

Executive Committee and Council only
Date signed off by the Monitoring Officer:
Date signed off by the Section 151 Officer:

Committee: **Special Executive Committee**

Date of meeting: **1st September 2021**

Report Subject: **Proposal to Consult on an Increase in Capacity at Pen y Cwm Special School**

Portfolio Holder: **Education and Learning Portfolio – Joanne Collins**

Report Submitted by: **Corporate Director of Education - Lynn Phillips and Service Manager Education Transformation and Business Change – Claire Gardner**

Reporting Pathway								
Directorate Management Team	Corporate Leadership Team	Portfolio Holder / Chair	Audit Committee	Democratic Services Committee	Scrutiny Committee	Executive Committee	Council	Other (please state)

1. Purpose of the Report

The purpose of the following report is to provide Executive Committee with an overview of the statutory notice/objection period outcomes, in relation to the proposal to increase the capacity at Pen y Cwm Special School. In addition, the report details the next steps as part of the statutory processes required in line with the School Organisation Code (Version 2, 2018) and the associated decision making processes.

2. Scope and Background

2.1 The Proposal

Blaenau Gwent County Borough Council propose to increase the capacity at Pen y Cwm Special School. In order to facilitate the extended capacity, the Council will need to remodel the existing learning environment. In addition, the Council will work with the school and other relevant partners to develop a long-term plan to support sustained growth and development. Therefore, this proposal will be delivered in 2 parts:

2.2 Part 1, seeks to increase the capacity of Pen y Cwm Special School from 120 to 175 places in preparation for 2021/22 academic year, which would involve physical works to the existing building including:

- Re-location of the Post 16 base (including 3 classrooms, a common room, life skills room, toilets and hygiene facilities)
- Re-location of the current administrative area and office space (including a staff room, PPA room, conference facility and a small meeting room)
- Creation of 2 additional primary classrooms
- Creation of 1 additional secondary classroom and associated facilities
- Re-location of the soft-play area to the ground floor
- Re-development of the Science and Technology room

- 2.3 Part 2, involves the development of a medium to long-term plan to secure additional capacity to facilitate sustained growth and development.
- 2.4 The consultation process (please refer to **Appendix 1** for the Consultation Document), determined that there was wide-spread support for the proposal among consultees, with over 82% of respondents in favour of the new school development, citing the positive impact that the proposal is likely to have upon special education places locally. In summary, during the 42-day consultation period:
- The Council received 9 email responses, 7 supporting the proposal
 - The Council received 11 survey responses,
 - The responses can be broken down as follows:
 - **Fully support the proposal - 9 (82%)**
 - **Partially support the proposal - 1 (9%)**
 - **Do not support the proposal - 1 (9%)**
- 2.5 The consultation out-turn report was presented to Special Executive Committee on 23rd June 2021. At which point, approval was granted for Education to proceed to Statutory Notice.
- 2.6 The statutory notice/objections period (please refer to **Appendix 2** for the Statutory Notice), was conducted over 28 days as per the requirements set out within the School Organisation Code (Version 2, 2018). The objections period:
 - commenced on Friday 25th June 2021; and,
 - concluded on Friday 23rd July 2021.
- 2.7 The statutory notice/objections period, provided the opportunity for anyone wishing to make objections to the school organisation proposal with the opportunity to do so. The aforementioned Code stipulates that objections report containing a summary of any statutory objections, must then be published along with the proposer's response to the objections.
- 2.8 **Statutory Notice Period - Outcomes**
The widespread support for the proposal noted throughout the consultation period, was further reinforced by the outcome of the statutory notice period, as no formal objections were received. However, there were 2 survey responses, requesting additional information on provision for Post 16 learners. The content of the correspondence and associated Council responses can be found within **Appendix 3**. A summary of the questions posed are detailed below:
- Will Post 16 learners have a vocational space and a common room?
 - How many extra classes will there be?
 - Will there be more specialist areas or less?
 - Have fire safety or ventilation been considered in the new area?
 - Where will extra hygiene rooms go?
- 2.9 In line with the Welsh Government School Organisation Code requires proposers to publish a decision notification within 7 days of the decision being

made. All consultees are to be provided with a copy of the notification, which then concludes the associated statutory process.

3. Options for Recommendation

3.1 There are 2 options associated with the Objections report, as follows:

- **Option 1** – Executive Committee considers and accepts the Objections report, associated documents and agrees to proceed to Decision Notification stage (which is required within 7 days of the decision being made, as per the Welsh Government School Organisation Code (2018, version 2)).
- **Option 2** – Executive Committee rejects the proposal to proceed to Decision Notification.

4. Evidence of how does this topic supports the achievement of the Corporate Plan / Statutory Responsibilities / Blaenau Gwent Well-being Plan

- 4.1 In accordance with the Welsh Government School Organisation Code (2018), there is a statutory requirement for the Council to undertake statutory consultation, which has been complied with in this case.
- 4.2 Education is a strategic priority within the Corporate Plan. In order to enable people to maximise their independence, develop solutions and take an active role in their communities, the growth, development and sustainability of our special schools is necessary to meet the demand.

5. Implications Against Each Option

Impact on Budget (short and long term impact)

There are capital cost implications associated with this proposal for the Council, which are circa £250,000. This will be met via both the Capital Maintenance Grant and the Welsh Government ALN Grant funding, so therefore, this proposal has no cost pressure implications for the Council's Capital Programme.

Pen y Cwm Special School is funded in accordance with Blaenau Gwent Council's Fair Funding policy, and will receive resources on the same basis as any other school within Blaenau Gwent, based upon pupil numbers and the area of the school building. In April 2020/21 pupil funding at Pen y Cwm Special School for Age Weighted Pupil Unit and Category funding was £2,399,785 (other factors funding is not included), this figure is based upon the 141 pupils on roll. Based on the average pupil cost of £16,925, the AWPU/category funding costs for 175 pupils will be circa £2.9 million, which is an increase of £575,450 - if all places were to be fully allocated.

Pen y Cwm generates income in excess of £522,259, as a result of the 19 Out of County placements for learners being educated within Blaenau Gwent, whilst living in another Local Authority area.

Blaenau Gwent currently has 20 ALN pupils that are educated outside the Local Authority at a cost of £896,000. If Pen y Cwm Special School was able to increase capacity, there would be opportunities to consider making education provision for some of the 20 pupils back in Blaenau Gwent which would contribute to cost avoidance. However, it is recognised that in some cases, that pupils will continue to receive their education Out of County in line with their specialist needs.

The additional funding requirement will be met from a combination of:

- existing resources (from the ISB reserve);
- ISB funding arising from pupil reductions in BGCBC mainstream schools;
- cost avoidance for Out of County placements; and,
- income generated from Out of County placement at Pen y Cwm Special School.

The building remodelling is proposed to take place within the existing footprint of the school, therefore, it is not anticipated that there will be any significant additional premises costs. There will be leadership implications, however, these are deemed to be relatively small based upon leadership pay scales which are reflective of the pupil population.

Costs associated with home to school transport are increasing. The transport costs associated with Out of County placement for 2019/20 were £134,000, whereas in 2020/21 and due to Covid-19, costs were in the region of £95,000. Pen y Cwm Special School transport costs for 2019/20 were £278,990 whereas for the 2020/21 academic year this rose to £292,000. These costs a regularly reviewed and subject to change in line with pupil placement

- 5.2 **Risk including Mitigating Actions** - If the proposal is not taken forward, there is both a placement and a financial risk in terms of securing suitable Out of County provision for learners.
- 5.3 **Legal** - In accordance with the Welsh Government School Organisation Code (2018), there is a statutory requirement for the Council to undertake formal consultation with all interested and affected parties.
- 5.4 **Human Resources** - There are no significant HR implications arising from the proposal. The proposed increase in pupil numbers will require the Governing Body of Pen y Cwm School to plan for the workforce requirements in readiness for the respective expansions. Organisational Development will provide advice, support and guidance to the Governing Body for the workforce planning and consequential recruitment processes.
6. **Supporting Evidence**
- 6.1 **Performance Information and Data** - Please refer to the consultation document (**Appendix 1**), for the date performance data relating to the proposal.

- 6.2 ***Expected outcome for the public*** - The public can expect a fair and equitable consultation process, which is fully compliant with the Welsh Government School Organisation Code (2018)
- 6.3 ***Involvement (consultation, engagement, participation)*** - Stakeholder engagement is a key focus of all school organisation proposals. The proposal will be subject to consultation in line with the Welsh Government School Organisation Code (2018), which will then be used to inform decision making processes moving forward.
- 6.4 ***Thinking for the Long term (forward planning)*** - The consultation details a proposal which looks to secure additional Special School education places and capacity in line with placement requests and associated demand in the medium to long-term, securing sustainable growth of specialist education provision within Blaenau Gwent.
- 6.5 ***Preventative focus*** - The proposal seeks to address medium-term capacity issues, whilst securing sustainability to support long-term growth in line with specialist education placements within Blaenau Gwent.
- 6.6 ***Collaboration / partnership working*** - The consultation document, along with the development of the proposal has been developed collaboratively with the Inclusion team, Pen y Cwm Special School, Finance, and Community Services.
- 6.7 ***Integration (across service areas)*** - The proposal seeks to secure integration for new and existing pupils supporting growth and sustainability of provision.
- 6.8 ***Decarbonisation and Reducing Carbon Emissions***
All capital schemes and associated remodelling projects undertaken within schools, seek to contribute to CO₂ carbon reduction and decarbonisation. Prior to design development, the project team establish key targets, with evidence provided via BREEAM trackers and project management documentation.
- 6.9a ***Socio Economic Duty Impact Assessment***
The proposal is not deemed to be a strategic decision covered under the act, therefore, the socio economic duty will be covered in the medium to long-term planning aspect of the proposal going forward, assessed and reported accordingly. The responses received have also been assessed and deemed to have no associated impact.
- 6.9b. ***Equality Impact Assessment***
An Equality Impact Screening Assessment (EQIA) has been completed in line with the consultation, which determined that there is no negative impact upon the protected characteristics. The proposal promotes equality of opportunity within Blaenau Gwent for families whose children require specialist provision, and will have a positive impact upon the protected characteristic of disability.

7. Monitoring Arrangements

- 7.1 Should the proposal proceed, the project would be established and managed in accordance with Blaenau Gwent Corporate Project Management Framework and the PRINCE 2 methodology.

Background Documents /Electronic Links

Appendix1 Consultation Document	 PDF Pen y Cwm Consultation Docun
Appendix 2 Statutory Notice	 PDF STATUTORY NOTICE FV 23.6.21.pdf
Appendix 3 Objection Report	 Word Pen y Cwm Objections Report 1