in specialist provision for those learners with

Emotional Health & Wellbeing Needs. Some of these may have been able to be placed at The Court if a greater number of places were available. Without investment in additional places, this figure would be expected to grow significantly in future years. To address the shortfall of places in the primary phase, the replacement and expansion of the existing Court buildings in 21st Century facilities would provide the best opportunities for learners and would represent a more efficient use of resources.

27. The cost to the Council of school transport for learners with Emotional Health & Wellbeing Needs to these placements averaged c£6,000 per child in 2018/19 (the most recent year pre-Covid restrictions). It is anticipated that replacement and expansion of the existing Court school would significantly reduce average transport costs per learner, as average journey lengths would reduce for those currently transported over longer distances to schools outside/further from Cardiff.

Primary Emotional Health and Wellbeing Needs provision (age 4-11)

28. In 2020/ 2021 Cardiff maintains 42 primary special school places, and 40 places in primary Wellbeing classes, for children with emotional health and wellbeing needs. This will increase to a total of 90 in 2021/ 2022, as the Wellbeing Class at Lakeside Primary School is due to open 8 further places.
29. The primary Wellbeing Classes provide a temporary specialist placement for children at risk of exclusion or experiencing significant emotional difficulties. The pupils are dual registered, and are supported to reintegrate to their local school. This early intervention approach can help to prevent the escalation of needs, and reduce the risk that children will need placement in the special school. The Wellbeing Classes have reported good learning and wellbeing outcomes for pupils who have accessed the programme.
30. The Court Special School caters for children with more complex, long term needs who require a more permanent placement in a specialist setting.
31. Taking account of all children requiring such a placement, including those placed out of county, and in mainstream awaiting specialist placement, the demand for places is estimated to be circa 103 in 20/21, rising to 119 by 2025/ 2026. Allowing for a 10% surplus to support flexibility, capacity is required for 113 pupils in 20/21, and 131 pupils by 2025/ 2026.
32. In summary, there is an estimated provision gap of 31 places in 20/21, rising to 41 places in 2025/2026. The proposed expansion of The Court would provide 30 additional places, reducing this gap to 11 places.
33. This projection does not take account of a possible further increase in needs as an outcome of 'lockdown' measures during the COVID 19 pandemic. It is likely that further additional provision, focussed on early

intervention in Wellbeing Classes, will be needed over the next few years to address this issue.

Primary Complex learning/ autism provision (age 4-11)

34. In 2020/21 Cardiff maintains 445 primary special school and specialist resource base places for children with complex learning needs or autism. Projects previously agreed by Cabinet, to extend and rebuild Riverbank Special School and to establish a Specialist Resource Base at Ysgol Pwll Coch, will increase the total to 524 places by 2025.
35. Taking account of all children requiring such a placement, including those placed out of county, and in mainstream awaiting specialist placement, the true demand for places is estimated to be circa 500 in 2020/ 2021, rising to 547 by 2025/ 2026.
36. Allowing for a 10% surplus to support flexibility, capacity is required for 550 pupils in 2020/ 2021, and 602 pupils by 2025/ 2026.
37. In summary, there is an estimated provision gap of 89 in 2021/ 2022, rising to 108 by 2024/25. If there were no further growth beyond current plans in relation to Riverbank Special School and Ysgol Pwll Coch, a provision gap of circa 78 places will remain in 2025/ 2026.
38. Additional information, regarding projections and forecasts and the methodologies used to establish likely demand are set out in Appendix 2.

Geographical distribution of specialist provision

39. The location of Specialist Resource Bases and Wellbeing Classes is not well-distributed across the city. A specialist provision map showing location of existing provision is attached at Appendix 3.
40. The lack of Specialist Resource Bases in some localities can disadvantage learners living in those areas. For example, many schools in the 'southern arc' of the city report that families are unwilling to take up the offer of a Specialist Resource Base or special school place because they are unfamiliar with the areas where provision is located and/ or may lack the means to travel easily to those areas.
41. Although free home to school transport is available for such children, sending a young child to school in an unfamiliar area is a difficult decision for parents/ carers. A better distribution of specialist resource bases across the city would improve access for pupils, and reduced travel times for many pupils, as well as increasing the number of places available.
42. The cost of transport for children with Additional Learning Needs has increased significantly in recent years. Further increases are expected given the growth in the ALN population. However, a better geographical distribution of specialist provision would mitigate this increase through reduced journey times and distances.

Summary of provision

43. The shortfall in provision has resulted in:
- Significant continued reliance on places in the independent sector.
 - Some learners remaining in mainstream school with support, contributing to the significant growth in the cost of mainstream statements.
 - A number of learners with highly complex needs who would be better placed in special schools, attending Specialist Resource Bases. While the bases have the expertise to meet the needs of these learners, the pupils themselves receive little benefit from placement in a mainstream environment and this over-reliance on specialist resource bases reduces the places available for learners who need and can benefit from a specialist resource base.
 - Increased risk of appeals to Tribunal.

The Court Special School

44. The Court Special School is a 42 place school for city-wide learners aged 4-11 although the majority of placements are for children in Key Stage 2, aged 7-11. All of the children have significant emotional health and wellbeing needs (the PLASC designation is Behaviour Emotional and Social Difficulties – BESD although Cardiff avoids the use of this term as it tends to be shortened to ‘behaviour’ and can have a negative connotation).
45. All pupils enrolled at The Court School have a statement of special educational needs. The statutory assessment process for these young people has identified that their additional learning needs cannot be met in a less specialised environment.
46. The purpose of The Court School is to provide a specialist learning environment and curriculum, where learners can fulfil their potential.
47. Admission to the school is subject to a statement of Special Educational Need and is managed by the local authority, in line with the SEN Code of Practice for Wales, which will be replaced by the ALN Code from September 2021.

Land Matters related to The Court School

48. The Council has identified the existing sites of Fairwater Primary School and St Mellons Church in Wales Primary School as the preferred sites for The Court, replacing the existing provision and operating over split sites.
49. Fairwater Primary School has a generous site of c4.8Ha and has been identified as of sufficient size to be shared with a new-build special school.
50. The current capacity of Fairwater Primary School is 239 places and the school had 210 children on roll in October 2020. The school has

sufficient classroom space to accommodate a greater number of pupils and has re-designated these rooms for other purposes. Whilst the number of pupils in year groups fluctuates significantly between 19 and 41 pupils, the school has been able to accommodate all applicants for admission at the time of the greatest intakes to primary schools. The school also accommodates a Wellbeing Class.

51. Although Fairwater Primary School makes full use of its site and buildings, the size and configuration of the site would support the development of a new special school and would still enable Fairwater Primary School to retain a site which exceeds the site size requirements of a large community primary school.
52. In January 2020, The Council determined proposals for St Mellons Church in Wales Primary School to transfer from its existing site at Dunster Road, Llanrumney, to a new school site on the St Edeyrn's development.
53. The current capacity of St Mellons Church in Wales Primary School is 116 places and the school had 107 children on roll in October 2020. The school's site of c0.46Ha is lies adjacent to the 2.2Ha site of Pen Y Bryn Primary School. St Mellons Church in Wales Primary School will vacate its existing site in summer 2022 and the Council will take responsibility for the site and buildings.
54. Each of these sites, and local infrastructure off-site, would support the development of special school provision. If, following consultation and further feasibility work on preferred options, the Council decided not to proceed with establishing a school on the St Mellons Church in Wales Primary School site, the Council would consider alternative uses for the site or could dispose of the site for a capital receipt.
55. It is anticipated that the existing site of The Court School would be disposed of for capital receipt at the end of the build programme.

Complex Learning Needs Specialist Resource Base

56. A Specialist Resource Base is a small class in a mainstream school, taught by specialist staff.
57. There are five Cardiff primary schools currently hosting Specialist Resource Bases for complex learning needs at present. These are hosted by Ysgol Gymraeg Pwll Coch, Bryn Hafod Primary School, Llanedeyrn Primary School, Llanishen Fach Primary School and Marlborough Primary School.
58. All Specialist Resource Bases are open to admission from across the authority, although as far as possible, pupils are offered places in the Specialist Resource Bases closest to their home.
59. In addition to complex learning needs bases, there are 2 primary specialist autism resource bases, at Springwood Primary School and Lakeside Primary School, a speech and language class at Allensbank

Primary School and five primary Wellbeing Classes, hosted by Ysgol Gymraeg Pen y Groes, Fairwater Primary School, Springwood Primary School, Lakeside Primary School and Fitzalan High School.

60. The Specialist Resource Bases designated for complex learning provide two classes of up to 10 pupils; a class at Foundation Phase and a class at Key Stage 2. The pupils benefit from being taught in small classes with favourable pupil-staff ratios, taught by specialist staff. Pupils also benefit from opportunities to learn and socialise with their mainstream peers.
61. Admissions to the Specialist Resource Bases are managed by the Council, subject to a statement of Special Education Needs (SEN). Under the ALN Code, placement will be subject to an Individual Development Plan (IDP). The proposed capacity for 20 pupils would be in addition to the capacity of mainstream places in the school.
62. The opportunity to employ specialist staff and to work more closely with specialist services in Cardiff would enhance the school's capacity for inclusion and benefit all pupils in the school.
63. The provision of a Specialist Resource Base for complex learning at Moorland Primary School is proposed, to increase the number of places available to meet demand, and ensure that pupils living in the south central area of the city travel shorter distances to access specialist provision.

Land matters relating to Moorland Primary School

64. The Council is progressing works to replace early years accommodation at Moorland Primary School and to locate Flying Start provision on the site.
65. Early years provision for Moorland Primary School is located in a demountable unit at the rear of the school site. The unit has been rated as condition C. It currently accommodates 64 part-time Nursery places and 60 Reception class places.
66. This unit would be removed and a new building provided, accommodating the existing number of nursery class and Reception places.
67. Accommodation for the Specialist Resource Base would be provided as part of this planned work.
68. There is currently a boxing club located on part of the Moorland Primary School site. At present, the school redevelopment project is not reliant on the boxing club land. However, if this was to become available at a later date it would be beneficial to the school as it is a confined site.
69. The former Ysgol Glan Morfa school building is currently being appraised by the Council's housing department in relation to the delivery of Council

housing on the site. The proposals will seek to deliver a replacement new boxing club facility on the former Ysgol Glan Morfa site as part of the residential scheme to free up the land currently occupied by the boxing club for use by Moorland Primary School.

70. The Caretaker's house sits within the school footprint. This will be demolished as part of the project. There is no capital receipt to be realised associated with this as the land will be reallocated for the school's use.

Health provision

71. 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 2020.
72. 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

73. The Council would manage admissions to The Court and the Specialist Resource Base provision at Moorland, in accordance with the ALN Code.

Impact of the proposal on the Welsh Language

74. 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 been changing over the last 4-5 years, with schools reporting an increased incidence of ALN, in all areas of need.
75. A review of ALN 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 ALN leaving the Welsh-medium sector in order to access specialist resource bases or special schools.
76. 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 ALN, through concern that their child may need to transfer to the specialist sector at a later date.
77. 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.

78. 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.
79. In 2021 there is growing demand for resource bases for pupils with autism, who are average to high achievers, and would need a more integrative model of support than that provided by the two existing bases. There are currently 8 secondary aged learners, and 15 primary aged learners who would benefit from placement in an ASD base. This is a short term priority, given the risk that if current placements fail, the only option would be to offer a transfer to an English medium setting.
80. A primary wellbeing class has been established, hosted at Ysgol Gynradd Pen y Groes. The wellbeing class works flexibly to address needs in different age phases, or to provide an outreach model, depending on current need.
81. To support emotional health and wellbeing needs in secondary phase, a 'virtual' base/ PRU has been piloted across the three secondary schools, starting in 2018. The pilot is due for further review in 2021.
82. The priority is to ensure the three schools have adequate facilities and accommodation to provide effective Step 3 and 4 provision, complemented by the virtual base/ PRU. Medium term, the virtual base/ PRU will eventually need a fixed location at one of the schools, with designated accommodation, to reduce the risk that young people with the most complex needs may need to leave the Welsh sector to access more specialist provision.
83. 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 ALN.
84. The pool of ALN qualified and experienced teaching staff is limited in number, in comparison to the English sector. Any plan to develop Welsh medium specialist provision will need to be supported by an ALN Workforce Development Plan.
85. In accordance with the timetable set by Welsh Government, the Council is working closely with its partners on the Cardiff Welsh Education Forum to develop the new ten year WESP for the city. It is expected the plan will be available for public consultation in autumn 2021 before being submitted for approval to the Welsh Government in early 2022. The first ten year Plan will commence on 1 September 2022 and expire on 31 August 2032.

86. Consultation on the draft WESP will seek views on how best to grow Welsh-medium education and on how to meet the local targets set by Welsh Government, in order to inform future proposals. The WESP will set out how the Council will increase the provision of Welsh-medium education for pupils with additional learning needs.

Learner Travel Arrangements

87. There are no plans to change the Council's transport policy for school children.
88. 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.
89. The Council's transport policy for school children can be viewed on the Council's website www.cardiff.gov.uk/schooltransport.

Community Impact

90. The following are taken into account when considering a proposal: Public Open Space, parkland, noise and traffic congestion. Officers will work with schools and any community group to make sure that proposals avoid negative impacts if possible.
91. The schools that might be affected by the proposals are existing schools. Some offer after school activities and some have community organisations offering services from the school. It is not thought that there would be a negative impact on any of these activities.
92. With significant sports and wider leisure provision now established, or being developed, in many schools a key objective is to enable third party to access the sports facilities at schools, on a sustainable financial basis. Welsh Government's aim for shared facilities in community-focussed school are to:
- Provide opportunities for the local community and sports organisations to participate in sport and physical activity for health improvement and development of their skills, particularly amongst low participant groups;
 - Operate in line with the national agenda for sport taking into account nationally adopted strategies;
 - Generate positive attitudes in sport and physical activity by young people and reducing the dropout rate in sports participation with age;
 - Increase the number of people of all ages and abilities participating in sport and physical activity including people with disabilities;
 - Use the facilities to encourage the range, quality and number of school sports club links and to stimulate competition that is inclusive of young people and adults;
 - Provide affordable access to the facilities and to be self-financing and cost neutral in the first instance, generating sustainable income for the school in the future.

93. The development of a viable model for all schools across the city to be accessed by the communities which they serve is needed.

Wellbeing of Future Generations

94. 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.
95. 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.
96. 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.

Local Member consultation (where appropriate)

97. Additional learning needs provision is city-wide and members will be consulted as part of the public consultation.

Scrutiny Consideration

98. The Children and Young People's Scrutiny Committee will consider this report on 13 July 2021. Any comments received will be circulated at the Cabinet meeting

Reason for Recommendations

99. To meet demand for special school places for primary age learners with emotional health and wellbeing needs and complex learning needs.

Financial Implications

100. This report outlines the request to proceed to public consultation on changes to ALN provision and schools intake within The Court and Moorland Primary Schools. Proceeding to consultation does not, in itself commit the Authority to future expenditure so there are no capital financial implications directly arising from this report. However, once a

final options paper is provided it will be necessary for a full financial evaluation to be undertaken. 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.

101. 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.
102. 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 SOP Revenue Reserve.
103. 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.
104. Financial implications in relation to the acquisition of the Ty Glas site are detailed in a separate cabinet paper and these should be considered in conjunction with these proposals.
105. This report sets out proposals that create additional school places in the ALN setting that will need to be funded from the existing delegated schools budget. This report highlights the high cost provision currently being incurred for this population of pupils either through Out of County Placements or enhanced CNE payments to mainstream pupils. Further work is required to identify the extent to which the additional costs identified can be covered by the savings in other costs without there being a significant pressure on overall school budgets.
106. The Moorland Early Years Unit is to be funded from WG Flying start grant of £1.3m, with remainder to be funded from the Education Asset Renewal budget. In order to ensure sufficient budget there will be a need to prioritise this scheme within the current asset renewal programme, with additional funding to be made available through the invest to save allocation of the schools capital budget.

Legal Implications

107. 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). Parents have a right to express a preference for the school they wish their child to attend under section 86 of the

School Standards and Framework Act 1998, but this does not provide a right to attend a certain school, as applications can still be refused where this would prejudice the provision of efficient education or the efficient use of resources.

108. 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.
109. 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.
110. 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. The recommendations seek authority to carry out that statutory consultation. Case law has established that the consultation process should:
 - (i) be undertaken when proposals are still at a formative stage;
 - (ii) include sufficient reasons and information for particular proposals to enable intelligent consideration and response;
 - (iii) provide adequate time for consideration and response; and
 - (iv) ensure that the product of consultation is conscientiously taken into account when the ultimate decision is taken.
111. The Schools Organisation Code sets out further detailed requirements and guidance in relation to the statutory consultation, including the requirement for publication of a consultation document (and the contents of that document), a minimum 42 days consultation period including at least 20 school days, and a list of statutory consultees, including parents, pupils, governing bodies, religious bodies, the Welsh Ministers and Estyn.
112. The proposals in this report highlight the need to undertake property transactions should matters proceed following consultation. It is expected that the detail of those proposals will be provided in a future report where they can be considered in detail at that time.
113. 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.

114. 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. 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. An Equalities Impact Assessment should be carried out to identify the equalities implications of the proposed decision, including inequalities arising from socio-economic disadvantage, and due regard should be given to the outcomes of the Equalities Impact Assessment.
115. 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.
116. The Well-being of Future Generations (Wales) Act 2015 requires the Council to consider how the proposals will contribute towards meeting its well-being 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.
117. Following the public consultation, the Council is required to issue a consultation report, setting out the issues raised by consultees and its response to those issues. At that stage, a further report is to be submitted to the Cabinet to decide how to proceed.
118. Further legal advice will be provided as proposals are progressed.

HR Implications

The Court Special School

119. There are significant HR implications arising from the proposal. Firstly, the proposed increase in pupil numbers for the school will require the Governing Body to plan for the workforce requirements in readiness for the expansions. The Governing Body will be encouraged to undertake this work in line with the School Organisation Planning HR Framework.

HR People Services will provide advice, support and guidance to the Governing Body for the workforce planning and consequential recruitment processes. 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 will provide opportunities for school based staff on the school redeployment register. Secondly, the proposal includes the relocation of the Court School with the school proposed to operate dual site arrangements. This 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; in addition to staff involvement in the development of building specifications or designs.

Moorland Primary School

120. 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. Where the Governing Body have 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.

Transport Matters

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

121. 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.
122. 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.
123. A recent Transport Assessment for this site identified acceptable traffic impact due to a comparable (but larger) development.
124. 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 the railway line and river Ely and north east through Fairwater, Llandaff and the wider network.
125. The proposed location at the Fairwater Primary School site would give potential for a separate second access from the existing primary school access.

126. 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.
127. Learner Transport will need appropriate facilities for drop-off and pick-up.

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

128. 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.
129. 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.
130. 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.
131. The development proposals require a Transport Assessment which will identify measures to be included as part of the application to maximise travel by sustainable modes.
132. Learner Transport will need appropriate facilities for drop-off and pick-up.

Transport matters relating to Moorland School SRB

133. The proposed SRB on the site of Moorland Primary School would serve pupils in the south central area of Cardiff and so is well-placed given its relatively central location, proximity to public transport routes and facilities, and potential for active travel connections.
134. The development proposals require a Transport Statement which has already identified measures to be included as part of the application to maximise travel by sustainable modes.
135. Learner Transport will need appropriate facilities for drop-off and pick-up. As the site is very constrained, initial considerations suggest the use of the adjacent turning circle on the Singleton Road cul-de-sac along the western boundary of the site to provide a designated area. This is directly adjacent to the school building access and would provide suitable access from Learner Transport vehicles.
136. A review of parking and loading restrictions and the provision of a School Street on both the adjacent streets (including Moorland Road on the east

side of the site) would improve safety by deterring vehicle access, and reducing congestion and parking issues.

137. Further proposed school safety measures would include improvements to road crossings, and general improved facilities for pedestrians and cyclists, including along desire lines through Moorland Park.

Property Implications

138. This report outlines a number of property actions with any decisions relating the development, acquisition or disposal of property in regards to these schemes to be undertaken in conjunction with Strategic Estates in accordance with the agreed asset management processes and delegated authorities.
139. With respect of St Mellons Church in Wales School, there will be the management of the handover and transfer of the asset to Education.
140. Strategic Estates are supporting Education on the funding of the Moorland School development through managing the disposal of the former Ysgol Glan Morfa site which adjoins the Moorland Primary site. This capital receipt is ring fenced towards the delivery of the Moorland School Nursery and we will ensure best value is achieved through the disposal process.

Equality Impact Assessment

141. An initial Equality Impact Assessment has been carried out. It concluded that the proposed changes would not negatively affect a particular group in society. This assessment will be reviewed after consultation.
142. A Statutory Screening Tool including Equality Impact Assessment is attached as Appendix 4.

RECOMMENDATIONS

The Cabinet is recommended to

1. authorise 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 from September 2025.
 - Establish a Specialist Resource Base (specialist resource base) for up to 20 primary aged children with Complex Learning Needs (CLN) at Moorland Primary School from September 2022.
2. Note that officers will bring a report on the outcome of the consultation to a future meeting to seek authorisation as to whether to proceed to

publish proposals in accordance with section 48 of The School Standards and Organisation (Wales) Act 2013.

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|-----------------------------------|---|
| SENIOR RESPONSIBLE OFFICER | Melanie Godfrey Director of Education & Lifelong Learning |
| | 9 July 2021 |

The following appendices are attached:

Appendix 1: Cabinet Report, 14 December 2017

Appendix 2: Projections and Forecasts

Appendix 3: Specialist provision maps showing location of existing provision

Appendix 4: Equality Impact Assessment

CABINET MEETING: 14 DECEMBER 2017

**21ST CENTURY SCHOOLS CARDIFF COUNCIL'S BAND B
PRIORITIES**

**REPORT OF DIRECTOR OF EDUCATION AND LIFELONG
LEARNING**

AGENDA ITEM: 4

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

Reason for this Report

1. To seek Cabinet approval for the priority schemes to be undertaken as part of Cardiff's Band B 21st Century Schools Programme.
2. To note the approval in principle by Welsh Government of the Strategic Outline Case submitted by Cardiff Council for Band B of the 21st Century Schools Programme and to authorise discussion with the Welsh Government to secure business case approval for individual schemes.

Background

3. At its meeting on the 12th of October 2017, the Cabinet received a report which outlined the challenges and opportunities facing Cardiff in the development of the education estate. This included:-
 - Sufficiency needs resulting from population growth.
 - Condition of the current school estate;
 - Suitability of the current estate to meet the demands of 21st century learning.
4. That report set out the Council's proposed vision for its Band B 21st Century School Strategy in that it was to deliver:

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

5. This vision was to 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.
6. The report outlined the sufficiency, suitability and condition issues in Cardiff which provide the basis of the funding request from Cardiff to Welsh Government under the Band B programme. The Band B phase of the 21st Century Schools Programme will commence in April 2019 and is scheduled to run until 2024.
7. Funding was therefore required to enable the Council to address the following priorities:-
 - Remove all "D" condition, end of life, school properties;
 - Address the eight 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 and west of the city;
 - Address local sufficiency issues in english medium primary schools in Cardiff Bay and west of the city.
8. It was agreed at this meeting that the proposed schemes for Cardiff under the Band B phase of the 21st Century School Programme would be the subject of a Cabinet report, once the budget allocation from Welsh Government was known.
9. The Cabinet Secretary for Education, Kirsty Williams, announced on 10 November 2017 that £2.3bn had been earmarked to modernise education infrastructure in Wales. The announcement confirmed that Welsh Government is committed to supporting projects submitted in the Outline Strategic Business Cases by local authorities and further education institutions, subject to the approval of business cases for specific schemes.
10. The value of the programme submitted by Cardiff Council was £284 million, of which half would be funded by Welsh Government, and half by the Council. Welsh Government have subsequently confirmed approval in principle of the programme envelope for this sum, subject to the

approval of individual project business cases. This report outlines the proposed schemes in Cardiff under this programme.

Proposed Band B Schemes

11. The Band B submission for 21st Century funding can only seek to address the most acute sufficiency and condition issues in Cardiff. Using a detailed and robust methodology that was directly aligned to Welsh Government's Strategic Objectives for its 21st Century School Programme, a prioritisation matrix was developed to identify those schools in the most need of investment. All properties across the school estate were given a rating from A to D for the following issues, with D being the worst category:
 - Sufficiency of places available;
 - Condition of the school buildings;
 - Suitability of the environment for teaching.
12. The sufficiency ratings for all schools were prepared using the corporate population database and projection methodology used for the planning of school places. The condition and suitability rating were prepared independently, using Welsh Government approved methodology via independent specialist.
13. Welsh Government is committed to removing all "D" condition schools from Wales. Any schools that are classified as "D" category for condition should be automatically prioritised for investment under Band B.
14. Any project to increase the size of a school establishment, change its configuration or 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. It is anticipated that any statutory consultation on the matters in this report this would commence during the spring of 2018.
15. It should be noted that because of the scale and number of proposed projects in the Band B investment programme, the delivery of the schemes will be undertaken in batches over the timespan of the programme commencing in 2019. As a result of the phasing, it may be necessary to put interim measures in place where sufficiency issues arise before new schools with increased capacity can be delivered.

Secondary schools - proposed Band B schemes

16. To address the eight form of entry sufficiency issue that is forecast in the central area of the city from 2019, schemes affecting five English medium schools are proposed. Three of these secondary schools are also

catergorised as being in “D” Condition, ie. at the limit of planned lifespan. The schemes are as follows:

Cantonian High School

17. It is proposed that Cantonian High School is rebuilt and expanded to provide a new 11-18 high school, with eight forms of entry (8FE). This is a two form of entry expansion, or 60 places per year (+2FE). This will address “D” condition categorisation and address the “D” rated sufficiency issues within the local catchment. It includes an expansion of post 16 by 55 places to 150 places.

Fitzalan High School

18. It is proposed that Fitzalan High School is rebuilt as a new 11-18 high school, with ten forms of entry (10FE). This will address the “D” condition categorisation and “D” categorised sufficiency issues in the local area.

Willows High School

19. It is proposed that Willows High School is rebuilt and expanded to provide a new 11-16 high school, with eight forms of entry (8FE). This is a two form of entry expansion, or 60 places per year (+2FE). This will address “D” condition categorisation and address the “D” rated sufficiency issues within the local catchment.

Cathays High School

20. It is proposed that Cathays High School is rebuilt and expanded to provide a new 11-18 high school, with eight forms of entry (8FE). This is a two form of entry expansion, or 60 places per year (+2FE). This will address “C” condition categorisation and address the “D” rated sufficiency issues within the local catchment.

Cardiff High School

21. It is proposed that Cardiff High School is expanded and remodelled to provide an 11-18 high school, with ten forms of entry (10FE). This is a two form of entry expansion, or 60 places per year (+2FE). It will address a “D” category sufficiency issue and remodelling and refurbishment works will address the “C” condition rating.

Special Schools - proposed Band B schemes

22. Four special schools have been ‘D’ rated for suitability and are in need of replacement:
 - Riverbank School, for children aged 4-11 with severe and complex learning disabilities
 - Woodlands School, for pupils aged 11-19 with severe and complex learning disabilities

- The Court School for children aged 4-11 with emotional health and wellbeing needs also commonly referred to as 'behavior emotional and social needs.
 - Greenhill School for pupils aged 11-16 with emotional health and wellbeing needs.
23. However, the sufficiency issues in relation to additional learning needs (ALN) are not limited to the areas of need currently served by these four schools. Cardiff is anticipating a significant increase in the need for special school places for children and young people with:
- profound and multiple learning disabilities
 - autism spectrum conditions
 - severe and complex learning disabilities
 - emotional health and wellbeing needs
24. Sufficiency issues are also not limited to the populations currently served by the special schools. Cardiff lacks:
- suitable provision for secondary aged girls with emotional health and wellbeing needs
 - suitable provision for post-16 pupils with emotional health and wellbeing needs, who are not yet ready for transition to college or employment
25. The Council recognises that special schools are more than providers of education: at their best, they provide a locus for multi-agency assessment, planning and support. The multidisciplinary potential of special schools is of increasing importance in light of the Social Services and Wellbeing Act (date) and the Additional Learning Needs and Education and Tribunal Bill, both of which set out statutory responsibilities for agencies to follow a person-centred approach, with the child and their family at the heart of the process, and to implement a single unified plan to promote positive outcomes in relation to health, social care and education.
26. Special schools also play an important role in providing support, information and training for families and for mainstream schools.
27. Band B special sector schemes will therefore be required to deliver on several interconnected goals:
- to replace the 'D' rated accommodation at the four schools named in paragraph 22;
 - to increase capacity across the four areas of need identified in paragraph 23;
 - to address the gaps in provision identified in paragraph 24;
 - to enhance opportunities for multi-agency support and provision;
 - to enhance the role of special schools as a source of support for families and for mainstream schools.

28. The four capital schemes described below will provide a number of different options for re-shaping special school provision in Cardiff in line with these goals. They should not be regarded as 'rebuild and replace' projects, affecting only the four named schools, but as opportunities to review the pattern of provision across the seven special schools in Cardiff.
29. The Council will therefore work with our stakeholders including schools, health, and social services, to shape and appraise the options for reshaping special school provision in Cardiff.

Primary special school: complex learning disabilities and autism spectrum conditions

30. It is proposed to build a new 140 place primary special school, for children with severe and complex learning disabilities and children with autism spectrum conditions.
31. This project will enable the council to address the unsuitable accommodation currently used by Riverbank School, and to address sufficiency issues in relation to severe and complex leaning needs and autism spectrum conditions at primary phase.
32. In shaping options for this project, the implications for the respective roles and remit of Ty Gwyn, Riverbank and The Hollies Schools, and for health services that work with the schools, will need to be considered.

Secondary special school: complex learning disabilities and autism spectrum conditions

33. It is proposed to build a new 240 place secondary special school for pupils with severe and complex learning disabilities and pupils with autism spectrum conditions.
34. This project will enable the council to address the unsuitable accommodation currently used by Woodlands School, and to address sufficiency issues in relation to severe and complex leaning needs and autism spectrum conditions at secondary phase.
35. In shaping options for this project, the implications for the respective roles and remit of Ty Gwyn, Woodlands, the Marion Centre and for health services that work with the schools, will need to be considered.

Primary special schools: emotional health and wellbeing needs

36. It is proposed to build a new primary special school, for children with emotional health and wellbeing needs.
37. This project will enable the council to address the unsuitable accommodation currently used by The Court School, and to address sufficiency issues in relation to emotional health and wellbeing needs at primary phase.

38. The planned place number for this project is 48, but it is yet to be determined whether all of these places should be on a single discrete, special school site, or whether some classes should be based on mainstream school sites, operating as special school 'outreach classes', to enhance the opportunities for children with emotional health and wellbeing needs to maintain links with mainstream education, and to make a successful reintegration if appropriate.

Secondary special school: emotional health and wellbeing needs

39. It is proposed to build a new secondary special school, for pupils with emotional health and wellbeing needs. This project will enable the council to address the unsuitable accommodation currently used by Greenhill School, and to address sufficiency issues in relation to emotional health and wellbeing needs at secondary phase.
40. The planned place number for this project is 112, but these places will be provided on 2 separate sites to ensure the number of vulnerable young people educated on one site does not exceed 56. The project will address the need for designated provision for girls, and for young people post-16 who are not yet ready to transfer to college or employment.
41. The Council will continue to develop collaboration between education and social services, and with Cardiff and the Vale University Health Board, to develop a more holistic approach to therapeutic support for vulnerable learners and their families.

Primary Schools - proposed Band B schemes

42. Four primary schemes that have been prioritised for investment within Band B. These include two English medium and two Welsh medium schools. This will address localised sufficiency issues that will present within the catchment areas within the timescale of the Band B investment. These four primary schools are:

St Mary the Virgin Primary School

43. It is proposed that St Mary the Virgin Primary School is replaced with a new school and its capacity increased by 30 places per year to a two form of entry school (2FE). This will address projected English-medium sufficiency issues in Grangetown/Butetown area, along with addressing additional pupil yield generated from a number of new housing developments that have gained approval. This scheme was deferred from the Band A Investment programme.

Fairwater Primary School

44. It is proposed that Fairwater Primary School is enlarged and its capacity increased by 30 places per year to establish a two form of entry school (2FE). This will address projected English-medium sufficiency issues in its catchment area, along with addressing additional pupil yield

generated from a number of new housing developments that have gained approval.

Ysgol Pen y Pil

45. It is proposed that Ysgol Pen y Pil is enlarged and its capacity increased by 30 places per year to a two form of entry school (2FE). This will address projected shortfall in Welsh-medium primary school places in the east of Cardiff.

Ysgol Gymraeg Nant Caerau

46. It is proposed that Ysgol Gymraeg Nant Caerau is enlarged and its capacity increased by 30 places per year to a two form of entry school (2FE). This will address projected shortfall in Welsh-medium primary school places in the south west of Cardiff.

Maximising investment for community benefit

47. Educational assets are a vital investment into the heart of a community. Significant investment in school should actively contribute a wide variety of benefits to the local area.
48. To date, the Council has ensured that all its new facilities are accessible to the local community. New facilities are designed in such a way to allow extended use of all the facilities, whether internal such as main hall, dance or recording studios or external facilities such as MUGA's and 3G sports pitches.
49. The Council seeks to maximise community benefits wherever possible, including benefits for children and young people, through its procurement practices. The Council has explicitly identified this as one aspect of its programme to promote children's rights, as a participating member of the UNICEF Child Rights Partner Programme. This commitment will be reflected in any tender documentation, on a project-by-project basis.
50. In line with Welsh Government guidelines on Community Benefits, the Council will strive to meet the benchmark targets through the delivery of Band B 21st Century Schools programme. These will build stronger communities and in turn develop the local economy to reduce social exclusion and poverty in deprived areas.
51. Delivery of Community Benefits is overseen by a Community Benefits Board, which was established in January 2017. The role of the Board is to co-ordinate the social value agenda across Cardiff Council and maximise the community benefits delivered. The Board includes senior managers from across the Council and meets on a quarterly basis.

Indicative Cost of Programme and Funding Options

52. The indicative cost of the Council's outline Band B programme is £284 million, based on standardised construction cost rates as provided by

Welsh Government. This total cost represents the full “rolled-up” cost of all schemes within the preferred programme. External cost consultants have confirmed that delivering the programme should be possible within the overall envelope identified. As schemes progress, it is felt that it will be possible to identify further efficiencies and various cost-saving measures to ensure that the overall cost envelope is not exceeded.

53. The Welsh Government’s funding model requires the Council to match fund 50% of the total capital cost, with the Welsh Government contributing the other 50% in the form of capital grant. Therefore, the Council will be required to identify capital funding totalling £142 million. In line with the approach taken to Band A, this funding will predominantly take the form of external prudential borrowing and any available capital receipts. External borrowing will give rise to revenue expenditure in the form of capital financing costs and, therefore, the Council will be required to identify revenue funding sources to meet those costs.
54. In addition to the traditional funding model that Band A was predicated on, the Welsh Government made an additional option available to local authorities as part of Band B, known as the Mutual Investment Model (MIM). 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 funded through the private sector through Special Purpose Vehicles, in which Welsh Government would be represented, and local authorities would 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 up front capital costs associated with constructing and then owning the facilities. The 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.
55. The Council reviewed the options available, particularly the MIM option, using example information provided by Welsh Government. In doing so, the Council decided to express an interest in the traditional capital funding model only, when submitting its Strategic Outline Business Case. This followed consideration of the overall cost of MIM, the Welsh Government’s proposed contribution rate and the overall level of risk exposure. As such, the intention is that the £284 million programme, if fully approved, will be funded on the traditional capital grant model basis. The final confirmation of funding anticipated from Welsh Government is expected to be on the basis of the traditional model.

Local Member Consultation

56. Any proposals to increase the size of an educational establishment, change its configuration or its location would require statutory consultation. Such consultation would include local members, and would follow publication of detailed proposals and proposed locations.

Reason for Recommendations

57. To approve the schemes that have been prioritised for investment under the Band B phase of the 21st Century School programme/

Financial Implications

58. The recommendations to this report do not themselves commit the Council to any capital expenditure commitments and, therefore, there are no capital financial implications directly arising from this report. However, the report outlines a potential capital programme totalling £284 million, the financial implications of which will be significant. External borrowing totalling a maximum of £142 million would result in significant annual revenue capital financing costs and funding sources would need to be identified in order to meet the expenditure commitments resulting. The significance of these commitments necessitate the need for consideration as part of the wider Council budget process and, therefore, the preferred funding solution will form part of the annual budget report presented to Cabinet and Council in February 2018.
59. In addition to the capital, and consequent revenue, funding implications arising from the Band B programme, revenue expenditure in relation to programme management, school transition and business case development will also arise. These costs will also form part of the funding considerations made as part of the Council's annual budget process. However, Recommendation 2 to this report, which highlights the need to progress initial business case development, may result in the need to incur revenue costs in the form of external advice prior to February 2018. It is anticipated that it will be possible to fund these costs from within the current SOP Revenue Reserve, set aside for revenue costs arising from the current 21st Century Schools Band A programme and other school organisation projects.

Legal Implications

60. Under the Education Act 1996, the Council has a general statutory obligation to promote high standards of education and to consider parental preference which includes preference for Welsh medium education. The Council also has obligations under the School Standards and Framework Act 1998 and School Funding Regulations 2010 to provide capital funding for maintained schools.
61. Section 84 and 85 of the School Standards and Organisation (Wales) Act 2013 and the Welsh in Education Strategic Plans and Assessing Demand for Welsh Medium Education (Wales) Regulations 2013, set out the statutory obligations for all local authorities to prepare, submit, publish and revise Welsh in Education Strategic Plans (WESPs).
62. 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

63. The Council also has to consider its obligation under section 88 and schedule 10 of the Equality Act 2010 to prepare and implement an accessibility strategy. The strategy should increase disabled pupils' access to the curriculum and improve the physical environment and the provision of information.
64. The report identifies that the Equality Impact Assessment has been completed. The purpose of the Equality Impact Assessment is to ensure that the Council has understood the potential impacts of the proposal in terms of equality so that it can ensure that it is making proportionate and rational decisions having due regard to its public sector equality duty. The Council has to be mindful of the Welsh Language (Wales) Measure 2011 and the Welsh Language Standards when making any policy decisions and consider the impact upon the Welsh language, the report and Equality Impact Assessment deals with all these obligations.

HR Implications

65. HR People Services will work with the Governing Body of all schools within Band B on any HR matters arising from the expansion of individual schools. In line with the SOP HR Framework, the Headteacher and the Governing Body of the schools concerned will be encouraged in to undertake a review of their staffing structure and assess the workforce requirements required for the increase in pupil numbers. This will have to be balanced against the forecasted school budget. However, it is likely that the permanent expansion schools within Band B will result in the creation of new posts in each of the schools concerned.
66. HR People Services will also provide support for the additional recruitment. This will take into account the School Redeployment and Redundancy Policy and Procedure whereby new posts may provide opportunities for any school based staff on the school redeployment register at that particular time.

Equality Impact Assessment

67. An Equality Impact Assessment for the 21st Century Schools Band B Programme has been carried out. The assessment concluded that the programme would not adversely affect a particular group in society. Any proposals brought forward following this report would be subject to

further equality impact assessments including an assessment on any changes to accommodation. (Details of the Equality Impact Assessment can be seen at Appendix 1).

Sustainability Assessment

68. A Strategic Environmental Assessment (SEA) of the proposal has been carried out in accordance with European Legislation. The assessment confirms that the proposal is compatible with the Council's 'What Matters' strategy which seeks to deliver 7 strategic outcomes. Any proposals brought forward following this report would be subject to an environmental assessment which would be carried out as part of the planning application process. (Details of the Sustainability Assessment can be seen at Appendix 2).

Transport Matters

69. High level transportation issues have been reviewed for the sites in question to ensure that consideration is given to the ability of the potential locations to support Active Travel, in terms of pedestrian and cycle access to the sites.
70. All new developments will require a Transport Assessment to be undertaken, this will determine whether any changes are deemed necessary to the immediate highway network to enable pupils and staff to access the schools using Active Travel modes. All schools within Cardiff are also encouraged to develop robust Travel Plans which will help them address issues relating to how their staff and pupils travel to school, with the emphasis on encouraging and promoting Active Travel such as walking and cycling.
71. Any highway improvement works identified from the Transport Assessments will have to be funded and delivered as part of the 21st Century Schools Programme.

Community Impact

72. The Welsh Assembly Government School Organisation Code 2013 requires local authorities to conduct a Community Impact Assessment and a Welsh Language Impact Assessment when proposing changes to school organisation.
73. The following are taken into account when developing proposals
- Public Open Place/parkland
 - Noise and traffic congestion
 - School designation
 - School links to the local community
 - Impact on parents and families
 - Travelling implications for pupils/families
 - Impact on community activities, impact on community facilities

74. Any proposals brought forward following this report which would be subject to public consultation would include a full assessment of any community impact.

RECOMMENDATIONS:

The Cabinet is recommended to:

1. Approve the prioritised schemes under Band B of the 21st Century Schools Programme.
2. note the approval in principle of Cardiff Council's Band B Strategic Outline Case by Welsh Government and to authorise the Director of Education and Lifelong Learning to secure Welsh Government approval in principle for the schemes within the programme.
3. note that a subsequent report to Cabinet will propose arrangements to secure sufficient capacity and appropriate governance in order to deliver the Cardiff Band B 21st Century Schools Programme.

NICK BATCHELAR

Director of Education & Lifelong Learning

8 December 2017

The following Appendices are attached

Appendix 1 - Equality Impact Assessment

Appendix 2 - Sustainability Assessment

Projections and Forecasts

Projection methodology for existing and new schools

Cardiff employs a robust projection methodology for planning school places which takes account of NHS GP registration data and school census data (PLASC) submitted by and verified by all Cardiff schools. As projections can only take account of historic and current information the Council also identifies trends within projections, and analyses school preference data and other contextual information to produce forecasts on a city wide basis and in each locality.

Data analysis allows projections to be prepared based on localised patterns at primary school catchment area level, by secondary school catchment area and on a city-wide basis. Each of these provide differing contextual information to inform the forecasting on the number of places that may be needed to meet the requirements of each area and of Cardiff as a whole. Specialist provision is considered on a city-wide basis.

Forecast methodology for specialist provision

The determination of future ALN provision requirements based on historical trends adds additional complexity to population projections. Data analysis must additionally take into account:

- Cohort size: ALN numbers being a small fraction of the total population are therefore prone to significantly greater percentage fluctuation
- Need identification: The identification and categorisation of primary need has been a developing process such that it is challenging to establish a pattern of requirement against a common frame of reference for each need type.
- ALN placement: Pupils with significant additional learning needs can be placed in a wide variety of settings both in and out of county, and in both LA and independent facilities. The Pupil Level Annual School Census which forms the basis of pupil population projections in Cardiff therefore does not clearly capture the full range of ALN needs.
- Effects of covid-19: Historical patterns do not capture the increase in needs that is likely to have been caused by measures to mitigate the effects of the covid-19 pandemic.
- LDP: The population data capture in 2019 (PLASC) would not be able to capture future build rates of housing building on the strategic sites and hence patterns of occupancy
- Children and young people may not need specialist provision throughout their school career- some pupils succeed in mainstream for several years before they need to transfer to a specialist setting; others may make sufficient progress in a specialist setting to be able to return to a local mainstream school. The age at which pupils may need to access specialist provision therefore varies and cannot be precisely predicted.
- As a capital city, hosting the Children's Hospital for Wales and a range of special schools, Cardiff experiences a high number of new arrivals each year who require to go directly into a special school. In 2019-20 the number of new arrivals with this level of need was 18: in special school terms, this was the equivalent of 2-3 new classes that needed to be provided.

As limited historical data is available, ALN projections have therefore been predicated on an extensive data capture exercise undertaken in 2019 to identify the need type and number of Cardiff resident pupils, and evaluated as a percentage of the verified PLASC 2019 dataset. Demand has then been projected based on an estimated annual growth of ALN pupils of 0.05% of the whole pupil population, from the baseline established in 2019.

Emotional Health & Wellbeing

It has been estimated that EHW pupils make up around 40% of pupils with complex ALN in Cardiff which corresponds to a projected growth of 0.02% per annum. In order to mitigate the risk of under provision and to allow for flexibility in the system, a further 10% uplift has been applied.

Table 1 sets out EHW Primary provision currently available in Cardiff and projected future demand.

| Primary places | 2020/21 | 2021/22 | 2022/23 | 2023/24 | 2024/25 | 2025/26 |
|-------------------------|-----------|-----------|-----------|-----------|-----------|-----------|
| The Court | 42 | 42 | 42 | 42 | 42 | 42 |
| Fitzalan WBC | 8 | 8 | 8 | 8 | 8 | 8 |
| Fairwater WBC | 8 | 8 | 8 | 8 | 8 | 8 |
| Springwood WBC | 8 | 8 | 8 | 8 | 8 | 8 |
| Lakeside WBC | 8 | 16 | 16 | 16 | 16 | 16 |
| Pen y Groes WBC | 8 | 8 | 8 | 8 | 8 | 8 |
| Total capacity | 82 | 90 | 90 | 90 | 90 | 90 |
| Projected demand | 103 | 107 | 110 | 112 | 116 | 119 |
| Projected demand (+10%) | 113 | 118 | 121 | 123 | 128 | 131 |
| Surplus / deficit | -31 | -28 | -31 | -33 | -38 | -41 |

The ALN Provision Gap in Primary- Emotional Health and Wellbeing Needs

In 2020/21 Cardiff maintains 82 primary special school and Wellbeing Class places for children with SEMH needs. This will increase to 90 in 21/22, as the Wellbeing Class at Lakeside is due to open 8 further places.

Taking account of children out of county, and in mainstream awaiting specialist placement, the demand for places is estimated to be circa 103 in 20/21, rising to 119 by 25/26. With a 10% tolerance to allow flexibility, the ideal position would be 113 places in 20/21, and 131 places by 25/26.

In summary, there is an estimated **provision gap of 31 places in 20/21**, rising to **41 places** in 25/26.

This projection does not take account of a possible further increase in needs as an outcome of 'lockdown' measures during the COVID 19 pandemic. It is likely that further additional provision, focussed on early intervention in Wellbeing Classes, will be needed over the next few years to address this issue.

Complex Learning Needs

Future demand projections were based on the 2019 ALN data captured and normalised against the verified PLASC 2019 survey.

Table 5 sets out Primary CLN provision currently available in Cardiff and projected future demand.

| Primary places | 2020/21 | 2021/22 | 2022/23 | 2023/24 | 2024/25 | 2025/26 |
|-------------------------|----------------|----------------|----------------|----------------|----------------|----------------|
| Ty Gwyn* | 75 | 90 | 90 | 90 | 90 | 90 |
| Riverbank | 70 | 70 | 70 | 70 | 70 | 112 |
| Meadowbank | 41 | 50 | 50 | 50 | 50 | 50 |
| Hollies | 112 | 112 | 112 | 112 | 112 | 112 |
| Bryn Hafod | 20 | 20 | 20 | 20 | 20 | 20 |
| Llanedern | 20 | 20 | 20 | 20 | 20 | 20 |
| Llan Fach | 20 | 20 | 20 | 20 | 20 | 20 |
| Marlborough | 20 | 20 | 20 | 20 | 20 | 20 |
| Springwood | 28 | 28 | 28 | 28 | 28 | 28 |
| Pwll Coch | 7 | 10 | 15 | 20 | 20 | 20 |
| Pentreban | 24 | 24 | 24 | 24 | 24 | 24 |
| Allensbank SLCN | 8 | 8 | 8 | 8 | 8 | 8 |
| Total places | 445 | 472 | 477 | 482 | 482 | 524 |
| Projected demand | 500 | 510 | 515 | 522 | 536 | 547 |
| Projected Demand (+10%) | 550 | 561 | 567 | 574 | 590 | 602 |
| Surplus / deficit | -105 | -89 | -90 | -92 | -108 | -78 |

The ALN Provision Gap in Primary- Complex learning/ autism

In 2020/21 Cardiff maintains 445 primary special school and SRB places for children with complex learning/ autism. Projects previously agreed by Cabinet, to extend and rebuild Riverbank Special School and to establish an SRB at Ysgol Pwll Coch, will increase the total to 524 places by 2025.

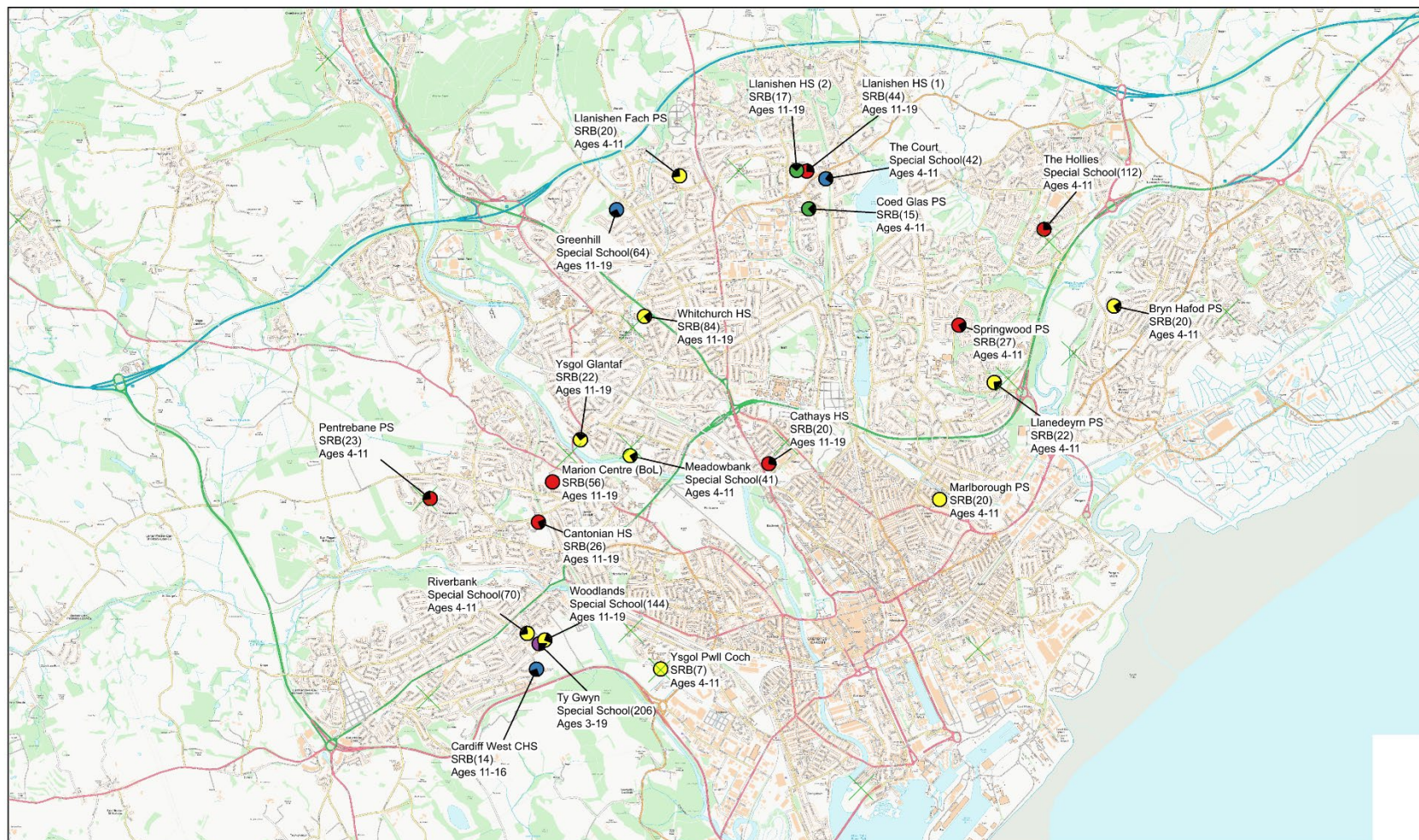
Taking account of children out of county, and in mainstream awaiting specialist placement, the true demand for places is estimated to be circa 500 in 20/21, rising to 547 by 25/26. With a 10% tolerance to allow flexibility, the ideal position would be 550 places in 20/21, and 602 places by 25/26.

In summary, there is an estimated provision gap of 89 in 21/22, rising to 108 by 2024/25. If there were no further growth beyond current plans in relation to Riverbank and Pwll Coch, a provision gap of circa 78 places will remain in 25/26.

NB The projections have been calculated to take account of a falling birth rate in Cardiff over the last 3 years. However, to date, the Inclusion Service has not seen a fall in the incidence of complex needs in the 0-3 age group, referred to Education by Health. 35 extra primary places p.a. were needed in 2020 and 2021. If growth continues at this rate, 140 extra places will be needed over next 4 years.

Map showing the current distribution of Special Schools and Special Resource bases in Cardiff

Cardiff Special Schools/SRBs 2021



Current special schools & SRBs: Type & Capacity

- Autism (7)
- Behavioural, Emotional & Social Needs (3)
- Hearing Impairment (2)
- Profound & Multiple Learning Disabilities, Medical Needs, Autism (1)
- Severe Learning Disabilities, Medical Needs, Speech and Language, Autism (10)

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Appendix 4

| |
|---|
| Policy/Strategy/Project/Procedure/Service/Function Title: School Organisation Planning: Provision for children and young people with Additional Learning Needs (ALN) |
| New/Existing/Updating/Amending: Pre consultation |

| | |
|---|-------------------------------|
| Who is responsible for developing and implementing the Policy/Strategy/Project/Procedure/Service/Function? | |
| Name: Richard Portas | Job Title: Programme Director |
| Service Team: Schools Programme | Service Area: Education |
| Assessment Date: June 2021 | |

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

To enable the Cabinet to consider recommendations to hold public consultation on proposals to transfer, expand and redevelop The Court Special School in line with Band B 21st Century Schools priority scheme and the establishment of specialist resource provision at Moorland Primary School.

It is proposed 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 Specialist Resource Base (SRB) for primary aged children with Complex Learning Needs (CLN) at Moorland Primary School from September 2022.

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

At its meeting on 14 December 2017, the Cabinet approved the prioritised scheme under Band B of the Cardiff's Band B 21st Century Schools Programme.

The Band B Programme seeks to address the most acute sufficiency and

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condition issues in Cardiff. Four special schools are identified for redevelopment: Riverbank Special School and Woodlands High School, for pupils with complex learning needs/ autism, and The Court School and Greenhill School, for pupils with emotional health and wellbeing needs.

Proposals in relation to Riverbank and Woodlands were agreed by the Welsh Minister on 21 July 2020. This paper sets out the proposals in relation to The Court School. A copy of the 14 December 2017 Cabinet Report is included at Appendix 1.

Places for pupils with Complex Learning Needs (CLN) are offered in a range of settings across Cardiff which support identified pupil needs. This includes supported placements at both primary and secondary level in mainstream school and places in specialist resource base (SRBs) and special schools.

At present, both primary and secondary schools in Cardiff host specialist resource base provision. Some are designated to support children with complex learning needs who require a specialist curriculum taught in a small class environment; some are designated for learners with autism or hearing impairments who require specialist support to access mainstream learning, with access to a nurturing base for some learning and unstructured time.

The purpose of a SRB designated for complex learning is to enable learners with severe learning difficulties to succeed in a mainstream school environment. Pupils are taught in a small class by specialist staff and benefit from a specialist curriculum, while benefiting from the full range of education opportunities available to all pupils at the school.

The number of children requiring specialist placement as a result of their complex learning disabilities has been increasing in Cardiff over the last 5 years, and steps were taken in 2018 to increase the number of specialist places available.

A review of cases of children aged 0-3 with ALN, known to the Council, confirms that the number of children with complex needs admitted to Reception year will continue to grow in coming years despite a fall in total school intakes.

Band B projects to expand special school places at Riverbank and Woodlands Special Schools are underway, but further work is needed to increase resource base provision in the short term to increase the range of options for learners with complex learning needs.

The majority of resource base places are currently located in the north and east of the city. To improve access to resource base places for children living in the central south areas of the city, it is proposed to establish a base at Moorland Primary School.

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3 Assess Impact on the Protected Characteristics

3.1 Age

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

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

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

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

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

The Council would manage admissions to The Court and the Specialist Resource Base provision at Moorland, in accordance with the ALN Code.

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

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

3.2 Disability

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

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

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

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

The Council would manage admissions to The Court and the Specialist Resource Base provision at Moorland, in accordance with the ALN Code.

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

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

3.3 Gender Reassignment

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

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

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

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

The Council would manage admissions to The Court and the Specialist Resource Base provision at Moorland, in accordance with the ALN Code.

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

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

3.4. Marriage and Civil Partnership

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

| | Yes | No | N/A |
|-------------------|-----|----|-----|
| Marriage | | | X |
| Civil Partnership | | | X |

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

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

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

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

3.5 Pregnancy and Maternity

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

| | Yes | No | N/A |
|-----------|-----|----|-----|
| Pregnancy | | | X |
| Maternity | | | X |

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

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

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

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

3.6 Race

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

| | Yes | No | N/A |
|--|-----|----|-----|
|--|-----|----|-----|

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| | | | |
|---|--|--|---|
| White | | | X |
| Mixed / Multiple Ethnic Groups | | | X |
| Asian / Asian British | | | X |
| Black / African / Caribbean / Black British | | | X |
| Other Ethnic Groups | | | X |

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

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

The Council would manage admissions to The Court and the Specialist Resource Base provision at Moorland, in accordance with the ALN Code.

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

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

3.7 Religion, Belief or Non-Belief

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

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

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

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

The Council would manage admissions to The Court and the Specialist Resource Base provision at Moorland, in accordance with the ALN Code.

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

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

3.8 Sex

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

| | Yes | No | N/A |
|-------|-----|----|-----|
| Men | | X | |
| Women | | X | |

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

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

The Council would manage admissions to The Court and the Specialist Resource Base provision at Moorland, in accordance with the ALN Code.

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

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

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

3.9 Sexual Orientation

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

| | Yes | No | N/A |
|-----------------------|-----|----|-----|
| Bisexual | | X | |
| Gay Men | | X | |
| Gay Women/Lesbians | | X | |
| Heterosexual/Straight | | X | |

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

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

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The Council would manage admissions to The Court and the Specialist Resource Base provision at Moorland, in accordance with the ALN Code.

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

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

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

3.10 Socio-economic Duty

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

| | Yes | No | N/A |
|--|-----|----|-----|
| | | | |

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

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

The delivery of 21st Century Learning environments will ensure that there are appropriate, high quality school places for young people, which needs to needs of Cardiff's growing and changing population.

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

The Council does not expect the proposal to have any negative impact on the quality of standards of education for pupils, at these schools.

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

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

N/A

3.11 Welsh Language

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

| | Yes | No | N/A |
|--|-----|----|-----|
| | | | |

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

The 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 been changing over the last 4-5 years, with schools reporting an increased incidence of ALN, in all areas of need.

A review of ALN 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 ALN leaving the Welsh medium sector in order to access specialist resource bases or special schools.

There was also some anecdotal evidence to suggest that some families who would otherwise choose Welsh medium education, opt instead for English medium if their child has ALN, in case their child needs to transfer to the specialist sector at a later date.

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

A new primary base was established at Ysgol Pwll Coch within the catchment area of Ysgol 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.

In 2021 there is growing demand for resource bases for pupils with autism, who are average to high achievers, and would need a more integrative model of

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support than that provided by the two existing bases. There are currently 8 secondary aged learners, and 15 primary aged learners who would benefit from placement in an ASD base. This is a short term priority, given the risk that if current placements fail, the only option would be to offer a transfer to an English medium setting.

A primary wellbeing class has been established, hosted at Ysgol Pen y Groes. The wellbeing class works flexibly to address needs in different age phases, or to provide an outreach model, depending on current need.

To support emotional health and wellbeing needs in secondary phase, a 'virtual' base/ PRU has been piloted across the three secondary schools, starting in 2018. The pilot is due for further review in 2021.

The priority is to ensure the three schools have adequate facilities and accommodation to provide effective Step 3 and 4 proviso, complemented by the virtual base/ PRU. Medium term, the virtual base/ PRU will eventually need a fixed location at one of the schools, with designated accommodation, to reduce the risk that young people with the most complex needs may need to leave the Welsh sector to access more specialist provision.

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 ALN.

The pool of ALN qualified and experienced teaching staff is limited in comparison to the English sector. Any plan to develop Welsh medium specialist provision will need to be supported by an ALN Workforce Development Plan.

In accordance with the timetable set by Welsh Government, the Council is working closely with its partners on the Cardiff Welsh Education Forum to develop the new ten year WESP for the city. It is expected the plan will be available for public consultation in autumn 2021 before being submitted for approval to the Welsh Government in early 2022. The first ten year Plan will commence on 1 September 2022 and expire on 31 August 2032.

Consultation on the draft WESP will seek views on how best to grow Welsh-medium education and on how to meet the local targets set by Welsh Government, in order to inform future proposals. The WESP will set out how the Council will increase the provision of Welsh-medium education for pupils with additional learning needs.

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

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

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4. Consultation and Engagement

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

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

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

| Groups | Actions |
|---|--------------------------------|
| Age | See Generic Over Arching below |
| Disability | |
| Gender Reassignment | |
| Marriage & Civil Partnership | |
| Pregnancy & Maternity | |
| Race | |
| Religion/Belief | |
| Sex | |
| Sexual Orientation | |
| Socio-economic Duty | |
| Welsh Language | |
| Generic Over-Arching [applicable to all the above groups] | |

6. Further Action

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

7. Authorisation

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

| | |
|--|-----------------|
| Completed By : Hibah Iqbal | Date: June 2021 |
| Designation: School Organisation Project Officer | |
| Approved By: | |
| Designation: | |
| Service Area: Education | |

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

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



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SCHOOLS STANDARDS AND ORGANISATION (WALES) ACT 2013

ADDITIONAL LEARNING NEEDS PROVISION

MOORLAND PRIMARY SCHOOL

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

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

The school is currently maintained by Cardiff Council.

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

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

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

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

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

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

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

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

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



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

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

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

Dated this 06 day of May 2022

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

EXPLANATORY NOTE

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

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

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

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

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

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

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