

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:

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|--|---|--------------------------|
| • 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.

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?	<p>The impact may be either positive or negative</p> <p>Explain how people may be affected and give the evidence for this</p>	<p>What changes or practical measures would reduce adverse impact on particular groups.</p> <p>What changes would increase positive impacts e.g. improve access or opportunity</p> <p>May be revisited post consultation</p>		
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
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				
Race	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)?

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