



CABINET

Date of Meeting	Tuesday, 15 th October 2024
Report Subject	Expansion of Specialist Education Provision
Cabinet Member	Cabinet Member for Education, Welsh Language and Culture
Report Author	Chief Officer (Education & Youth)
Type of Report	Operational

EXECUTIVE SUMMARY

This report seeks to inform Cabinet of the outcomes from the statutory consultation undertaken to consult on the proposal to expand inhouse specialist education provision at Ysgol Pen Coch primary special school, Flint to include the management of the centre Canolfan Enfys which is currently under the management of the Pupil Referral Unit Plas Derwen.

This report also seeks Cabinet's continued support and commentary for the proposed expansion of inhouse specialist education provision.

This report is also requesting a mandate from Cabinet to proceed to issue a statutory notice to enter into a 28-day period for objections. This legal process is in line with the requirements of The School Standards and Organisation (Wales) Act 2013 and School Organisation Code 2018.

RECOMMENDATIONS

1	Cabinet reviews the outcomes from the consultation.
2	Cabinet agrees to support and provide any commentary for the proposed expansion of inhouse specialist education provision at Ysgol Pen Coch primary special school, Flint.
3	Cabinet agrees to proceed to issuing a statutory notice to commence a 28-day period for objections.

REPORT DETAILS

1.00	EXPLAINING THE EXPANSION OF SPECIALIST EDUCATION PROVISION
1.01	The Council is experiencing challenges in meeting its statutory duties with regards to educational provision for children with additional learning needs due a lack of specialist placements both inhouse and externally. Since the pandemic, there has been a rise in the number of children for whom mainstream schools are unable to meet their presenting needs.
1.02	The Council has a range of specialist provision which includes county Resource Bases in mainstream schools which allows for those with a higher level of need to be co-educated in designated settings. These cater for needs such as social communication, hearing impairment and behaviour/social emotional difficulties. Apart from two secondary Resources for dyslexia and hearing impairment, our Resource provision is full or oversubscribed.
1.03	The Council also has two specialist schools namely Ysgol Pen Coch (primary) and Ysgol Maes Hyfryd (secondary) which cater for those children with more severe learning difficulties, along with the recently newly built Plas Derwen Pupil Referral Unit. Both specialist schools are at capacity resulting in the need to seek external placements known as out of county (OOC) provision.
1.04	A review of the presenting need indicates that investment in the primary specialist sector at Ysgol Pen Coch is a priority at this time pending any future decisions around further significant investment in the Council's specialist educational provision. The school is currently at capacity with 98 learners on roll. The number of places the school can accommodate is subject to need and dependent on the nature of the learners' needs and accommodation requirements, e.g., specialist equipment and staffing support requirements. The existing building cannot cater for any additional learners. This, alongside the lack of OOC provision has led to a waiting list for specialist placements.
1.05	Following the statutory inspection of Plas Derwen Pupil Referral Unit (PRU), Estyn questioned the suitability of the foundation phase centre Canolfan Enfys sitting under the registration and management of the portfolio PRU and tasked the Council with seeking alternative arrangements.
1.06	Canolfyn Enfys caters for 24 children aged 3 to 7 with a range of complex needs, the majority of which transfer to Ysgol Pen Coch. Prior to 2012, the Centre had been an assessment facility under the management of Ysgol Pen Coch. However, operational challenges at the time resulted in the provision coming under the management of the Council. Having considered the options, the preference is to re-register the provision with Ysgol Pen Coch given the similarities in presenting needs and the Governing Body has been approached to consider this proposal.

1.07	On 21 st November 2023 Cabinet approved to proceed to issue a statutory notice for an increase in pupil places at Ysgol Pen Coch, Flint. Expansion of places at this point will include for taking over management of Canolfyn Enfys, increasing the current capacity of Ysgol Pen Coch from 98 to 128 by March 2025.				
1.08	<p>Statutory consultation commenced on 5 June 2024 and ended on 16 July 2024. 80 responses were received including a formal response from Estyn and school pupil council. 91% of responders supported the proposal. The key positive and negative themes from the consultation responses are noted below.</p> <p>Children & Young People Responders</p> <p>There were no responses to the consultation proposal paper based or online survey.</p> <p>Adult Responders</p> <table border="1" data-bbox="304 819 1382 2110"> <thead> <tr> <th data-bbox="304 819 842 882">Positives</th> <th data-bbox="842 819 1382 882">Negatives</th> </tr> </thead> <tbody> <tr> <td data-bbox="304 882 842 2110"> <ul style="list-style-type: none"> • More places for children who need it and are stuck in mainstream • Pen Coch better aligned with pupils • Many pupils feed into Pen Coch from Canolfan Enfys already • Staff at Canolfan Enfys would benefit from the specialist support of those at Ysgol Pen Coch. • The management at Ysgol Pen Coch have a better understanding of the needs of the children at Canolfan Enfys. • Recommended teaching and learning strategies are consistent across both settings. • It would be good to spread numbers across two sites rather than keep them all on one. • Children at Canolfan Enfys would receive more appropriate support from staff at Ysgol Pen Coch. • Estyn considers that the proposal is likely to maintain the standard of education in the area (Estyn) </td> <td data-bbox="842 882 1382 2110"> <ul style="list-style-type: none"> • Pen Coch cannot currently manage the children they have so adding more will increase the issue. • Staff being split across two sites – lack of detail in the proposal leading some Ysgol Pen Coch staff to believe they will be asked to do more without suitable compensation. • Ysgol Pen Coch is already understaffed and underfunded – this will stretch resources even further. • Depends on whether Ysgol Pen Coch is extended properly to accommodate the additional numbers. • Further assurances required that Canolfan Enfys jobs will be secured in Mold. • The proposal does not consider in sufficient detail the impact of the proposed changes on pupils’ standard of learning and wellbeing (Estyn) </td> </tr> </tbody> </table>	Positives	Negatives	<ul style="list-style-type: none"> • More places for children who need it and are stuck in mainstream • Pen Coch better aligned with pupils • Many pupils feed into Pen Coch from Canolfan Enfys already • Staff at Canolfan Enfys would benefit from the specialist support of those at Ysgol Pen Coch. • The management at Ysgol Pen Coch have a better understanding of the needs of the children at Canolfan Enfys. • Recommended teaching and learning strategies are consistent across both settings. • It would be good to spread numbers across two sites rather than keep them all on one. • Children at Canolfan Enfys would receive more appropriate support from staff at Ysgol Pen Coch. • Estyn considers that the proposal is likely to maintain the standard of education in the area (Estyn) 	<ul style="list-style-type: none"> • Pen Coch cannot currently manage the children they have so adding more will increase the issue. • Staff being split across two sites – lack of detail in the proposal leading some Ysgol Pen Coch staff to believe they will be asked to do more without suitable compensation. • Ysgol Pen Coch is already understaffed and underfunded – this will stretch resources even further. • Depends on whether Ysgol Pen Coch is extended properly to accommodate the additional numbers. • Further assurances required that Canolfan Enfys jobs will be secured in Mold. • The proposal does not consider in sufficient detail the impact of the proposed changes on pupils’ standard of learning and wellbeing (Estyn)
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1.09	<p>When reviewing the outcome of the consultation process for Ysgol Pen Coch. Cabinet are asked to consider the following points:-</p> <ul style="list-style-type: none"> • the likely impact on quality and standards in education, • the likely impact on the community, and • the likely effect of different travelling arrangements <p>Cabinet are asked to consider and confirm whether it considers the implementation of the proposal, (wholly or partly) to be the most appropriate response to the reasons it identified for the proposal and give reasons for its conclusion.</p>										
1.10	<p>Timescales for approvals are noted below:-</p> <table border="1" data-bbox="308 994 970 1072"> <tr> <td>Informal Cabinet</td> <td>1st October 2024</td> </tr> <tr> <td>Cabinet</td> <td>15th October 2024</td> </tr> </table> <p>Should COT and Informal Cabinet determine that this report should be discussed at Education Youth & Culture Scrutiny Committee timescales for approvals would be as follows:-</p> <table border="1" data-bbox="308 1256 970 1447"> <tr> <td>Informal Cabinet</td> <td>1st October 2024</td> </tr> <tr> <td>Education, Youth & Culture Scrutiny Committee</td> <td>17th October 2024</td> </tr> <tr> <td>Cabinet</td> <td>19th November 2024</td> </tr> </table> <p>Subject to Cabinet approval the statutory notice would be issued from November 2024 onwards. This provides time for officers to prepare the appropriate paperwork.</p>	Informal Cabinet	1 st October 2024	Cabinet	15 th October 2024	Informal Cabinet	1 st October 2024	Education, Youth & Culture Scrutiny Committee	17 th October 2024	Cabinet	19 th November 2024
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2.00	RESOURCE IMPLICATIONS
2.01	<p>A number of options for expanding the provision at Ysgol Pen Coch are still under consideration including the addition of building extensions and refurbishment of other facilities within the Education & Youth Portfolio. All options are being fully considered and further information will be provided to Cabinet as part of any future consultation process.</p>

2.02	<p>There are associated revenue costs attached to the proposal and these are outlined below. These have been captured within the Medium Term Financial Strategy (MTFS):</p> <table border="1" data-bbox="320 280 1378 504"> <thead> <tr> <th data-bbox="320 280 676 387">Revenue Pressure</th> <th data-bbox="676 280 1032 387">Estimated full year cost</th> <th data-bbox="1032 280 1378 387">Implementation date</th> </tr> </thead> <tbody> <tr> <td data-bbox="320 387 676 504">Canolfan Enfys reregistration</td> <td data-bbox="676 387 1032 504">£0.135m</td> <td data-bbox="1032 387 1378 504">Winter 2024</td> </tr> </tbody> </table>	Revenue Pressure	Estimated full year cost	Implementation date	Canolfan Enfys reregistration	£0.135m	Winter 2024
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2.03	<p>An additional financial consideration is that of transport costs. The Council provides transport for children who are deemed to required specialist provision. Pupils accessing Canolfan Enfys already access transport and this arrangement will not change under this proposal. Any additional pupils moving from mainstream provision will be entitled to transport.</p>						

3.00	IMPACT ASSESSMENT AND RISK MANAGEMENT												
3.01	<p>All projects and consultations within the school modernisation programme are managed using a risk register. Risks are managed accordingly, and financial risks are managed through a programme contingency. Any high-level risk which cannot be managed with the projects/programme will be incorporated into the risk register for the Education and Youth Portfolio.</p>												
3.02	<p>Ways of Working (Sustainable Development) Principles</p> <table border="1" data-bbox="320 1211 1378 2011"> <thead> <tr> <th data-bbox="320 1211 762 1272">Ways of Working Principle</th> <th data-bbox="762 1211 1378 1272">Impact</th> </tr> </thead> <tbody> <tr> <td data-bbox="320 1272 762 1420">Long-term</td> <td data-bbox="762 1272 1378 1420">Positive - Ensures that high quality specialist education places are available to communities to meet demand of specialist educational</td> </tr> <tr> <td data-bbox="320 1420 762 1568">Prevention</td> <td data-bbox="762 1420 1378 1568">Positive - preventing inappropriate placements for the most vulnerable learners.</td> </tr> <tr> <td data-bbox="320 1568 762 1715">Integration</td> <td data-bbox="762 1568 1378 1715">Positive – the additional specialist education places will integrate children from varying backgrounds.</td> </tr> <tr> <td data-bbox="320 1715 762 1863">Collaboration</td> <td data-bbox="762 1715 1378 1863">Positive – partnership arrangements inhouse and with external parties including school governing bodies.</td> </tr> <tr> <td data-bbox="320 1863 762 2011">Involvement</td> <td data-bbox="762 1863 1378 2011">Positive - The proposed projects involves a range of stakeholders to enable its delivery.</td> </tr> </tbody> </table>	Ways of Working Principle	Impact	Long-term	Positive - Ensures that high quality specialist education places are available to communities to meet demand of specialist educational	Prevention	Positive - preventing inappropriate placements for the most vulnerable learners.	Integration	Positive – the additional specialist education places will integrate children from varying backgrounds.	Collaboration	Positive – partnership arrangements inhouse and with external parties including school governing bodies.	Involvement	Positive - The proposed projects involves a range of stakeholders to enable its delivery.
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3.03	Well-being Principle Impacts																
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4.00	CONSULTATIONS REQUIRED/CARRIED OUT
4.01	Determination on statutory proposals is the responsibility of Cabinet.
4.02	Subject to Cabinet agreement, statutory notice would be issued to invite anyone to make objections to the proposals will be issued, through the School Standards and Organisation (Wales) Act 2013, School Organisation Code by the School Modernisation Team. If objections are received, the Council must publish an objection report providing a summary of the objections and their responses to them within 28 days of the end of the objection period.

5.00	APPENDICES
5.01	Appendix A – Consultation Report summarising the responses from the consultation exercise.

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	School Organisation Code – The School Standards and Organisation (Wales) Act 2018 https://www.gov.wales/sites/default/files/publications/2018-10/schoolorganisation-code-second-edition.pdf
6.02	Link to consultation reference documents https://www.flintshire.gov.uk/en/Resident/Schools/School-ModernisationRelated/Home.aspx

7.00	CONTACT OFFICER DETAILS
7.01	Contact Officer: Jennie Williams, Senior Manager Planning and Provision Telephone: 01352 704015 E-mail: jennie.williams@flintshire.gov.uk

8.00	GLOSSARY OF TERMS
8.01	Sustainable Communities for Learning - Is a collaboration between the Welsh Government (WG), the Welsh Local Government Association (WLGA) and local authorities. It is a major, long-term and strategic capital investment programme with the aim of creating a generation of 21st century schools in Wales. School Organisation Code – The new School Standards and Organisation (Wales) Act 2018 makes Local Authorities responsible (rather than the Welsh Ministers prior to October 2018) for the determination of most statutory school organisation proposals that receive objections.