

# **Rhondda Cynon Taf County Borough Council**

## **Education and Lifelong Learning Directorate**



### **Proposed Realignment of Learning Support Classes October 2014**

#### **Introduction**

The purpose of this report is to provide relevant information as to why a realignment of Learning Support Classes is being proposed in Rhondda Cynon Taf (RCT). On the 18<sup>th</sup> November 2013 Cabinet considered a report on the Proposed Realignment of Learning Support Classes (LSCs) for Pupils with Special Educational Needs. Approval was given by Cabinet for the proposals to be consulted on, in accordance with the new School Organisation Code 2013. Following the consultation period and Cabinet approval, years 1 and 2 of the 3 year realignment plan were implemented from August 2014 with some minor adjustments.

This document provides an outline of progress achieved during years 1 and 2 of the plan, and year 3 proposals across a range of mainstream settings within RCT. This is the final phase of the realignment plan. Consultation reports for each individual school are attached, so that relevant information can be taken into consideration as part of the consultation process. Proposals include the opening of one LSC in Pontypridd High School and the closure of 3 LSCs in Aberdare Park Primary, Capcoch Primary and Perthcelyn Primary.

There will be an opportunity for all affected parties to contribute their views on the proposals outlined in the individual consultation reports. This will include governors, parents, carers, and staff of all relevant schools that may be losing or gaining a provision. Other interested parties will also be included in the consultation process.

The consultation will commence on the 10<sup>th</sup> of November 2014 and close on 5<sup>th</sup> January 2015. A report on the outcome of this consultation will be submitted to the Council's Cabinet for consideration and they will consider, based on the feedback, whether to proceed with the proposal, make changes to the proposal or not proceed with the proposal. Further details relating to the consultation process are provided in the each school's consultation proposal.

#### **Who will we consult with?**

We are seeking the views of the following stakeholders:

- The Governing Bodies of all schools affected
- Pupils of affected schools
- Parents, carers, guardians, and staff members of affected schools
- Other governing bodies of neighbouring primary schools
- Members of Parliament for Rhondda Cynon Taf
- Estyn
- Teaching and staff trade unions
- Central South Education Consortium
- South East Wales Transport

- The Church in Wales and Roman Catholic Diocesan Authorities
- Welsh Minister for Education & Skills
- Assembly Members for Rhondda Cynon Taf and regional Assembly Members for the area
- Association
- South Wales Police and Crime Commissioner
- The local Communities First Partnership
- Cwm Taf Local Health Board
- The Early Years and Childcare Partnership (Fframwaith)

## Background to the Proposal

The Special Educational Needs (SEN) Code of Practice for Wales 2002 provides detailed guidance on the duties and responsibilities of Local Authorities in meeting the SEN of children and young people. Children and young people have SEN if they have a learning difficulty which calls for special educational provision to be made for them. A learning difficulty is evident when children and young people have:

- significantly greater difficulty in learning than the majority of children and young people of the same age; or
- a disability which prevents or hinders them from making use of educational facilities of a kind generally provided for children and young people of the same age in schools within the area of the locality.

The Code of Practice recommends that early years and school settings adopt a graduated response to meeting SEN. A graduated response means that progressively greater expertise and support can be brought in to address the difficulties a child or young person may be experiencing. This additional or different support can be provided through School/Early Years Action, School/Early Years Action Plus or a Statement of SEN depending on the severity of the child/young person's level of need.

For those children and young people with significant SEN in mainstream schools, a further application for funding can be made. Requests for Additional Needs Funding (ANF) to school clusters can be made so as to enhance the support already provided by schools at Early Years Action Plus or School Action Plus. For those pupils who have very significant needs, more specialist placements are required and this might result in a placement in one of our many Learning Support Classes (LSCs), Pupil Referral Units or Special Schools. These placements are agreed by Access and Inclusion Service panels.

Rhondda Cynon Taf has an excellent range of SEN provisions attached to mainstream schools which can be accessed without a Statement of SEN. Data analysis exercises undertaken in 2012/13 suggested that there were some gaps in existing provision and this informed the detailed Cabinet proposal and the 3 year realignment plan that was considered in November 2013. The plan included proposals to enable the Local Authority (LA) to:

- further develop Key Stage 3/4 provision. The level of primary phase provision was high and was not matched by appropriate provision at secondary level. Proposals included changes which would address this imbalance thus enabling pupils who had been successfully placed in mainstream LSC contexts at primary level to transition into mainstream secondary LSC settings as opposed to special school settings and/or mainstream classes with support
- expand Autistic Spectrum/Communication Disorder provisions to address the growth in demand across all phases/key stages

- develop early years provision so that capacity for observation and assessment placements could be enhanced. This would also help to improve the appropriate assessment of primary needs and possible placements, and/or individualised intervention programmes and packages of support in mainstream settings thus diminishing the risk of inappropriate specialist placements
- reduce the level of provision for pupils with hearing impairments to reflect the decrease in demand for specialist placements and the success of more inclusive approaches for this area of SEN
- rationalise specialist provisions for speech and language difficulties due to reduced demand for placements and the progress made in whole school approaches to meeting needs and the success of speech link and language link interventions in schools.

Following Cabinet approval in November 2013, formal consultation was undertaken on year 1 and year 2 proposals with the findings reported back to Cabinet on 19<sup>th</sup> February 2014. Approval to proceed to statutory notices was provided and these were subsequently issued on the 3<sup>rd</sup> March 2014 in order to

- close LSCs in:
  - i. Capcoch Primary (Primary Provision – LSC for Hearing Impairment) on the 31<sup>st</sup> of August 2014
  - ii. Tonypandy Primary (Key Stage 2 – LSC for Autistic Spectrum Disorder) \* on the 31<sup>st</sup> of August 2014
  - iii. Tonypandy Primary (Primary Provision – LSC for Hearing Impairment) \* on the 31<sup>st</sup> of August 2014
  - iv. Alaw Primary (Foundation Phase – LSC for Complex Learning Difficulties) x 2 classes \* on the 31<sup>st</sup> of August 2014
  - v. Llantrisant Primary (Foundation Phase – LSC for Complex Learning Difficulties) on the 31<sup>st</sup> of August 2015
  - vi. Parclewis Primary (Foundation Phase – LSC for Complex Learning Difficulties) on the 31<sup>st</sup> of August 2015
  - vii. Tonysguboriau Primary (Key Stage 2 – LSC for Complex Learning Difficulties) on the 31<sup>st</sup> of August 2015
  - viii. Tonypandy Community College (Key Stage 3/4 – LSC for Hearing Impairment) \* of August 2014

*\* Please note that these provisions had no children attending (with the exception of 1 class in Alaw Primary)*

- open new provisions in:
  - ix. Ferndale Comprehensive (Key Stage 3/4 - LSC for Complex Learning Difficulties) on the 1<sup>st</sup> of September 2014
  - x. Tonyrefail Comprehensive (Key Stage 3/4 – LSC for Complex Learning Difficulties) on the 1<sup>st</sup> of September 2014
  - xi. Aberdare Community School (Key Stage 3/4 – LSC for Communication Disorders) on the 1<sup>st</sup> of September 2014
- re-designate and change the nature of existing provisions in:
  - xii. Oaklands Primary (Foundation Phase Complex Learning Difficulties LSC to become Foundation Phase LSC for Communication Disorder) on the 1<sup>st</sup> of September 2014
  - xiii. Llantrisant Primary (Foundation Phase Complex Learning Difficulties LSC to become an Assessment and Observation Class) on the 31<sup>st</sup> of August 2014

- xiv. Maesybryn Primary (Key Stage 2 Complex LSC to become Key Stage 2 Communication Disorder LSC) on the 1<sup>st</sup> of September 2014
  - xv. Gwaunmeisgyn Primary (Key Stage 2 Complex Learning Difficulties LSC to become Foundation Phase Complex Learning Difficulties LSC) on the 1<sup>st</sup> of September 2014
  - xvi. Penrhiwceiber Primary School (Foundation Phase Complex Learning Difficulties LSC to Foundation Phase Observation and Assessment Class) on the 1<sup>st</sup> of September 2014
- Relocate the following provision in:
- xvii. Parclewis Primary School (Foundation Phase Complex Learning Difficulties LSC) to Heol Y Celyn Primary School on the 1<sup>st</sup> of September 2015.

Cabinet was advised of the response to the statutory notices and further approval provided on the 8<sup>th</sup> April 2014 to proceed. Statutory notices have since been implemented with effect from either 31<sup>st</sup> August 2014, 1<sup>st</sup> September 2014 or will be implemented on 1<sup>st</sup> September 2015. These actions conclude years 1 and 2 of the realignment plans.

The changes detailed above have been implemented with minimal impact on pupils, with only 2 pupils being required to change their placement one year earlier than usual. There has been no impact on staff contracts as all staff are now employed within other LSC settings. The changes have also provided redeployment opportunities for 3 members of Local Authority/school staff who were facing redundancy from their previous roles.

### **What is the basis for this proposal?**

As outlined, the realignment proposals were incorporated into a three year plan. As both years 1 and 2 are now either completed or underway, it is now necessary to consult with stakeholders on year 3 of the plan. Four schools now need to be consulted on to finalise the realignment plan and to ensure that LSC provision in RCT adequately addresses learner needs and is fit for purpose. The changes will improve the quality and range of special educational provision within RCT.

### **What are the proposed changes?**

The sustainability of the changes already implemented during years 1 and 2 are reliant on the successful implementation of year 3 of the realignment plan. Year 3 proposals to be implemented during 2015/16 includes the:

- closure of the following LSCs:
  - i. Aberdare Park Primary (Foundation Phase Complex Learning Difficulties) on the 31<sup>st</sup> of August 2015
  - ii. Perthcelyn Primary (Key Stage 2 Complex Learning Difficulties) on the 31<sup>st</sup> of August 2016
  - iii. Capcoch Primary (Primary Provision Speech and Language Difficulties) on the 31<sup>st</sup> of August 2015
- opening of the following LSC provision:
  - iv. Pontypridd High School (Key Stage 3/4 LSC for Social, Emotional & Behavioural Difficulties) on the 1<sup>st</sup> of September 2015

## What do the proposals mean in practice for the schools in question?

Individual consultation documents detail the specific considerations for each school so that all affected parties will be able to make informed judgments in relation to the proposals. Three settings will lose their existing LSCs and Pontypridd High School will have a new LSC established. These changes will enable the LA to fully implement and complete the 3 year realignment plan. If the proposals are agreed, the changes will be implemented from the 31<sup>st</sup> of August 2015, with the exception of the Perthcelyn Primary proposal will be implemented from the 31st of August 2016.

The number of learners and staff affected will be very small and this will not impact adversely on the numbers on roll or the quality of outcomes in the provision.

## What is the educational case for the proposals?

The 3 year plan has been devised to improve the quality of SEN specialist provision in RCT and to ensure that there is sufficient capacity to meet need. Table 1 clearly highlights that there is surplus capacity within all 3 of the LSCs which are proposed for closure.

**Table 1: LSC Placements**

| <b>School Name/LSC</b>   | <b>Maximum Number of placements available</b> | <b>Current Placements Utilised</b> | <b>Placements as at proposed date of closure</b> | <b>% of surplus placements as at closure</b> |
|--|---|------------------------------------|--|--|
| Aberdare Park Primary (Foundation Phase Complex Learning Difficulties) | 8   | 3                                  | 2  | 75%  |
| Perthcelyn Primary (Key Stage 2 Complex Learning Difficulties)         | 10  | 7                                  | 4  | 60%  |
| Capcoch Primary (Primary Provision Speech and Language Difficulties)   | 8   | 4                                  | 2  | 75%  |

Within the current financial climate there is a need to ensure that our resources are used as efficiently and effectively as possible. The 3 year plan ensures that any savings from closures are redirected into the further development of SEN provision in areas of identified need.

At the Cabinet meeting on 19<sup>th</sup> February 2014 when formal consultation outcomes were considered, it was agreed to not issue a statutory notice on Capcoch Primary Speech and Language Difficulties LSC but to maintain the provision and assess future demand. Table 1 evidences that the Capcoch Primary LSC continues to be under-utilised, and its future should now be reconsidered.

A recent evaluation and audit of Additional Needs Funding (ANF) highlighted that 23.9% of funds were allocated to support the mainstream inclusion of pupils with a primary need of social, emotional and behavioural difficulties (SEBD). This highlights the growing need to support pupils with SEBD and to ensure that provision is available throughout both the primary and secondary phases. The proposed development of the Key Stage 3/4 provision in Pontypridd High School will ensure that pupils who cannot cope in mainstream settings will access more specialist provision thus ensuring a better match of provision to pupil need and a possible reduction in incidents of exclusions in mainstream settings.

All the children and young people in RCT will ultimately gain and benefit from the proposals. Whilst the quality of SEN provision in Rhondda Cynon Taf is good, there is a need to modernise and improve the range of SEN provision available so as to further enhance outcomes for pupils with significant SEN and opportunities for mainstream inclusion. By ensuring that our provisions are better matched to the needs of learners we will provide some of our most vulnerable learners with the best possible chance of achieving success. Enhanced access to highly specialist staff with expertise in key areas of SEN in supportive, well resourced and appropriate learning environments will only help overcome a range of potential barriers to learning, including health, safety and welfare issues. The plan is a 3 year plan and the successful implementation of the last and final phase of the plan is essential in ensuring the long term viability and sustainability of the changes implemented to date in years 1 and 2 of the realignment plan. The benefits of successfully completing the final phase of the realignment plan cannot be seen in isolation and have to be viewed within the context of all other changes implemented to date. The benefits of the 3 year plan includes:

- **Increased opportunities for inclusion** - If the proposals are agreed there will be enhanced opportunities for effectively meeting the needs of learners in their local communities. Placements in LSCs will provide a secure and supportive base for addressing a child or young person's SEN, alongside opportunities for mainstream inclusion. If there is a better match between learners' SEN and the specialist LSCs attended then outcomes and mainstream inclusion opportunities will be improved. Enhanced opportunities for placing learners with SEN in more local community based provisions will only seek to enhance inclusion and a sense of belonging to local communities.
- **A positive impact on other SEN provision within the immediate and wider local authority area** - The changes suggested will ensure that inappropriate placements will diminish as there will be enhanced opportunities for ongoing assessments and accurate identification of SEN in the early years. In addition, there will be increased Autistic Spectrum Disorder and Communication Disorder provision to address the increasing demand for placements of this nature. There will be enhanced opportunities for pupils who have coped well in Key Stage 2 LSC placements for Complex Learning Difficulties to transition into similar provision at Key Stage 3. The absence of appropriate Key Stage 3/4 placements for Complex Learning Difficulties has in the past resulted in requests for special school placements when perhaps a LSC would have been more appropriate. By developing Key Stage 3/4 provision in mainstream settings special school placements can now be retained for pupils with more significant needs. This change will not have a detrimental impact on the numbers of placements within special schools as there are increasing numbers of pupils with complex health and medical needs who require placements in these settings. By developing provision that addresses growing areas of SEN in RCT the demand for out of county placements and more costly placements will diminish.
- **The proposals address the growth in particular types of SEN provision in the area** - The changes proposed address all the issues identified from the data audit. Namely, the need for increased ASD/CD placements, Key Stage 3/4 provisions; and early years observation and assessment classes. The plan for remodelling LSC provision in RCT will ensure that we have a more balanced and diverse range of provisions within the Council.
- **Surplus SEN provision will be rationalised** - Growth in certain areas of SEN is such that there is currently an imbalance in provision. We have surplus specialist primary provision which needs to be addressed as part of the plan to enable us to develop provisions in areas of growing need. By making the suggested adjustments, specialist LSC provision within RCT will be more 'fit for purpose'.
- **Improved learning provisions which provide better value for money** - By eradicating surplus places and closing provisions which do not meet the areas of need the LA is able to re-

direct funding to address priority areas. Data analysis has identified key areas for development and re-investment. These proposals are not intended to be a cost cutting exercise as any potential savings will be re-invested to develop specialist provisions for pupils with SEN.

- **Positive impact on other services provided for pupils with disabilities and/or SEN** - The changes suggested will have a positive impact on the Access and Inclusion Service and schools as it will mean that more pupils will be placed in the right setting for their needs; inappropriate requests for special school placements will diminish; placements or packages of support in mainstream settings will be better informed and matched to pupil need in the early years. There will also be a positive impact for parents as the lack of available provision in key areas of SEN is a current source of parental concern and anxiety. It is anticipated that if the range of provisions are more appropriate to needs there will be a decrease in requests for statutory assessments due greater parental/carers satisfaction. A reduction in statutory assessment work will create more enhanced opportunities for Access and Inclusion Service staff to engage in early intervention work.

### **What is the likely impact of the proposals on school pupils?**

The final phase of the plan will ensure that all changes undertaken as part of the 3 year plan are sustained in the longer term. These planned improvements in SEN provision will have significant benefits for pupils with SEN in RCT. These include

- Enhanced availability of specialist placements for pupils with specific SEN in their local communities thus enhancing inclusion and a sense of belonging to the local community.
- Reduced travel time to specialist provisions due to more localised provision.
- Improved educational outcomes and pupil engagement due to a better match between pupils' primary needs and provision.
- Children with complex and diverse needs in the early years will be able to have their needs assessed over time which will inform what provision is required to best meet needs.
- A reduction in the number of pupils placed in settings which are not appropriate to their primary needs.
- A reduction in inappropriate requests for special school and out of county placements as the provision within RCT will be better matched to growing areas of need.

Due to surplus capacity with the settings, the proposals impact on a very small number of pupils. In the event of provision closure, future pupil and placement needs will be discussed with the child/young person, the family, school staff and external agencies. Should a further specialist placement be needed this would be provided in the nearest available specialist setting and support provide to successfully transition into the placement. The impact on families would be minimal as the vast majority of pupils requiring specialist placement meet criteria for receiving home to school transport.

### **What will be the likely impact of the proposals on staff?**

Every attempt will be made to redeploy staff during the implementation of the plan. The implementation of the first two phases of the realignment process has resulted in the successful redeployment of staff. The LA will continue to require a highly skilled and experienced workforce and will seek to redeploy staff where possible. Training will be provided where needed to ensure that staff are appropriately equipped to manage and meet pupil needs.

### **What will be the likely impact of the proposals on local communities?**

A community impact assessment and equality impact assessment has been completed for this proposal. These will be updated after the consultation has been completed to ensure that they include pertinent issues that have arisen and need to be taken into account. The community impact assessment and equality impact assessment will be presented to the Council's Cabinet in the report that sets out the consultation feedback received in respect of this proposal. The proposals do not have a negative impact on other schools and educational institutions in the area.

### **What are the financial implications of the proposals?**

The 3 year plan was calculated to generate annual savings of £27,367.28. Any savings will be re-invested into the development of SEN provision within RCT so as to improve outcomes and the life chances of some of our most vulnerable groups of learners.

### **What are the transport implications of the proposals?**

The proposals, if agreed, will provide more enhanced opportunities for meeting the needs of learners in their local communities. This should minimise and not enhance transportation costs. The Local Authority will however continue to provide transport in accordance with the Local Authority's Learner Travel Policy. We will always seek to place in the nearest available school and avoid excessive travel times where possible.

### **What are the disadvantages of the proposal?**

There is a clear risk that should Rhondda Cynon Taf not re-model its range of SEN provision, some pupils with significant SEN will not have their needs met. This final stage of the 3 year realignment plan is critical to the success of the proposals already implemented during year 1 and 2 of the implementation programme. The realignment plan will result in significant advantages for a wide range of vulnerable learners with additional learning needs. However, if not implemented this could result in:

- A reduction in mainstream inclusion opportunities due to insufficient LSC provision in key phases/stages.
- Poor educational outcomes due to a mis-match between primary needs and available provision.
- An increase in exclusion and poor attendance due to pupils' SEN not being met, disaffection and disengagement.
- Enhanced costs due to increased demands for more highly specialist placements than is required.
- An increase in demand for inappropriate requests for special school placements and potential overcrowding in these settings.
- An increase in requests for statutory assessments and SEN Tribunals due to parental/carers dissatisfaction with the LA.
- An increase in more costly heavily supported mainstream placements due to the lack of appropriate learning support class placements.

The disadvantages of the proposals could possibly include a change in schooling for a very small number of learners. However, this will be addressed through effective transition and good liaison to ensure continuity in learning and socialisation. Support would also be provided for the families to ensure that they are also given advice and guidance where needed.



### **What alternative options have been considered?**

Alternative options are minimal and have been discounted. These include

- Out of County Placements: securing places for pupils out of county when there are insufficient placements available within the County Borough has been considered but discounted due to cost implications. This does not provide good value for money and transporting pupils and young people out of county for extensive periods is not good practice. As a LA we are committed to developing local provision so that opportunities for maximising inclusion can be enhanced; access to local services maximised; and the carbon footprint reduced.
- Closing provisions and further delegating funding to schools for them to meet SEN requirements within mainstream schools. The LA annually delegates £2.7 million to schools to promote mainstream inclusion opportunities for SEN. Our data suggests that pupils make good progress in specialist provisions and feedback from parents, carers and schools clearly indicates the need to resource specialist provisions attached to mainstream schools.

The LAs most recent Estyn inspection reported that RCT's provision for SEN is good. It is hoped that by realigning specialist provisions to better address need that pupils with SEN in RCT will have access to excellent SEN provision in future.

### **What do you now have to consider?**

Individual proposals and consultation reports relating to specific schools are attached. A clear consultation process is outlined in the attached documents and views will be sought and considered in relation to each specific proposal.