



Rhondda Cynon Taf Council

Equality Impact Assessment Questionnaire

Learning Support Class Proposals

Equality Impact Assessment Questionnaire

Directorate: Education & Inclusion Services

Service Area: Access & Inclusion Service

Responsible Officer: Ceri Jones

Date: 20th September 2018

1. Name of policy/procedure/practice/project: Re-alignment of Learning Support Class (LSC) provision within Rhondda Cynon Taf (RCT).

The project is to:

Re-align LSC provision within RCT in order to better support Special Educational Needs (SEN) pupils ensuring provision meets current and projected pupil needs.

2. Policy Aims, you need to consider why is the policy needed? What does the Council hope to achieve by it? How will the Council ensure it works as intended?

This proposal is fully outlined in a detailed consultation document that has been distributed to all interested parties and stakeholders, it is also available on the Council's website for any person to view or download.

Rhondda Cynon Taf has an excellent range of SEN provisions attached to mainstream schools. However, it has become increasingly apparent that the range of LSC provisions currently available is disproportionate to the level of need in some areas (e.g. Complex Learning Difficulties). In view of this, an in-depth data analysis exercise was undertaken to inform proposals for change in relation to LSC provision within Rhondda Cynon Taf.

The data we have used to realign provision includes:

- Current capacity within each LSC
- Requested placements over the last 3 academic years
- Transitional data
- Primary needs of pupils
- Outcome of requests for placements

Educational Considerations

Considerable changes are planned in Wales in relation to the statutory provision required to meet the needs of pupils with SEN/additional learning needs (ALN). The Additional Learning Needs and Education Tribunal (Wales) Act (ALNET) was introduced in January 2018. The Act requires local authorities to keep under review the arrangements for supporting pupils with ALN within their area and consider whether these are sufficient. The Act will be supported by new regulations, including secondary legislation and a new statutory Additional Learning Needs Code of Practice. The current draft Code is based on the following principles:

- meeting the needs of pupils with ALN should be part of a whole school approach to school improvement
- pupils must be supported to participate in mainstream education and in the National Curriculum as fully as possible wherever this is feasible.

Until the anticipated implementation of the new ALN Code of Practice in September 2020, Local Authorities (LAs) are required to comply with the existing Special Educational Needs (SEN) Code of Practice for Wales (2002) and fulfil their statutory duties towards children with SEN. The Code states that children and young people have SEN if they have a learning difficulty which calls for a special educational provision to be made for them. Early years settings and schools are required to adopt a graduated response to meeting SEN at Early Years/School Action and Early Year/School Action Plus of the Code of Practice. For learners with the most significant SEN, a Statement of SEN is issued by the LA and statutory provision put in place.

Rhondda Cynon Taf currently delegates £3.3 million Additional Needs Funding (ANF) to mainstream schools to ensure that both non-statutory and statutory mainstream provision for learners with severe and persistent needs is robust and supports mainstream inclusion.

For pupils with more significant needs who experience difficulties in coping with mainstream education, more specialist placements are required. Rhondda Cynon Taf has a range of specialist provisions which includes, 46 LSCs, 2 Pupil Referral Units (PRUs) and 4 Special Schools. These placements are agreed by Access and Inclusion Service panels.

RCT has an excellent range of LSC provisions attached to mainstream schools. However, it has become increasingly apparent that the range of LSC provisions currently available is disproportionate to the level of need in some areas. In view of this, an in-depth data analysis exercise was undertaken to inform proposals for change.

Data analysis confirms that:

- some primary provisions have significant surplus capacity;
- there is currently insufficient provision in the secondary sector;
- the absence of cross phase specialist provision on some school sites means that some learners experience unnecessary transitions;
- some LSCs would benefit from relocation to fully accessible schools that have benefited from the 21st Century School Modernisation and investment;
- there is insufficient provision to meet the needs of learners in the early years.

Feedback from schools suggests that LSCs for social, emotional and behavioural needs do not currently have sufficient staffing to effectively meet need.

In light of these findings, the proposals for change seek to achieve the following aims:

- developing a robust continuum of provision that effectively addresses a wide range of need across all key phases/stages;
- reduction in surplus LSC places through the effective rationalisation and re-alignment of existing LSC provision to address identified gaps in provision;
- avoiding unnecessary transition across schools by establishing cross phase specialist provisions within individual schools where possible;
- creating capacity for outreach support from special schools and providing effective early intervention and prevention in the early years;
- establishing LSC provisions in fully accessible settings that provide a learning environment fit for the 21st Century.

Proposed changes

- 33 SEN mainstream LSCs remain unaltered
- 6 SEN mainstream LSCs close
- 3 SEN mainstream LSCs are relocated
- 2 SEN mainstream LSCs are opened
- 2 SEN mainstream LSCs are re-designated

What are the financial implications of the proposal?

The LA proposal if agreed will have a positive impact on pupils with SEN across RCT as it will mean that the funding will be re-directed to establish provisions that address areas of growing need. The proposal will ensure that the County Borough Council continues in its commitment to effectively meeting the needs of learners with SEN and resources will be reinvested to address gaps in existing provision and to improve the quality of provision within Rhondda Cynon Taf.

The schools will be delegated sufficient funding to establish the proposed provisions. These costs will cover staffing and capitation. The proposals do not involve any transfer or disposal of land.

What is the likely impact of the proposal on school pupils?

Many of the proposals do not impact on learners as many of the proposed closures are for settings where there are no existing learners or considerable surplus capacity. However, suitable arrangements will be put in place in consultation with all involved to ensure that appropriate provision is made for any learners affected by the changes. This could involve additional support in a mainstream setting of parental choice, or alternative specialist provision appropriate to the pupils' individual needs. Interim arrangements could be put in place to maintain continuity in the existing school if this was deemed appropriate. This could include access to a specialist teacher and learning support assistant input to support mainstream inclusion. This could be put in place until the need for specialist provision within the pupils' current key stage ceases. Person centred planning will be undertaken in consultation with parents, carers and relevant professional and bespoke arrangements put in place if required so as to minimise the impact on pupils and their families.

Transportation would be provided in line with the Council's Learner Travel Policy and placement made in the nearest and most appropriate specialist setting. All pupils affected by these proposals will be eligible for school transport to their nearest appropriate specialist setting.

The Welsh Government and the Council has adopted the UN Convention on the Rights of the Child which is expressed in seven core aims that all children and young people:

1. Have a flying start in life;
2. Have a comprehensive range of education and learning opportunities;
3. Enjoy the best possible health and are free from abuse, victimisation and exploitation;
4. Have access to play, leisure, sporting and cultural activities;
5. Are listened to, treated with respect, and have their race cultural identity recognised;
6. Have a safe home and a community which supports physical and emotional wellbeing;
7. Are not disadvantaged by poverty.

We consider that this proposal benefits children in their communities in accordance with the seven core aims set out above.

Implications for staff of the LSC

- All LSC staff are appointed by the LA and are contracted to work in any appropriate LSC provision. This is subject to the needs of the LA and the skills set of the staff in question. Any additional necessary resources will be provided to support the realigned provisions. Every effort will be made to redeploy any displaced staff and to minimise the risk of redundancy.

Implications on the local communities?

This proposal will not have any significant impact on the local communities for the following reasons:

- *Proposed closures*: there are currently very low numbers of pupils attending the majority of provisions; 4 of the LSCs proposed for closure will have no pupils in attendance
- *Proposed relocations*: the proposed host schools have sufficient capacity to provide enhanced opportunities to access high quality cross phase educational provision in modern and accessible school buildings.
- *Proposed re-designations*: there are currently very low numbers of pupils attending the provisions proposed for re-designation. 1 of the 2 provisions will have no pupils affected by the proposal. The second provision has a surplus capacity of 90%.
- *Proposed new provisions*: More local children will be able to access specialist provision within their local community and the new provisions will address a gap in existing provision. There will be less demand for transporting children out of area to receive their education and this should impact positively on the environment. The schools will make effective use of any surplus space within the school and develop a resource that will be of benefit to vulnerable children and young people, and their parents/carers. The proposed establishment of LSCs will enhance the overall capacity of the host schools to meet a diverse range of needs as there will be further specialist SEN expertise within the school.

3. Who does it apply to? Please indicate by highlighting or deleting as appropriate

Members of the public Staff **Both** Other

Please state: SEN children aged 3-16 living in RCT, parents and carers of the children

4. Indicate whether this is a new proposal, a review or a proposed cessation:

New Review Cessation

The proposal covers all 3 areas. There are 13 schools affected.

5. Identifying Impacts

Please choose whether the policy/practice will have a positive, negative or neutral effect on **each** issue below: Think about the key questions included in the managers guidelines.

People / issues to consider	Impact policy / practice will have			If a positive or negative impact is identified, explain why:
	Positive	Negative	Neutral (No impact)	
Age (young and old)	Young – Yes Old - Yes			<ul style="list-style-type: none"> • appropriate placements which are well matched to pupil's primary needs • improved educational outcomes and pupil engagement due to the effective meeting of pupil needs • greater opportunities for mainstream inclusion in local community schools • improved learning provisions which provide better value for money and improved life chances for our most vulnerable learners
Disability (remember to consider the different types of	Yes			The review of LSC provision will allow the LA to better meet the needs of its SEN pupils.

People / issues to consider	Impact policy / practice will have			If a positive or negative impact is identified, explain why:
	Positive	Negative	Neutral (No impact)	
disability)				
Gender			Yes	
Gender Reassignment			Yes	
Race			Yes	
Religion or Belief			Yes	
Sexual Orientation			Yes	
Welsh Language			Yes	
Carer			Yes	

Evidence

6. What evidence is there to support your conclusions? Please indicate below

Reports of the Director of Education to Cabinet – October 2018.
Public Consultation Document on the Proposal – October 2018.

**7. In areas where a negative impact has been identified are there any ways that the negative effect could be reduced or removed?
Please indicate below and include the evidence on which you have based your conclusion.**

LSC re-alignment will inevitably cause some limited disruption and uncertainty for a period of time, although previous experiences has demonstrated that any potential difficulties can be minimised when managed effectively. Provisions have been selected based on considerable surplus capacity issues. Preventative measures will be taken to ensure that any potential negative impact on children's education and wellbeing are avoided or minimised.

The change in provision has some implications for a relatively small number of pupils attending the provisions as a change in provision may be needed. Bespoke packages of support will be put in place to eradicate or minimise any potential negative impact. The re-location of some LSC provision aims to provide more continuity for our most vulnerable learners to access cross phase specialist provision, reduce unnecessary transition and travel with the opportunity to provide through provision for all primary ages.

The closure and re-designation of some LSCs will enable the LA to re-direct much needed resources to areas of greater need. Without closing and re-designating the named LSC provisions, the LA will not be able to implement the plan for the proposed re-alignment for the LSCs across the LA. Implementing this plan will be of benefit to all pupils with SEN across RCT and will ensure greater equality and access to specialist provision.

The Council considers that the educational advantages of the proposals outweigh the short-term impact of the changes for the pupils and parents.

Involvement & Consultation

9. What involvement and consultation has been done in relation to this (or similar) policy and what are the results?

The following consultation meetings are to be held:

School Affected	Group-Pupils/ Staff/Parents	Time	Date	Venue
Heol Y Celyn Primary School	School Council	14:00 - 14:30	6th November 2018	Heol Y Celyn Primary School
	Staff	14:30-15:30		

	Parents	15:30-16:30		
Penrhys Primary School	School Council	14:00 - 14:30	7th November 2018	Penrhys Primary School
	Staff	14:30-15:30		
	Parents	15:30-16:30		
Caradog Primary School	School Council	14:00 - 14:30	8th November 2018	Caradog Primary School
	Staff	14:30-15:30		
	Parents	15:30-16:30		
Hafod Primary School	School Council	14:00 - 14:30	13th November 2018	Hafod Primary School
	Staff	14:30-15:30		
	Parents	15:30-16:30		
Darran Park Primary School	School Council	14:00 - 14:30	14th November 2018	Darran Park Primary School
	Staff	14:30-15:30		
	Parents	15:30-16:30		
Llantrisant Primary School	School Council	14:00 - 14:30	15th November 2018	Llantrisant Primary School
	Staff	14:30-16:30		
	Parents	15:30-16:30		

School Affected	Group-Pupils/ Staff/Parents	Time	Date	Venue
Maerdy Primary School	School Council	9:30 - 10:00	9 th November 2018	Maerdy Primary School
Pontygwaith Primary School	School Council	10:30 -11:00	9 th November 2018	Pontygwaith Primary School
Porth Community School	School Council	11:30 - 12:00	9 th November 2018	Porth Community School
Ysgol Nantgwyn	School Council	12:30 - 13:00	9 th November 2018	Ysgol Nantgwyn
Treorchy Comprehensive School	School Council	14:00 - 14:30	9 th November 2018	Treorchy Comprehensive School
Cwmbach Primary School	School Council	9:30 - 10:00	15 th November 2018	Cwmbach Primary School
Penywaun Primary School	School Council	10:30 - 11:00	15 th November 2018	Penywaun Primary School

Schools are also being offered opportunities for consultation with pupils, via meetings of their School Councils as detailed in the table above.

Interested parties are also welcome to put their views in writing to:

Director of Education and Inclusion Services
Rhondda Cynon Taf County Borough Council
Ty Trevithick
Abercynon
CF45 4UQ
Or email A&IService@rctcbc.gov.uk

Monitoring & Review

10. What arrangements have you put in place to review the actual impact of the policy once it has been implemented?

The Council's Access & Inclusion Service will be fully engaged in supporting the head teachers and governing bodies during the first year or so.

Addressing the Impact

11. What option have you chosen as a result of your impact assessment?

- Continue the Policy

Please indicate and provide reasons for your decision.

The evidence outlines in our consultation document clearly recommends that this is the right approach.

12. Action Plan

You now need to complete the EIA action plan to outline how you will act on any impacts identified. You may need to prioritise in terms of what actions you choose to take and the timescales to complete them in. In general terms, you should try to act on all negative impacts unless there is a clear reason as to why this is not possible. You could also identify actions for positive or neutral impacts where appropriate i.e. to outline and further promote a positive impact or to outline how to make something have a positive impact instead of a neutral one.

Action	Responsible Officer	Timescale for Actions	Timescale and actions for Review	Measures to be taken to evaluate effects of actions
If the proposal process undertake the statutory consultation process to implement the proposals	Access & Inclusion Service	February 2019		

13. Please outline below any negative impacts that have been identified in the EIA questionnaire but not addressed in the action plan. You will need to explain your reasons for not addressing them.

None.

Please keep a copy of the questionnaire and action plan and send copies to:

Equality, Diversity & Social Justice Team

The Pavilions

Cambrian Park

Clydach

CF40 2XX

Email: equality@rhondda-cynon-taf.gov.uk

Tel: 01443 424075

Signed: Gaynor Davies

Date: 20th September 2018

Job Title: Director of Education & Inclusion Services