

Agenda



Cabinet Member for Education & Skills

Date: Wednesday, 28 June 2017

Time: Not required

Venue: Not required

To: Councillor G Giles

Item		Wards Affected
1	<u>School Reorganisation Proposal - Removal of Learning Resource Base (LRB) Provision at Llanwern High School</u> (Pages 3 - 16)	All Wards
2	<u>School Reorganisation Proposal - Expansion of Maes Ebbw School</u> (Pages 17 - 28)	All Wards
3	<u>School Reorganisation Proposal - Expansion of Millbrook Primary School</u> (Pages 29 - 42)	Bettws

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Report

Cabinet Member for Education & Skills

Part 1

Date: 29 June 2017

Item No: 01

Subject **School Reorganisation Proposal – Removal of Learning Resource Base (LRB) provision at Llanwern High School**

Purpose To move to formal consultation on a school reorganisation proposal “to permanently remove the Learning Resource Base provision currently at Llanwern High School with effect from January 2018”

Author Deborah Weston, Education Service Development Manager

Ward All Wards

Summary This report:

- Outlines a previous decision by Cabinet to cease the funding attributable through the Individual Schools Budget (ISB) for the Learning Resource Base provision at Llanwern High School;
- Sets out the requirement to undertake a statutory School Reorganisation Proposal to support this decision, and describes the process with approximate timelines, and
- Recommends therefore that the Council now moves to the formal consultation stage of the statutory consultation process.

Proposal **To move to a period of formal consultation on a school reorganisation proposal to permanently remove the current Learning Resource Base (LRB) provision from Llanwern High School with effect from January 2018**

Action by Chief Education Officer

Timetable Immediate

This report was prepared after consultation with:

- Strategic Director - People
- Chief Education Officer
- Deputy Chief Education Officer
- Senior HR Business Partner
- Senior Finance Business Partner
- Schools Resources Manager
- Headteacher, Llanwern High School
- Chair of Governors, Llanwern High School

Signed

Background

As part of the budget determinations for the 2017/2018 financial year, Newport City Council's Cabinet took a decision to withdraw the funding associated with the Learning Resource Base (LRB) provision at Llanwern High School. This supported the strategy that individual pupil needs could be better met at more inclusive Additional Learning Needs (ALN) settings within mainstream host schools, and would also reduce the significant operational running costs of the current provision.

The LRB is an eight place provision, although as at April 2017, there were only seven pupils registered as being on roll. Two of these seven pupils are due to return to their respective mainstream schools during the summer term of 2017, reducing the remaining pupil number to just five. Four of these pupils live within the designated catchment area for Llanwern High School, with the fifth residing in the Lliswerry High School catchment area. It is planned that these five pupils will all return to mainstream education in September 2017, with additional support being provided where appropriate to meet their specific needs.

The remit of the LRB is to provide a nurturing environment to support pupils who have social and emotional difficulties to develop resilience skills which enable them to make a successful return to full time mainstream education by the end of Year Eight, or sooner if possible. The pupils have access to a range of support for them to successfully access the mainstream curriculum.

Due to the plans outlined above to move the existing pupil cohort into mainstream education by September 2017, the LRB will be empty from the start of the 2017/18 academic year. This report therefore recommends moving to permanently close the provision from January 2018, therefore bringing the classroom space currently utilised for the LRB back into mainstream use. Potentially, this could result in additional capacity and an increased Published Admission Number (PAN) for the school to assist in meeting demand for secondary school places across the City.

In order to take this forward, there is now a requirement to move to the formal consultation stage of the statutory school reorganisation process. The following sections describe the Human Resources issues, and the impact and mitigating factors relating to the proposal. The school organisation section references the current and potential premises arrangements.

Human Resources Issues

Llanwern High School currently employs four members of staff to support the pupils within the LRB – a teacher who has a Teaching and Learning Responsibility (TLR) point and an associated Special Education Needs allowance and three Level 3 Teaching Assistants. If the LRB was to close, these posts would be declared at risk of redundancy. The Governing Body could however choose to utilise these individuals elsewhere across the school to meet curriculum needs.

Impact and Mitigating Factors

This proposal could result in an increased pressure on the Special Educational Needs budget if alternative placements needed to be sourced from elsewhere. It is also clear that pupils and their parents could be anxious about any proposed movement, and these transition arrangements would need to be handled very sensitively. This could result in a need for additional staff resources in terms of the Education Psychology and Additional Learning Needs teams in supporting the pupils concerned.

It is not perceived that there will be any increased pressure on the Pupil Referral Unit however as it is intended that the current pupil cohort will return to mainstream provision within other secondary schools across the City. Notwithstanding this however, any pupils who might otherwise have been considered for future placements at the setting will require provision elsewhere if the LRB is closed. To support this, the Local Authority is currently undertaking a review of specialist provision across the secondary sector, and this will include ensuring that a sufficient number of placements are available to meet the needs of all relevant pupils. This review will be concluded shortly, for implementation in September 2017.

School Organisation

Llanwern High School opened in April 2012 on the site of the former Hartridge High School with capacity for 1300 pupils of statutory school age, plus post-16 facilities. There has always been a LRB facility at the school, although the capacity of the provision was significantly reduced from 21 places to 8 places in September 2015. The LRB currently operates from four classrooms within the main school building. Ceasing the provision would enable these rooms to be brought back into mainstream use.

School Reorganisation Process & Timelines

All school reorganisation proposals are taken forward through a statutory consultation process in accordance with the Welsh Government School Organisation Code. This entails the following steps and approximate timescales:

- Cabinet Member decision to move to Formal Consultation – June 2017
- Formal Consultation period (42 days) – July – September 2017
- Cabinet Member decision to move to Statutory Notice – October 2017
- Statutory Notice publication (28 days) – October 2017
- Final decision - December 2017
- Implementation of the proposal - January 2018

Governance Issues

This proposal will not impact on the current school governance arrangements. The make-up of the governing body will be unchanged.

Financial Summary

As part of the 2017/2018 budget setting process, it has been agreed that funding will cease for the LRB provision at Llanwern High School with effect from September 2017. The proposal results in part year savings in 2017/2018 of £79,000, and £56,000 in 2018/2019.

The proposal seeks to formally close the provision from January 2018. Savings will be achieved in advance of formal closure as funding will no longer be attached to the unit directly.

These total savings may be offset by potential additional costs incurred from increased pressure on the Council's Special Educational Needs budget if any of the pupils currently in the unit require specialist provision or additional curriculum. These figures, if they arise, cannot be quantified at the present time as they will be needs led, and will need to be managed within other specific ALN budgets.

Risks

Risk	Impact of Risk if it occurs* (H/M/L)	Probability of risk occurring (H/M/L)	What is the Council doing or what has it done to avoid the risk or reduce its effect	Who is responsible for dealing with the risk?
That the Cabinet decision to withdraw funding as part of the agreed budget for 2017/18 cannot be implemented	L	L	The Council will undertake a school reorganisation proposal in accordance with the statutory School Organisation Code	Chief Education Officer

* Taking account of proposed mitigation measures

Links to Council Policies and Priorities

Wellbeing of Future Generations (Wales) Act 2015
Council Improvement Plan
Education Service Plan

Options Available

Option 1: To proceed to formal consultation on a proposal to permanently remove the registered LRB provision from Llanwern High School with effect from January 2018.

Option 2: To proceed to formal consultation on a proposal to permanently remove the registered LRB provision from Llanwern High School with effect from September 2018.

Option 3: To informally close the LRB provision simply by not admitting pupils to the facility and therefore not provide any funding to support it.

Option 4: To maintain the status quo by continuing to fund and support the existing LRB provision at Llanwern High School.

Preferred Option and Why

The preferred option is Option 1. This supports the decision already taken by the Cabinet and supports a permanent and formal arrangement.

Comments of Chief Financial Officer

The direct financing of the unit has been agreed as part of the councils 2017/2018 budget proposals and medium term financial plan, and will cease from September 2017. As the report states additional costs may arise as a direct result of placing current pupils within the unit if they require specialist provision outside of current Newport available provision, however these costs will need to be managed within other available Additional Learning Needs budgets.

Redundancy costs may also arise from ceasing funding of the provision if the School chooses not to redeploy the staff within the school. These costs, if they arise will be met through the Councils School's redundancy reserve.

Comments of Monitoring Officer

The Code on School Reorganisation which was made under Sections 38 and 39 of the School Standards and Organisation (Wales) Act 2013 sets out the requirements and gives statutory guidance in relation to school reorganisation proposals. Proposals have to be published but first there has to be consultation which must include sufficient reasons and information regarding the particular proposal to enable an informed consideration and response to be made. The consultation response must be taken into account prior to the ultimate decision being taken. The Code sets out the nature of the information which needs to be included. The proposal to consult is within the Council's statutory powers relating to school reorganisation. It is noted that it is possible that redundancies may occur as a result of the proposals should they be implemented. Redundancy processes must be followed to ensure that any dismissals are fair. The Head of People and Business Change has commented upon this aspect.

Comments of Head of People and Business Change

As required this proposal has considered all five aspects of the sustainable development principle of the Well-being of Future Generations (Wales) Act. In addition a Fairness and Equality Impact Assessment (FEIA) has been completed. This FEIA should be reviewed and updated in light of the formal consultation and at each stage of the decision making process.

From a HR perspective there are potential direct staffing implications as a result of this report. This is in line with the Council's MTRP proposals which have been made in a number of areas to deliver on the savings target for 2017/18. For all proposals with direct staffing implications appropriate consultation will need to be held with staff and trade unions and in line with the appropriate policies. If there are to be any compulsory redundancies in respect of teaching staff, under the Conditions of Service for School Teachers in England and Wales, we would be required to issue notice by the end of May for this to be effective in September. This would not leave enough time for consultation and therefore it is unlikely that the proposals (if consultation is required) would be in place until December 2017. For the proposals to be in place for December 2017 there would be a requirement to issue notice by the end of October 2017.

Local issues

None.

Comments from Non-Executive Members

Councillor P Hourahine:

With the removal of the central Learning Resource Base, the Director of Education should be mindful of ensuring that adequate provision is provided by individual schools. And that such provision is monitored.

Response from Cabinet Member for Education & Skills:

The removal of the LRB from Llanwern is part of a larger review of ALN provision across the city. The vision is for as many pupils as possible to be supported to access mainstream rather than be in small pockets of provision accessing a limited timetable and opportunities. All secondary schools have Learning Support Centres in place and ALN funds have been delegated to schools in order to enable senior leaders to determine their own provision in relation to need with continued support from the LA Inclusion Team. Following the collaborative working of all stakeholders a new structure will be introduced at the Pupil Referral Unit from September which will see longer term placements for those pupils who need the extra support along with increased outreach support from PRU staff to mainstream schools. Provision is currently monitored by the Inclusion Team via Link Inclusion Meetings and Managed Move Panel (ALN, Behaviour Support, Educational Psychology, SEN and PRU) and this will continue as will the extensive training of school staff in practices relating to inclusive education.

Councillor J Watkins on behalf of the Conservative Group:

These Learning Resource Bases aim to provide Education and support for pupils with behavioural and other difficulties who are unable to be educated in a mainstream facility for a period of time often unspecified. Therefore an alternative provision is required. That being the case returning these children to mainstream will prove disruptive for all pupils resulting in serious impact on Teaching and Learning resulting in reduction of aspiration and achievement across the board. There is also much evidence to show Teachers to will be affected by conditions which impair their ability to teach effectively and inevitably stress and sickness levels will rise indeed retention of staff is likely to become a serious issue. This could have financial implications for the Authority. The NCC Pru does not appear to function as a proper alternative provision of Education as it does not have a structure in place which even includes a Head Teacher!! Its ability to support children in mainstream therefore is highly unlikely. It is worth noting that the majority of children placed in LRB and PRU facilities often have very chaotic and challenging backgrounds with family lifestyles which leave a great deal to be desired. To reduce their opportunities for education support as a result of implementation of these proposals is disgraceful. Furthermore I draw your attention to the recently published figures on exclusion of pupils across Newport Schools they are truly a matter for extreme concern and will inevitably rise again under these proposals. I also ask te question here How many schools have withdrawn funding for the PRU? I would suggest a root and branch examination of Alternative Education in Newport should be conducted without delay given the current poor provision which is in place. Children have only one opportunity to be educated and that opportunity for many children will be denied if the proposals here are implemented. It would seem that by closing these facilities on financial considerations you are disadvantaging one group of children whilst putting resources into the education of another group.

Response from Cabinet Member for Education & Skills:

Discussions between the Assistant Head of Education (Inclusion), the Curriculum Improvement Advisor for Behaviour, Additional Learning Needs Co-ordinator and the Senior Leadership Team at Llanwern High School notes that the pupils in question have already been accessing mainstream provision. The joint LA / school plan is for them to have a bespoke package of provision which will enable them to receive small group sessions, continue with the interventions to address their emotional needs and access their chosen pathway in mainstream in a supported manner. There is no plan for any of the pupils to be placed directly into large mainstream classes with or without support.

There are different approaches to structures and leadership arrangements for PRU's across England and Wales with no right or wrong arrangement. In Newport we are keen to learn from best practice and have been providing effective outreach support for a number of years. Our manager works closely with

Torfaen PRU, which delivers a widespread outreach service, and this has arisen from a recent review of our current provision.

Our exclusion figures, as pointed out, are not good but we have seen another significant decrease this year due to the training and support that has gone into our schools in relation to dealing with the complex needs of our pupils. This will not stop.

In November 2016 we started an in depth review of ALN provision at secondary level across the city. This was carried in conjunction with Pupils, Headteachers, Heads of Inclusion, Educational Psychologists, Advisors, Youth Service, Youth Offending Service and other stakeholders. As a result we have identified some shortcomings and are keen to introduce a much improved provision. We are endeavouring to work with other authorities and have plans to restructure the provision to best meet the needs of our young people. Currently Secondary Headteachers are reviewing how they are going to fund the PRU provision as opposed to the upfront uniform payment across the city which has been in operation for the last 8 years. The Assistant Head of Education (Inclusion) is due to meet with them in early July to finalise the arrangement.

Scrutiny Committees

None

Equalities Impact Assessment

The Equality Act 2010 contains a Public Sector Equality Duty which came into force on 06 April 2011. The Act identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership. The new single duty aims to integrate consideration of equality and good relations into the regular business of public authorities. Compliance with the duty is a legal obligation and is intended to result in better informed decision-making and policy development and services that are more effective for users. In exercising its functions, the Council must have due regard to the need to: eliminate unlawful discrimination, harassment, victimisation and other conduct that is prohibited by the Act; advance equality of opportunity between persons who share a protected characteristic and those who do not; and foster good relations between persons who share a protected characteristic and those who do not. The Act is not overly prescriptive about the approach a public authority should take to ensure due regard, although it does set out that due regard to advancing equality involves: removing or minimising disadvantages suffered by people due to their protected characteristics; taking steps to meet the needs of people from protected groups where these differ from the need of other people; and encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

A Fairness & Equality Impact Assessment (FEIA) has been developed to support the decision making of this stage of the proposal. If the proposal is taken forward the FEIA will be updated at each decision stage and published on the web site.

Children and Families (Wales) Measure

Children and Young People are consulted as part of the statutory consultation process.

Wellbeing of Future Generations (Wales) Act 2015

Report writers need to indicate how they have considered the five things public bodies need to think about to show they have applied the sustainable development principle put into place by the Act. You will need to demonstrate you have considered the following:

- Long term: the importance of balancing short- term needs with the need to safeguard the ability to also meet long – term needs **by ensuring that children with additional educational needs are educated at appropriate placements**
- Prevention: How acting to prevent problems occurring or getting worse may help us meet our objectives **the needs of pupils with additional educational needs can be met in a more cost-effective manner**

- Integration: Consider how the proposals will impact on our wellbeing objectives, our wellbeing goals, other objectives or those of other public bodies ***a formal statutory consultation will be carried out and supported at each stage by a FEIA to consider impact. This proposal supports the “A prosperous Wales” and “A more equal Wales” Well-being Goals and has no adverse effect on any of the other Well-being Goals. In addition this proposal supports the Newport City Council Well-being Objective “To improve skills, educational outcomes and employment opportunities”***
- Collaboration: have you considered how acting in collaboration with any other person or any other part of our organisation could help meet our wellbeing objectives ***a formal statutory consultation will be carried out and supported at each stage by a FEIA to consider impact***
- Involvement: The importance of involving people with an interest in achieving the wellbeing goals, and ensuring that those people reflect the diversity of the City we serve ***a formal statutory consultation will be carried out and supported at each stage by a FEIA to consider impact***

In summary this proposal supports wellbeing by supporting and promoting inclusion. Pupils will now be taught in a mainstream environment, rather than a small provision, with additional support and increased outreach services from the Pupil Referral Unit being provided where appropriate to meet the specific needs of individual pupils. This will improve skills, educational outcomes and employment opportunities, enabling young people to become independent and resilient.

Crime and Disorder Act 1998

Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.

Consultation

None at this stage but this will be facilitated with key stakeholders as part of the school reorganisation proposal.

Background Papers

None

Dated: 29 June 2017

Fairness and Equalities Impact Assessments F&EIAs (2015)

This form presents evidence that equalities, Welsh language and fairness have been considered when taking policy and service delivery decisions in Newport City Council.

Our Equalities focus is taken from the Equalities Act 2010: we consider the nine protected equalities characteristics- age, gender reassignment, disability, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex, sexual orientation.

Under the General Equality Duty we have a duty to:

- Eliminate unlawful discrimination, harassment and victimisation
- Advance equality of opportunity and
- Foster good relations

across the nine protected characteristics.

Under the Welsh Language Measure 2011 the Welsh language cannot be treated any less favourably than the English language

In Newport we focus on Fairness through the following themes: Health, Poverty, Skills and Work, Domestic Abuse and Tackling Area Based Deprivation.

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Service Area	Head of Service	Person responsible for the Assessment	Date of Assessment
Education	James Harris	Deborah Weston	May 2017

1. What is the policy/ service being assessed?

To take the decision to move to formal consultation on a school reorganisation proposal to permanently remove the Learning Resource Base provision that is currently at Llanwern High School with effect from January 2018.

2. What is the purpose of the policy/ service change?

To implement the budget savings agreed by Cabinet to cease the funding attributable through the Individual Schools Budget (ISB) for the Learning Resource Base provision at Llanwern High School.

3. Protected Characteristics

Protected Characteristic	Who are the customers/service users/ potential service users?	If we take this decision what is the potential impact? The impact may be either positive or negative Explain how people may be affected and give the evidence for this	Action Plan to address issues raised What changes or practical measures would reduce adverse impact on particular groups. What changes would increase positive impacts e.g. improve access or opportunity May be revisited post consultation	Who is responsible?	Timeframe to review
Age Page 11	Secondary school age children in years 7 – 9 and their parents / carers	It is clear that pupils and their parents could be anxious about any proposed movement, and these transition arrangements would need to be handled very sensitively. This could result in a need for additional staff resources in terms of the Education Psychology and Additional Learning Needs teams in supporting the pupils concerned.	This proposal will be subject to formal consultation with all stakeholders	Chief Education Officer	August 2017
Gender reassignment	Not applicable				

Disability	Secondary school age children in years 7 – 9 who have a registered disability and their parents / carers	It is clear that pupils and their parents could be anxious about any proposed movement, and these transition arrangements would need to be handled very sensitively. This could result in a need for additional staff resources in terms of the Education Psychology and Additional Learning Needs teams in supporting the pupils concerned.	This proposal will be subject to formal consultation with all stakeholders	Chief Education Officer	August 2017
Marriage/Civil Partnership	Not applicable				
Pregnancy and Maternity	Not applicable				
Race	Secondary school age children in years 7 – 9 and their parents / carers	It is clear that pupils and their parents could be anxious about any proposed movement, and these transition arrangements would need to be handled very sensitively. This could result in a need for additional staff resources in terms of the Education Psychology and Additional Learning Needs teams in supporting the pupils concerned.	This proposal will be subject to formal consultation with all stakeholders	Chief Education Officer	August 2017

Religion/belief (or the absence of)	Not applicable				
Sex	All secondary school age children in years 7 – 9 and their parents / carers	It is clear that pupils and their parents could be anxious about any proposed movement, and these transition arrangements would need to be handled very sensitively. This could result in a need for additional staff resources in terms of the Education Psychology and Additional Learning Needs teams in supporting the pupils concerned.	This proposal will be subject to formal consultation with all stakeholders	Chief Education Officer	August 2017
Sexual Orientation	Not applicable				
Welsh language	Not applicable. The proposal concerns English language provision				

4. Who has the service consulted regarding the proposed change? When should new consultation take place?

NB: It is essential that service users and other interested parties are involved in the planning process at the earliest opportunity. Consultation at an initial stage should be along broad themes. It is appropriate to ask what services are valued, how services could be changed and or what could be done differently. This feedback should then inform your business case proposals and the F&EIA. When specific proposals have been drawn up, they too will need to be consulted upon. All stakeholders and their views need to be represented.

The cessation of funding was included in the Council's budget proposals for 17/18, and this was subject to public consultation. Notwithstanding this however, the school reorganisation proposal will now be subject to formal consultation with key stakeholders as defined in the WG School Organisation Code.

5. What evidence/ data has been used to complete this F&EIA (This will include local and national guidance)

Business cases were drafted as part of the Council's budget proposals for 2017/18. Formal Consultation will be carried out in accordance with the School Standards and Organisation (Wales) Act 2013, and the statutory School Organisation Code 2013.

6. How will the relevant groups be advised of the changes and the F&EIA?

Formal statutory consultation process with stakeholders as outlined in the statutory School Organisation Code 2013.

7 How will the policy/ practice make Newport more or less fair in relation to:

- Health Inequalities
- Child Poverty
- Skills and Work
- Tackling Domestic Violence
- Alcohol and Substance misuse
- Homelessness
- Armed Forces Veterans

The costly provision will cease and funding targeted appropriately elsewhere.

8. How will the service / policy affect local areas of the city?

Will it have a positive or negative impact in terms of fairness and addressing local area deprivation (you will need to use spatial data available through the Newport Profile and specific Ward Profiles to address this question)?

Whilst the provision is housed in Llanwern High School, it can be accessed by pupils across the City according to their level of need.

9. In summary, how does the changed service /policy promote good community relations (cohesion)?

The pupils will be accommodated within mainstream education as close as possible to their homes.

10. In summary, how does the changed service /policy promote equality?

The pupils will be accommodated within mainstream education wherever possible.

11. In summary, how does the changed service /policy eliminate discrimination?

The pupils will be accommodated within mainstream education wherever possible.

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Completed by:

Date: May 2017

Deborah Weston

Signed off by: James Harris: Chief Education Officer

Date: May 2017

James Harris

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Report

Cabinet Member for Education & Skills

Part 1

Date: 29 June 2017

Item No: 02

Subject **School Reorganisation Proposal – Expansion of Maes Ebbw School**

Purpose To request permission to move to formal consultation on a school reorganisation proposal “to expand the main Maes Ebbw School site and therefore provide additional pupil places by increasing the capacity of the school from 100 to 150 with effect from September 2018”

Author Deborah Weston, Education Service Development Manager

Ward All

Summary Maes Ebbw School is currently the only special school within the City, operated over 3 separate sites although Ysgol Bryn Derw, a specialist 48-place provision for children aged 3-19 with a diagnosis of Autistic Spectrum Disorder (ASD), will open in September 2017. This proposal supports the increasing demand for specialist education provision across the city of Newport. This need has grown significantly over the past 5-10 years, so much so that the number on children on roll at the Maes Ebbw School main site now exceeds the physical capacity.

The school site has the necessary space available to support the development of additional facilities without any detrimental impact on provision. This proposal will benefit pupils across the whole of the Newport as additional facilities will be provided to support children who have specialist needs in an appropriate and secure environment.

Proposal **To move to a period of formal consultation on a school reorganisation proposal to increase the capacity of the main Maes Ebbw School site from 100 to 150 with effect from September 2018**

Action by Chief Education Officer

Timetable Immediate
This report was prepared after consultation with:

- Strategic Director - People
- Deputy Chief Education Officer
- Senior HR Business Partner
- Senior Finance Business Partner
- Schools Resources Manager
- Headteacher, Millbrook Primary School
- Chair of Governors, Millbrook Primary School

Signed

Background

Maes Ebbw School is a purpose built school offering a well-resourced environment to help children and young people, aged between 3-19 years and with special educational needs, to develop their learning skills. Attractive surroundings, excellent facilities, specialist equipment and a highly committed and dedicated staff team all combine to create an atmosphere which is vibrant and challenging whilst being supportive and caring to pupils and parents.

The school already benefits from an exciting and dynamic range of facilities including dark and white interactive space rooms, a touch trust room, hydrotherapy pool and fully equipped gymnasium. A multi-professional team including occupational therapists, physiotherapists, speech and language therapists and school nurses support the school by working with pupils and families to create a holistic approach towards learning and development:

- The nursery class offers both part-time and full-time places and aims to support and work alongside all other early years and foundation phase provision across Newport.
- The primary phase offers full access to the national curriculum and activities are differentiated and adapted to meet the needs of each individual child.
- The secondary department offers full access to the national curriculum and accreditation at 16 through WJEC Entry Level or ASDAN Transition Challenge for all children attending Maes Ebbw School.

Maes Ebbw School currently operates over three sites – the main school in Maesglas, plus two satellite bases at Eveswell (for Foundation Phase pupils) and Brynglas (for Foundation Phase and Key Stage Two pupils). The specialist Autistic Spectrum Disorder (ASD) satellite provision at Brynglas will close in August 2017 however as all pupils will transfer to the new Ysgol Bryn Derw when it opens on 1st September 2017.

The school currently provides education for 153 children aged between 3 and 19 years across the three sites (as per the January 2017 Pupil Level Annual School Census (PLASC) submission). The main site was originally built however to accommodate a maximum of 103 pupils, with an additional 12 places later being provided at both Maes Ebbw Bach (Eveswell) and Maes Ebbw ASD (Brynglas). The main site is therefore currently over-subscribed by 26 pupils due to the increasing need for specialist provision within Newport, and thus the main site has been subject of re-modelling to accommodate the growing demand.

The following sections describe the Human Resources issues leading into the Quality and Learning aspects of the proposal, including the perceived benefits and proposed school organisation arrangements.

Human Resources Issues

There may be staffing implications for Maes Ebbw School in terms of appointing any additional teaching and support staff necessary to support an increase in pupil numbers. This can be managed effectively through existing staff recruitment arrangements.

Quality & Learning

Standards:

The Council firmly believes that this proposal, alongside the establishment of Ysgol Bryn Derw, will have a positive impact on the provision and quality of educational outcomes in the special school sector. Maes Ebbw School is already well-equipped to deliver a full curriculum across all year groups from Reception to Year 13, and increasing the number of places available within the school community will not have any detrimental impact on this provision.

The perceived benefits of the proposal are outlined as follows:

- Provision of additional specialist education places in an appropriate dedicated school where placement in supported mainstream environments is not deemed appropriate;
- The subsequent potential availability of places in Learning Resource Bases to support pupils who require supported mainstream environments;

- Improved facilities to enable pupils requiring specialist provision to receive appropriate education in one single school site;
- Development of an existing school site;
- Reduction in current and / or future out-of-county placements and an opportunity for pupils who are currently attending out-of-county provision to re-integrate back into their local area to continue their education;
- Reduced travel time for pupils who are attending out-of-county placements.

School Organisation

The proposal is to increase the capacity of Maes Ebbw School (main site) from 100 to 150 by constructing a new seven classroom extension, along with a sensory courtyard and associated ancillary facilities including toilets, a hygiene room, two group rooms and storage areas. These additional pupil places will cover all year groups, from nursery to Year 13.

The main school site is a suitable and sufficient environment for children of all ages. The existing and proposed facilities are fully accessible (including appropriate toilet facilities) and DDA compliant. The new facilities will support provision of an enriched environment for teaching and learning within the City.

The extended school will provide a variety of different rooms in order to meet the varied and specific needs of all pupils. The actual size of a classroom suitable for a group of pupils with special educational needs is difficult to determine as this will depend significantly on the level of individual need and will include requirements in relation to staffing and specialist equipment. It is possible that the needs of individual pupils will vary on a year by year basis and the layout of the school therefore must be able to accommodate this.

The school grounds are attractive and support access to safe and secure outside playing areas, including the proposed sensory courtyard. The grounds are laid out in such a way that prevents pupils being able to leave the site and finding themselves at risk.

School Reorganisation Process & Timelines

All school reorganisation proposals are taken forward through a statutory consultation process in accordance with the Welsh Government School Organisation Code. This entails the following steps and approximate timescales:

- | | | |
|--|---|--------------------------|
| • Cabinet Member decision to move to Formal Consultation | - | June 2017 |
| • Formal Consultation period (42 days) | - | September – October 2017 |
| • Cabinet Member decision to move to Statutory Notice | - | October 2017 |
| • Statutory Notice publication (28 days) | - | November 2017 |
| • Final decision | - | January 2018 |
| • Building work commences | - | January 2018 |
| • Implementation of the proposal | - | September 2018 |

Governance Issues

There will be no changes to school governance arrangements as a result of this proposal. The governing body will continue in its current form.

Financial Summary

The total cost of this project is estimated to be approximately £3.5 million, funded entirely via the 21st Century Schools Programme. This can be presented as a cost of approximately £74,468 per additional pupil place.

There will be an increase in whole authority staff costs as additional teachers and support staff will be required to meet the needs of the increased pupil population, although the school is currently over capacity and the original forecast for the development was planned earlier than now being proposed, therefore the school is being funded for staffing levels to support 148 pupils on its main site and will need to deal with any additional pupil growth from within current resources being received into the school The

proposal to extend Maes Ebbw School will provide additional specialist education places for children within special educational needs and could potentially enable pupils at out-of-county placements to return to the City for their education, reducing the cost of these school placements and the associated transport costs.

Risks

Risk	Impact of Risk if it occurs* (H/M/L)	Probability of risk occurring (H/M/L)	What is the Council doing or what has it done to avoid the risk or reduce its effect	Who is responsible for dealing with the risk?
That demand for specialist provision diminishes	L	L	This is unlikely, although the school could be adapted to accommodate pupils with other additional learning needs from within the special school sector	Chief Education Officer
That demand for specialist provision increases	L	L	The Assistant Head of Education (Inclusion) will continue to plan for future provision across the City	Chief Education Officer

* Taking account of proposed mitigation measures

Links to Council Policies and Priorities

Wellbeing of Future Generations (Wales) Act 2015
 Council Improvement Plan
 Education Service Plan

Options Available

Option 1: To continue with the current arrangements, maintaining the total capacity of the main school building at 100, and ensuring that the number of pupils actually on roll does not exceed this figure.

Option 2: To continue with the current arrangements, maintaining the total capacity of the main school building at 100, but implementing this over a number of years.

Option 3: To increase the capacity of the school from 100 to 150, thereby improving existing facilities and also increasing specialist provision places across the City.

Preferred Option and Why

The preferred option is Option 3. This will assist in meeting current and future demand for specialist provision and will benefit children and parents across Newport. The main school site has sufficient space to support additional capacity and this in turn will assist in achieving an enriched and improved learning environment for pupils requiring all types of specialist provision.

Comments of Chief Financial Officer

There are no financial consequences of moving to formal consultation on the proposal. As the report states there will also be no further revenue pressure on the current Council budget as the school is already in receipt of funding deemed adequate for 148 pupils on the main site.

Comments of Monitoring Officer

The Council has a duty to ensure that there are sufficient schools in its area which are adequate in terms of number, character and equipment. For any proposal to increase capacity there must be evidence of current or future need for additional places. The Code on School Reorganisation (006/2013) made under Sections 38 and 39 of the School Standards and Organisation (Wales) Act 2013 sets out the legal requirements and statutory guidance in relation to school reorganisation. Consultation is essential and should be carried out when proposals are at a formative stage and must contain sufficient reasons and

information to enable informed consideration and response. There has to be an adequate time for this process and consultation responses need to be taken into account when the ultimate decision is made. The Code sets out what information needs to be included. The proposal to consult is within the Council's statutory powers as local education authority.

It is noted that the proposal involves building works being carried out at the school site and accordingly it will be necessary to establish whether a formal planning application will be required (which it will be unless the development falls within permitted development rights) and whether any other consents are required.

Comments of Head of People and Business Change

As required this proposal has considered all five aspects of the sustainable development principle of the Well-being of Future Generations (Wales) Act. A Fairness and Equality Impact Assessments (FEIA) has been completed. This will need to be reviewed and updated once the formal consultation process has been completed and at each stage of the decision making process.

From a HR perspective, there may be a requirement to recruit additional employees to support the increase in pupil numbers. There may also be a requirement for the Governing Body to review the pay ranges of members of the school leadership team as the calculation of Senior Leadership pay in a special school takes into account not only pupil numbers but staffing ratios (in line with the School Teachers Pay and Conditions Document).

Comments from Non-Executive Members

Councillor J Watkins on behalf of the Conservative Group:

I draw your attention to the expansion of SEND facilities at Maes Ebbw the proposal to extend the SEND provision is clearly necessary but not at the expense of another group with needs IE children needing Alternative Provision. All our children need and deserve appropriate provision of Education and support.

Response from Cabinet Member for Education & Skills:

The planned expansion at Maes Ebbw is responding to the growing demand for special school places and will enable us to cater for more of our children and young people within the City as opposed to using provision in neighbouring authorities . This will reduce travel time for vulnerable children and will respond to the requests by parents for their children to be educated closer to their homes. We continue to review all ALN provision across the city with a view to establishing good quality pathways for all our learners.

Equalities Impact Assessment

The Equality Act 2010 contains a Public Sector Equality Duty which came into force on 06 April 2011. The Act identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership. The new single duty aims to integrate consideration of equality and good relations into the regular business of public authorities. Compliance with the duty is a legal obligation and is intended to result in better informed decision-making and policy development and services that are more effective for users. In exercising its functions, the Council must have due regard to the need to: eliminate unlawful discrimination, harassment, victimisation and other conduct that is prohibited by the Act; advance equality of opportunity between persons who share a protected characteristic and those who do not; and foster good relations between persons who share a protected characteristic and those who do not. The Act is not overly prescriptive about the approach a public authority should take to ensure due regard, although it does set out that due regard to advancing equality involves: removing or minimising disadvantages suffered by people due to their protected characteristics; taking steps to meet the needs of people from protected groups where these differ from the need of other people; and encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

A Fairness & Equality Impact Assessment (FEIA) has been developed to support the decision making of this stage of the proposal. If the proposal is taken forward the FEIA will be updated at each decision stage and published on the web site.

Children and Families (Wales) Measure

Children and Young People will be consulted as part of the statutory consultation process.

Wellbeing of Future Generations (Wales) Act 2015

Report writers need to indicate how they have considered the five things public bodies need to think about to show they have applied the sustainable development principle put into place by the Act. You will need to demonstrate you have considered the following:

- Long term: the importance of balancing short- term needs with the need to safeguard the ability to also meet long – term needs ***by supporting the increasing demand for specialist education provision across the city of Newport***
- Prevention: How acting to prevent problems occurring or getting worse may help us meet our objectives – ***this will benefit pupils across the whole of the Newport as additional facilitates will be provided to support children who have specialist needs in an appropriate and secure environment***
- Integration: Consider how the proposals will impact on our wellbeing objectives, our wellbeing goals, other objectives or those of other public bodies ***a formal statutory consultation will be carried out and supported at each stage by a FEIA to consider impact. This proposal supports the “A prosperous Wales” and “A more equal Wales” Well-being Goals and has no adverse effect on any of the other Well-being Goals. In addition this proposal supports the Newport City Council Well-being Objective “To improve skills, educational outcomes and employment opportunities”.***
- Collaboration: have you considered how acting in collaboration with any other person or any other part of our organisation could help meet our wellbeing objectives ***a formal statutory consultation will be carried out and supported at each stage by a FEIA to consider impact***
- Involvement: The importance of involving people with an interest in achieving the wellbeing goals, and ensuring that those people reflect the diversity of the City we serve ***a formal statutory consultation will be carried out and supported at each stage by a FEIA to consider impact***

Crime and Disorder Act 1998

Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.

Consultation

None at this stage but this will be facilitated with key stakeholders as part of the school reorganisation proposal.

Background Papers

None

Dated: 29 June 2017

Fairness and Equalities Impact Assessments F&EIAs (2015)

This form presents evidence that equalities, Welsh language and fairness have been considered when taking policy and service delivery decisions in Newport City Council.

Our Equalities focus is taken from the Equalities Act 2010: we consider the nine protected equalities characteristics- age, gender reassignment, disability, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex, sexual orientation.

Under the General Equality Duty we have a duty to:

- Eliminate unlawful discrimination, harassment and victimisation
 - Advance equality of opportunity and
 - Foster good relations
- across the nine protected characteristics.

Under the Welsh Language Measure 2011 the Welsh language cannot be treated any less favourably than the English language

In Newport we focus on Fairness through the following themes: Health, Poverty, Skills and Work, Domestic Abuse and Tackling Area Based Deprivation.

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Service Area Education	Head of Service James Harris	Person responsible for the Assessment Deborah Weston	Date of Assessment May 2017
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1. What is the policy/ service being assessed?

To request permission to move to formal consultation on a school reorganisation proposal to expand the main Maes Ebbw School site and therefore provide additional pupil places by increasing the capacity of the school from 100 to 150 with effect from September 2018.

2. What is the purpose of the policy/ service change?

To increase the number of special school places available at Maes Ebbw School.

3. Protected Characteristics

Protected Characteristic	Who are the customers/service users/	If we take this decision what is the potential impact?	Action Plan to address issues raised	Who is responsible?	Timeframe to review
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	potential service users?	The impact may be either positive or negative Explain how people may be affected and give the evidence for this	What changes or practical measures would reduce adverse impact on particular groups. What changes would increase positive impacts e.g. improve access or opportunity May be revisited post consultation		
Age Page 24	All pupils aged between 3 and 19 years of age and whose statements of SEN require their education to be provided at a specialist environment	The decision to move to formal consultation will enable the Council to seek the views of all stakeholders. The provision of additional special school places will benefit pupils across the whole of the Newport as additional facilities will be provided to support children who have specialist needs in an appropriate and secure environment. This will not have any detrimental impact on other schools and provision across the City.	A full programme of stakeholder engagement will support the formal consultation process. Following this a consultation report will be drafted and published to support whether or not the proposal should be taken forward.	Chief Education Officer	July / August 2017
Gender reassignment	Not applicable				

Disability	All pupils aged between 3 and 19 years of age and whose statements of SEN require their education to be provided at a specialist environment	The decision to move to formal consultation will enable the Council to seek the views of all stakeholders. The provision of additional special school places will benefit pupils across the whole of the Newport as additional facilities will be provided to support children who have specialist needs in an appropriate and secure environment that is accessible and DDA compliant. This will not have any detrimental impact on other schools and provision across the City.	A full programme of stakeholder engagement will support the formal consultation process. Following this a consultation report will be drafted and published to support whether or not the proposal should be taken forward.	Chief Education Officer	July / August 2017
Marriage/Civil Partnership	Not applicable				
Pregnancy and Maternity	Not applicable				
Age	All pupils aged between 3 and 19 years of age and whose statements of SEN require their education to be provided at a specialist environment	The decision to move to formal consultation will enable the Council to seek the views of all stakeholders. The provision of additional special school places will benefit pupils across the whole of the Newport as additional facilities will be provided to support children who have specialist needs in an appropriate and secure environment. This will not have any detrimental impact on other schools and provision across the City.	A full programme of stakeholder engagement will support the formal consultation process. Following this a consultation report will be drafted and published to support whether or not the proposal should be taken forward.	Chief Education Officer	July / August 2017
Religion/belief (or the absence of)	Not applicable				
Sex	All pupils aged between 3 and 19 years of age and whose statements of SEN require their education to be provided at a specialist	The decision to move to formal consultation will enable the Council to seek the views of all stakeholders. The provision of additional special school places will benefit pupils across the	A full programme of stakeholder engagement will support the formal consultation process. Following this a consultation	Chief Education Officer	July / August 2017

	environment	whole of the Newport as additional facilitates will be provided to support children who have specialist needs in an appropriate and secure environment. This will not have any detrimental impact on other schools and provision across the City.	report will be drafted and published to support whether or not the proposal should be taken forward.		
Sexual Orientation	Not applicable				
Welsh language	Not applicable. The proposal concerns English language provision				

4. Who has the service consulted regarding the proposed change? When should new consultation take place?

NB: It is essential that service users and other interested parties are involved in the planning process at the earliest opportunity. Consultation at an initial stage should be along broad themes. It is appropriate to ask what services are valued, how services could be changed and or what could be done differently. This feedback should then inform your business case proposals and the F&EIA. When specific proposals have been drawn up, they too will need to be consulted upon. All stakeholders and their views need to be represented.

The proposed change has been discussed with the Headteacher and Governing Body of Maes Ebbw School. Notwithstanding this however, the school reorganisation proposal will now be subject to formal consultation with key stakeholders as defined in the WG School Organisation Code.

5. What evidence/ data has been used to complete this F&EIA (This will include local and national guidance)

A formal consultation document has been drafted. A formal consultation process will be carried out in accordance with the School Standards and Organisation (Wales) Act 2013, and the statutory School Organisation Code 2013.

6. How will the relevant groups be advised of the changes and the F&EIA?

Formal statutory consultation process with stakeholders as outlined in the statutory School Organisation Code 2013.

7 How will the policy/ practice make Newport more or less fair in relation to:

- Health Inequalities
- Child Poverty
- Skills and Work
- Tackling Domestic Violence
- Alcohol and Substance misuse
- Homelessness
- Armed Forces Veterans

The provision of additional specialist places will increase provision across the City for pupils with additional educational needs.

8. How will the service / policy affect local areas of the city?

Will it have a positive or negative impact in terms of fairness and addressing local area deprivation (you will need to use spatial data available through the Newport Profile and specific Ward Profiles to address this question)?

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This proposal will benefit pupils across the whole of the Newport as additional facilities will be provided to support children who have specialist needs in an appropriate and secure environment.

9. In summary, how does the changed service /policy promote good community relations (cohesion)?

The provision of additional specialist places will increase provision across the City for pupils with additional educational needs. Maes Ebbw School already successfully shares a site with Maesglas Primary School, and it is not considered that either school will be detrimentally affected by this proposal.

10. In summary, how does the changed service /policy promote equality?

The provision of additional specialist places will increase provision across the City for pupils with additional educational needs.

11. In summary, how does the changed service /policy eliminate discrimination?

The provision of additional specialist places will increase provision across the City for pupils with additional educational needs.

Completed by:

Date: May 2017

Deborah Weston

Signed off by: James Harris: Chief Education Officer

Date: May 2017

James Harris

Report

Cabinet Member for Education & Skills

Part 1

Date: 29 June 2017

Item No: 03

Subject **School Reorganisation Proposal – Expansion of Millbrook Primary School**

Purpose To move to formal consultation on a school reorganisation proposal “to increase the capacity of Millbrook Primary School from 210 to 315, therefore creating a permanent 1.5 form entry school from September 2018”

Author Deborah Weston, Education Service Development Manager

Ward Bettws

Summary This report makes reference to the Council’s vision for “the right school in the right place” and the philosophy of “local schools for local children”. There is increasing parental demand for school places in this area of the city, and the site has both the space and infrastructure to support additional capacity without any detrimental impact on other schools in the locality. The Council has already carried out some maintenance work on the interior and exterior of the building to ensure that it is capable of meeting the full demands of the school curriculum with an increased pupil population.

The report therefore recommends increasing the capacity of the school from 210 to 315 pupil places, therefore creating a 1.5 form entry school. There is now a requirement to move to the formal consultation stage of the statutory consultation process.

Proposal **To move to a period of formal consultation on a school reorganisation proposal to increase the capacity of Millbrook Primary School from 210 to 315, therefore creating a permanent 1.5 form entry school from September 2018**

Action by Chief Education Officer

Timetable Immediate

This report was prepared after consultation with:

- Strategic Director - People
- Deputy Chief Education Officer
- Senior HR Business Partner
- Senior Finance Business Partner
- Schools Resources Manager
- Headteacher, Millbrook Primary School
- Chair of Governors, Millbrook Primary School

Signed

Background

There is a significant demand for primary school places across the City, and therefore the Council is constantly looking at ways in which the school estate can be maximized to its full potential. This is particularly pertinent in respect of Foundation Phase year groups where the pupil cohort is increasing each academic year.

To support this, Council officers undertook a feasibility study of the Millbrook Primary School site, in conjunction with the Headteacher and Governing Body, to identify options available for the site. This appraisal exercise identified the potential for increasing the capacity of the school, and therefore raising the published admission number across all year groups.

In taking forward any school reorganisation proposal, the Council must ensure that there will be no detrimental impact on any other school in the locality. It is considered that this could be the case if the higher published admission number was applied immediately across all year groups as there could be the potential for large-scale migration of pupils from other schools, therefore destabilising school budgets and staffing arrangements.

A more sensible and logical approach would be to apply the increased published admission number only to the Reception year group during the phase transfer process in September each year. This would enable the size of the school to increase incrementally over a seven year period and thus would reduce any detrimental effect on any other schools.

The demand for Reception places in the area is such that the increased published admission number of 45 has already been applied informally under “bubble class” arrangements for the September 2016 and September 2017 intakes into this year group.

This consultation therefore proposes to formalise this arrangement by admitting 45 children to the Reception group each academic year until September 2022 at which point the higher published admission number will be applied across all year groups from Reception to Year Six.

The following sections describe the Human Resources issues leading into the Quality and Learning aspects of reorganisation, including the benefits of amalgamation. The school organisation section references the current premises and school arrangements with a view on the current and proposed new Published Admission Number.

Human Resources Issues

There would be staffing implications for Millbrook Primary School as a result of this proposal, in terms of appointing the staff required to support the additional classes. These additional staff would not be required immediately however due to the fact that the proposal will be implemented incrementally over a seven-year period.

Quality & Learning

Standards:

This proposal will have a positive impact on the provision of school places and the quality of educational outcomes in the area. The school is already well-equipped to deliver a full curriculum across both the Foundation Phase and Key Stage 2, and increasing the number of places across the school will not have any detrimental impact on this. The perceived benefits of the proposal are outlined as follows:

- **Increased number of primary school places** – This would assist in meeting the current primary place challenge by injecting more school places in an area of high parental demand;
- **Better transition from nursery into statutory school education** – The increased availability of statutory school age places should reduce the possibility of displacing children attending the nursery class thus aiding transition;

- **Reduced travel time and costs** – Increasing the capacity of the school should ensure that more children can attend their local school thus reducing unnecessary travel times and associated home to school transport costs;
- **More effective use of resources** – There will be benefits in terms of a more effective approach to resource management;
- **Greater breadth of staff experience** – Recent curriculum developments have led to an increase in the number and range of specialist tasks to be done in schools. The sharing of these tasks and the availability of a wider range of experience would help to enhance the education of the children;
- **An increased opportunity for staff development** – A wide range of teaching and learning expertise is needed in a primary school with mixed-age classes. The skills and knowledge of teaching staff would be extended. This would benefit the children and would also support the recruitment and induction of new staff and the retention of experienced colleagues;
- **Budget and staffing flexibility** – The Headteacher and Governing Body of the school would gain more flexibility in responding to the needs of the school through having an increased budget to help to reduce the impact of fluctuations in pupil numbers across the whole age-range.

School Organisation

Millbrook Primary School was established in September 2007 following the amalgamation of the former Millbrook Infant School and Millbrook Junior School. The original schools operated in separate school buildings on the same site, each school having its own dedicated hall, with a single kitchen shared to serve all pupils. The school was established as a one-form entry school for pupils aged between 4 and 11 years in accordance with the pupil forecasting data available at that point in time. This represented a reduction in capacity compared with the previous Infant and Junior schools, and led to a number of rooms being declared as surplus to requirements. As a result, the governing body entered into short-term rental agreements with various internal teams and external agencies, including amongst others the Key Stage 2 Pupil Referral Unit and Flying Start. In September 2014, and as part of the Council's Nursery Reorganisation Programme, the age range of the school was extended from 4-11 to 3-11. A nursery class was therefore established with provision for 32 part-time places delivered over either a morning or afternoon session.

Under these current arrangements, the school has capacity for 210 pupils of statutory school age. Increasing the capacity to 315 requires a total of four classrooms to be brought back in to use and can be managed by ending some rental agreements and developing these areas back into suitable and effective learning environments. This will not however have any effect on either the Key Stage 2 Pupil Referral Unit or the Flying Start provision, both of which are able to continue to operate successfully from the site. This increased published admission number will build capacity for primary school places in the cluster and will support inward migration, housing developments and the increasing pupil numbers predicted for the city. In addition, there will be benefits in terms of transition from nursery into statutory school provision, since increasing the number of pupils able to enter Reception will reduce the possibility of children from the nursery class being displaced.

School Reorganisation Process & Timelines

All school reorganisation proposals are taken forward through a statutory consultation process in accordance with the Welsh Government School Organisation Code. This entails the following steps and approximate timescales:

- Cabinet Member decision to move to Formal Consultation - June 2017
- Formal Consultation period (42 days) - September – October 2017
- Cabinet Member decision to move to Statutory Notice - October 2017
- Statutory Notice publication (28 days) - November 2017

- Final decision - January 2018
- Implementation of the proposal - September 2018

Governance Issues

There will be no changes to school governance arrangements as a result of this proposal. The governing body will continue in its current form.

Financial Summary

There is no capital funding associated with this proposal, although some maintenance works have already been carried out on the site to improve existing facilities in terms of previously unused classrooms to ensure their suitability and appropriateness for delivery of the national curriculum across all year groups.

The provision of additional school places may affect the current pupil demographics across the City but should not increase the number of pupils within the primary cohort. There may however be savings in terms of home to school transport, as increasing the number of school places available could reduce the number of children who require free transport assistance to their next nearest available school. These savings, if they arise, cannot be quantified at the present time.

Risks

Risk	Impact of Risk if it occurs* (H/M/L)	Probability of risk occurring (H/M/L)	What is the Council doing or what has it done to avoid the risk or reduce its effect	Who is responsible for dealing with the risk?
That the increased places might not be filled immediately meaning that spaces exist in the year group	L	L	The Local Authority will work closely with the school to share information on parental preference. Any remaining spaces will be available to support in-year transfer requests however and therefore it is likely that the year group would become fully subscribed during the course of an academic year.	Chief Education Officer
That there may be reduced demand for other local schools in the short-term	L	L	The school place projections indicate that demand for places in the area is likely to rise over the next five years. In addition, applying the increase on an incremental basis should go some way to protecting against any long-term detrimental effect	Chief Education Officer

* Taking account of proposed mitigation measures

Links to Council Policies and Priorities

Wellbeing of Future Generations (Wales) Act 2015
 Council Improvement Plan
 Education Service Plan

Options Available

Option 1: To retain the current published admission number of 30, albeit with two bubble classes of 45 for the Reception year groups of 2016 and 2017

Option 2: To increase the capacity of the school from 210 to 315, resulting in an increased published admission number of 45, applied immediately across all year groups.

Option 3: To increase the capacity of the school from 210 to 315, resulting in an increased published admission number of 45, applied incrementally solely for admission to the Reception year group at the start of each academic year.

Preferred Option and Why

The preferred option is Option 3. This will result in the revised published admission number being fully operational across all year groups by September 2022, would not have a detrimental effect on other schools and can be effectively managed and planned by the Headteacher and governing body.

Comments of Chief Financial Officer

There are no financial implications of moving to formal consultation.

At the present time the school is being funded for the additional numbers already within the school, and will continue to be funded for the growth in additional numbers each year through the ISB, whether the value of the ISB grows or not. The school will receive additional funding through the funding formula, and the level of additional funding provided to the school to cater for the additional numbers is wholly dependent upon any additional funding being passed into the ISB as part of the budget setting process, and any other factors affecting schools from that process.

The additional pupil number growth within the Primary sector is included along with the financial consequences in the Councils medium term financial plan (MTFP) for consideration by the Council each year. The increased numbers within the school are captured as part of the pupil counts undertaken each year to support funding etc.

Further reports will be brought to the Cabinet Member as the process continues.

Comments of Monitoring Officer

Local authorities must ensure that there are sufficient schools providing primary and secondary education for their area and when considering increases there must be evidence of current or future demand for additional places. The Code on School Reorganisation (006/2013) which was made under Sections 38 and 39 of the School Standards and Organisation (Wales) Act 2013 sets out the requirements and contains statutory guidance in relation to school reorganisation proposals. Proposals have to be published but prior to this there must be consultation which must contain sufficient reasons and information for the particular proposal to enable intelligent consideration and response and local authorities must ensure that the product of consultation is conscientiously taken into account when the ultimate decision is taken. The proposal to consult is in accordance with the Code and is within the Council's statutory powers in relation to school reorganisation.

Comments of Head of People and Business Change

As required this proposal has considered all five aspects of the sustainable development principle of the Well-being of Future Generations (Wales) Act. In addition a Fairness and Equality Impact Assessments (FEIA) has been completed. This assessment will need to be reviewed and updated in light of the responses from the formal consultation process and at each stage of the decision making process.

From a HR perspective, there will be a requirement to recruit additional employees incrementally over a seven-year period, as a result of this proposal. There may also be a requirement for the Governing Body to review the pay ranges of members of the school leadership team, in line with policies and procedures.

Local issues

Councillor J Cleverly, on behalf of Newport Independent Members for Bettws Ward:

The plan to expand Millbrook School is supported by us as there is a big demand and increase in the coming years, due to new housing estates being built in Bettws, and Bettws Councillor's believe in the philosophy of Local Schools for Local Children.

Councillor J Watkins, on behalf of the Conservative Group:

This proposal if implemented is a far cry from Best Practice. Children on entry to school at Reception level need a great deal of support and nurturing. Their abilities at that stage are far from clear and their time in Reception is when they can be properly monitored and assessed with a view to development. Pushing some into the year 1 setting before they are ready is as stated not best practice and can result in stress for the children already sometimes very vulnerable on entering school. Teaching mixed age classes also may impact on the teaching and learning from both the Teacher and Pupils perspective resulting in underachievement and rising stress. I would ask what is the capacity at Monnow School? Increasing form entry numbers there would provide for a much better solution.

Response from Cabinet Member for Education & Skills:

The proposal to move to 1.5 form entry means that the school would increase from the current 7 class arrangement to an 11 class arrangement. Traditionally where this model is employed, schools operate two small Reception classes of 22/23 pupils, with mixed-age arrangements starting in Year 1 / Year 2. This ensures that the very youngest pupils are given appropriate support when first starting mainstream school. Mixed age classes are currently operated successfully across a number of Newport schools, the majority of which have been categorised as either Green or Yellow schools. Monnow Primary School currently has capacity for 364 pupils of statutory school age, equivalent to a PAN of 52 across all year groups. The school capacity was recently re-assessed as part of a City-wide exercise undertaken by Newport Norse. This identified some additional capacity due to a change in use of rooms, and this higher figure of 420 (equivalent to a PAN of 60) will be applied across all year groups from September 2017. The increased capacity at both schools will assist in meeting the primary place challenge across Newport.

Scrutiny Committees

None

Equalities Impact Assessment

The Equality Act 2010 contains a Public Sector Equality Duty which came into force on 06 April 2011. The Act identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership. The new single duty aims to integrate consideration of equality and good relations into the regular business of public authorities. Compliance with the duty is a legal obligation and is intended to result in better informed decision-making and policy development and services that are more effective for users. In exercising its functions, the Council must have due regard to the need to: eliminate unlawful discrimination, harassment, victimisation and other conduct that is prohibited by the Act; advance equality of opportunity between persons who share a protected characteristic and those who do not; and foster good relations between persons who share a protected characteristic and those who do not. The Act is not overly prescriptive about the approach a public authority should take to ensure due regard, although it does set out that due regard to advancing equality involves: removing or minimising disadvantages suffered by people due to their protected characteristics; taking steps to meet the needs of people from protected groups where these differ from the need of other people; and encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

A Fairness & Equality Impact Assessment (FEIA) has been developed to support the decision making of this stage of the proposal. If the proposal is taken forward the FEIA will be updated at each decision stage and published on the web site.

Children and Families (Wales) Measure

Children and Young People will be consulted as part of the statutory consultation process.

Wellbeing of Future Generations (Wales) Act 2015

Report writers need to indicate how they have considered the five things public bodies need to think about to show they have applied the sustainable development principle put into place by the Act. You will need to demonstrate you have considered the following:

- Long term: the importance of balancing short- term needs with the need to safeguard the ability to also meet long – term needs **by ensuring the long-term sufficiency of school places in an area of high parental demand.**
- Prevention: How acting to prevent problems occurring or getting worse may help us meet our objectives **increasing the number of primary school places available supports the Council’s vision for “the right school in the right place” and the philosophy of “local schools for local children”.**
- Integration: Consider how the proposals will impact on our wellbeing objectives, our wellbeing goals, other objectives or those of other public bodies **a formal statutory consultation will be carried out and supported at each stage by a FEIA to consider impact. This proposal supports the “A prosperous Wales”, “A more equal Wales” and “A Wales of cohesive communities” Well-being Goals and has no adverse effect on any of the other Well-being Goals. In addition this proposal supports the Newport City Council Well-being Objective “To improve skills, educational outcomes and employment opportunities”.**
- Collaboration: have you considered how acting in collaboration with any other person or any other part of our organisation could help meet our wellbeing objectives **a formal statutory consultation will be carried out with the opportunity for engagement with all stakeholders and supported at each stage by a FEIA to consider impact.**
- Involvement: The importance of involving people with an interest in achieving the wellbeing goals, and ensuring that those people reflect the diversity of the City we serve **a formal statutory consultation will be carried out with the opportunity for engagement with all stakeholders and supported at each stage by a FEIA to consider impact.**

Crime and Disorder Act 1998

Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.

Consultation

None at this stage but this will be facilitated with key stakeholders as part of the school reorganisation proposal.

Background Papers

None

Dated: 29 June 2017

Fairness and Equalities Impact Assessments F&EIAs (2015)

This form presents evidence that equalities, Welsh language and fairness have been considered when taking policy and service delivery decisions in Newport City Council.

Our Equalities focus is taken from the Equalities Act 2010: we consider the nine protected equalities characteristics- age, gender reassignment, disability, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex, sexual orientation.

Under the General Equality Duty we have a duty to:

- Eliminate unlawful discrimination, harassment and victimisation
- Advance equality of opportunity and
- Foster good relations

across the nine protected characteristics.

Under the Welsh Language Measure 2011 the Welsh language cannot be treated any less favourably than the English language

In Newport we focus on Fairness through the following themes: Health, Poverty, Skills and Work, Domestic Abuse and Tackling Area Based Deprivation.

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Service Area	Head of Service	Person responsible for the Assessment	Date of Assessment
Education	James Harris	Deborah Weston	May 2017

1. What is the policy/ service being assessed?

To request permission to move to formal consultation on a school reorganisation proposal to increase the capacity of Millbrook Primary School from 210 to 315, therefore creating a permanent 1.5 form entry school from September 2018

2. What is the purpose of the policy/ service change?

To increase the number of primary school places available at Millbrook Primary School.

3. Protected Characteristics

Protected Characteristic	Who are the customers/service users/ potential service users?	If we take this decision what is the potential impact? The impact may be either positive or negative Explain how people may be affected and give the evidence for this	Action Plan to address issues raised What changes or practical measures would reduce adverse impact on particular groups. What changes would increase positive impacts e.g. improve access or opportunity May be revisited post consultation	Who is responsible?	Timeframe to review
Page 37	Pupils of primary school age	The decision to move to formal consultation will enable the Council to seek the views of all stakeholders. The provision of additional primary school places will support parental choice and the provision of local schools for local children. This should not have any significant detrimental impact on other schools across the City.	A full programme of stakeholder engagement will support the formal consultation process. Following this a consultation report will be drafted and published to support whether or not the proposal should be taken forward. If approved, the proposal will be implemented on an incremental basis to reduce any impact on other schools, and to ensure that the increase in pupil numbers can be effectively managed by the governing body.	Chief Education Officer	July / August 2017
Gender reassignment	Not applicable				

<p>Disability</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 100</p>	<p>Pupils of primary school age who have a registered disability and their parents / carers</p>	<p>The decision to move to formal consultation will enable the Council to seek the views of all stakeholders. The provision of additional primary school places will support parental choice and the provision of local schools for local children. This should not have any significant detrimental impact on other schools across the City. The school is largely accessible and is capable of meeting all aspects of the mainstream school curriculum.</p>	<p>A full programme of stakeholder engagement will support the formal consultation process. Following this a consultation report will be drafted and published to support whether or not the proposal should be taken forward. If approved, the proposal will be implemented on an incremental basis to reduce any impact on other schools, and to ensure that the increase in pupil numbers can be effectively managed by the governing body.</p>	<p>Chief Education Officer</p>	<p>July / August 2017</p>
<p>Marriage/Civil Partnership</p>	<p>Not applicable</p>				
<p>Pregnancy and Maternity</p>	<p>Not applicable</p>				
<p>Race</p>	<p>Pupils of primary school age and their parents / carers</p>	<p>The decision to move to formal consultation will enable the Council to seek the views of all stakeholders. The provision of additional primary school places will support parental choice and the provision of local schools for local children. This should not have any significant detrimental impact on other schools</p>	<p>A full programme of stakeholder engagement will support the formal consultation process. Following this a consultation report will be drafted and published to support whether or not the proposal should be taken forward. If approved, the proposal will be implemented on an incremental basis to reduce any impact on other schools, and to ensure that the increase in pupil numbers can be effectively managed by the governing body.</p>	<p>Chief Education Officer</p>	<p>July / August 2017</p>

		across the City.			
Religion/belief (or the absence of)	Not applicable				
Sex	Pupils of primary school age and their parents / carers	The decision to move to formal consultation will enable the Council to seek the views of all stakeholders. The provision of additional primary school places will support parental choice and the provision of local schools for local children. This should not have any significant detrimental impact on other schools across the City.	A full programme of stakeholder engagement will support the formal consultation process. Following this a consultation report will be drafted and published to support whether or not the proposal should be taken forward. If approved, the proposal will be implemented on an incremental basis to reduce any impact on other schools, and to ensure that the increase in pupil numbers can be effectively managed by the governing body.	Chief Education Officer	July / August 2017
Sexual Orientation	Not applicable				
Welsh language	Not applicable. The proposal concerns English language provision				

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4. Who has the service consulted regarding the proposed change? When should new consultation take place?

NB: It is essential that service users and other interested parties are involved in the planning process at the earliest opportunity. Consultation at an initial stage should be along broad themes. It is appropriate to ask what services are valued, how services could be changed and or what could be done differently. This feedback should then inform your business case proposals and the F&EIA. When specific proposals have been drawn up, they too will need to be consulted upon. All stakeholders and their views need to be represented.

The proposed change has been discussed with the Headteacher and Governing Body of Millbrook Primary School. Notwithstanding this however, the school reorganisation proposal will now be subject to formal consultation with key stakeholders as defined in the WG School

Organisation Code.

5. What evidence/ data has been used to complete this F&EIA (This will include local and national guidance)

A formal consultation document has been drafted. A formal consultation process will be carried out in accordance with the School Standards and Organisation (Wales) Act 2013, and the statutory School Organisation Code 2013.

6. How will the relevant groups be advised of the changes and the F&EIA?

Formal statutory consultation process with stakeholders as outlined in the statutory School Organisation Code 2013.

7 How will the policy/ practice make Newport more or less fair in relation to:

- Health Inequalities
- Child Poverty
- Skills and Work
- Tackling Domestic Violence
- Alcohol and Substance misuse
- Homelessness
- Armed Forces Veterans

The provision of additional primary school places in an area of high demand will support the School Admissions Policy within which all applicants are treated fairly and equitably.

8. How will the service / policy affect local areas of the city?

Will it have a positive or negative impact in terms of fairness and addressing local area deprivation (you will need to use spatial data available through the Newport Profile and specific Ward Profiles to address this question)?

The proposed change will primarily impact on the Bettws area of the City, However applications for admission to the school can be made in respect of children living across the whole of the City.

9. In summary, how does the changed service /policy promote good community relations (cohesion)?

Making additional school places available means that more pupils can be accommodated in schools which are located as close as possible to their homes.

10. In summary, how does the changed service /policy promote equality?

The School Admissions Policy supports a fair and equitable system for the allocation of school places.

11. In summary, how does the changed service /policy eliminate discrimination?

The School Admissions Policy supports a fair and equitable system for the allocation of school places.

Completed by:

Date: May 2017

Deborah Weston

Signed off by: James Harris: Chief Education Officer

Date: May 2017

James Harris

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