



CYNGOR BWRDEISTREF SIROL
RHONDDA CYNON TAF
COUNTY BOROUGH COUNCIL

COMMITTEE SUMMONS

C.Hanagan
Service Director of Democratic Services & Communication
Rhondda Cynon Taf County Borough Council
The Pavilions
Cambrian Park
Clydach Vale CF40 2XX

Meeting Contact: Claire Hendy - Senior Democratic Services Officer (07385 401935)

YOU ARE SUMMONED to a meeting of **CHILDREN AND YOUNG PEOPLE SCRUTINY COMMITTEE** to be held at the on **WEDNESDAY, 24TH MARCH, 2021** at **5.00 PM.**

Non Committee Members and Members of the public may request the facility to address the Committee at their meetings on the business listed although facilitation of this request is at the discretion of the Chair. It is kindly asked that such notification is made to Democratic Services by Monday, 22 March 2021 on the contact details listed above, including stipulating whether the address will be in Welsh or English.

AGENDA

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1. WELCOME & APOLOGIES

To welcome Members and Officers to the Meeting and to receive any apologies for absence.

2. DECLARATION OF INTEREST

To receive disclosures of personal interest from Members in accordance with the Code of Conduct

Note:

1. Members are requested to identify the item number and subject matter that their interest relates to and signify the nature of the personal interest: and

2. Where Members withdraw from a meeting as a consequence of the disclosure of a prejudicial interest they must notify the Chairman when they leave.

3. MINUTES

To receive the minutes of the previous meeting of the Children and Young People Scrutiny Committee held on 27th January 2021.

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REPORTS OF THE SERVICE DIRECTOR DEMOCRATIC SERVICES & COMMUNICATIONS

4. CONSULTATION LINKS

Information is provided in respect of relevant [consultations](#) for consideration by the Committee.

REPORT OF THE DIRECTOR OF EDUCATION AND INCLUSION SERVICE

5. UPDATE ON THE IMPLEMENTATION OF THE ADDITIONAL LEARNING NEEDS AND EDUCATION TRIBUNAL ACT (2018) IN RCTCBC

To consider the report of the Head of Access and Inclusion Service in respect of implementation of the ALNET

15 - 24

6. SCHOOL ADMISSIONS ANNUAL REPORT

To consider the report of the Head of Service Transformation in respect of school admissions in RCT.

25 - 34

7. UNAUTHORISED ABSENCE & POST -16 ATTENDANCE REPORT

To consider the Joint report of the Director of Education and the Service Director Democratic Services & Communications

35 - 46

8. CHAIR'S REVIEW AND CLOSE

To reflect on the meeting and actions to be taken forward.

9. URGENT BUSINESS

To consider any items, which the Chairman, by reason of special circumstances, is of the opinion should be considered at the meeting as a matter of urgency

Service Director of Democratic Services & Communication

Circulation:-

The Chair and Vice-Chair of the Children and Young People Scrutiny Committee
(County Borough Councillor S. Rees-Owen and County Borough
Councillor J Edwards respectively)

County Borough Councillors:

Councillor S Evans, Councillor J Brencher, Councillor H Fychan,
Councillor A Calvert, Councillor S Powell, Councillor M Powell, Councillor M Griffiths,
Councillor D Owen-Jones, Councillor S Morgans, Councillor G Stacey,
Councillor L De Vet and Councillor L Walker

Co-Opted Members:-

Mr M Cleverley
Mr J Fish, Voting Elected Parent / Governor Representative
Ms A Jones, Representing UNITE
Mr C Jones, Representing GMB
Mrs C Jones, Representing the National Union of Teachers and Teachers' Panel
Mr D Price, Representing UNISON
Mr A Rickett, Voting Diocesan Authorities' Representative
Mrs R Nicholls, Voting Elected Parent / Governor Representative
Mr L Patterson, Voting Elected Parent / Governor Representative

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RHONDDA CYNON TAF COUNCIL CHILDREN AND YOUNG PEOPLE SCRUTINY COMMITTEE

Minutes of the meeting of the Children and Young People Scrutiny Committee meeting held on
Wednesday, 27 January 2021 at 5.00 pm.

County Borough Councillors - Children and Young People Scrutiny Committee Members in attendance: -

Councillor S. Rees-Owen (Chair)

Councillor J Edwards	Councillor J Brencher
Councillor H Fychan	Councillor A Calvert
Councillor S Powell	Councillor M Powell
Councillor D Owen-Jones	Councillor S Morgans
Councillor G Stacey	Councillor L Walker

Co-Opted Members in attendance: -

Mr J Fish, Voting Elected Parent / Governor Representative
Mrs R. Nicholls, Voting Elected Parent / Governor Representative
Mr L Patterson, Voting Elected Parent / Governor Representative

Officers in attendance: -

Mr C Hanagan, Service Director of Democratic Services & Communication
Mr P Nicholls, Service Director, Legal Services
Ms G Davies, Director of Education and Inclusion Services
Ms A Richards, Temporary Service Director - 21st Century Schools and Transformation
Ms C Jones, Head of Access & Inclusion

County Borough Councillors in attendance: -

Councillor W Lewis and Councillor J Rosser

45 Welcome & Apologies.

Apologies received from the following County Borough Councillors S Evans, L De-Vet and M Griffiths

46 Declaration of Interest

In accordance with the Council's Code of Conduct, the following declaration of personal interest was received: -

In relation to Agenda Item 8, Eye to Eye Counselling County Borough Councillor J Edwards - "representatives from Eye-to-Eye Service sit on the board for her main employment"

47 Minutes

It was **RESOLVED** to approve the minutes of the 18th of November 2020 as an accurate reflection of the meeting.

48 Consultation Links

The Service Director Democratic Service referenced the consultation links which were available through the RCT Scrutiny website. Members were reminded that the information is provided in respect of relevant consultations for consideration on a monthly basis by the Scrutiny Research Officer.

49 Children & Young People Scrutiny Committee Work Programme 2020/2021 (January - April 2021)

The Service Director Democratic Services and Communications presented Members of the Children and Young People Scrutiny Committee with the forward 4-month work programme (January 2021 to April 2021) for their consideration.

Members were reminded that given the current climate the forward work programme would focus firstly on the impact of the pandemic and its associated plans for response and recovery, whilst still trying to ensure a balance of scrutiny activities within their work programme.

Members discussed various item for the agenda, a Member made a comment relating to the Report of the FPN Working Group. In response, officers explained that due to the pandemic plans would be put in place to reconvene the working group to finalise any outstanding items.

Another Member wanted clarity on the 21st Century School Programme and asked for more information to come back to the Committee in respect of reviewing the impact on the schools that had been the focus of Band A funding, particularly as there had now been some Estyn outcomes.

The Chair explained that the Committee had already received information relating to the impact of the Band A 21st Century Schools from both a building, pupil and staff perspective.

The Director of Education and Inclusion reminded Members of the meeting and explained that Estyn outcomes and the progress of schools in a category are reported in the annual performance reports provided by Central South Consortium. This includes all schools, including schools that have been the focus on Band A funding where relevant.

The Chair explained to the Member that she agreed that Committee needs to assess the impact of the 21st Century Schools however at present there is nothing to compare them to.

The Chair and Officers agreed that this would be discussed in the Cabinet and Scrutiny Engagement Sessions and will bring back this information when appropriate.

Another Member thanked Officers for all the hard work that has been carried out during these unprecedented times.

After further discussion Members RESOLVED to:

- Acknowledge the content of the Work Programme.
- 21st Century Schools update when available.

50 COVID Response Update

The Director of Education and Inclusion Services provided Members with an update on the critical actions taken by the Council following the recent announcements made by the Education Minister and the recent escalation into lockdown. Information was also provided on the current Covid 19 processes and practices that are in place to ensure schools in Rhondda Cynon Taf are kept abreast of all developments.

The Director of Education highlighted areas under the following headings:

- Recent Developments in response to the Escalation in National Restrictions.
- Education Provision: -
 - All Learners.
 - Critical Worker Provision.
 - Vulnerable Learner Provision.
 - Digitally Excluded Learners (DELs).
 - Examinations.
 - Business Continuity Plans.
 - Health and Safety.
 - Managing Confirmed Cases.
 - Attendance.
 - Partnership Working.
 - Free School Meal Provision.

Members were also presented with links to various key guidance documents which are sent out to key stakeholders for easy access.

The Chair thanked the Director for a very comprehensive update, however before opening the meeting to Members of the Committee the Chair asked if there was any way the Committee could receive the same correspondence as others when key decisions are taken. Officer responded by explaining that this is currently provided in the Members updates which go out to all Councillors when there is a significant change to any procedures.

A Member commented that April budgets are on the horizon and asked a question relating to underspend in schools and whether Welsh Government had made any information available in terms of the situation especially in relation to the accelerated learning grant and other grant funding streams.

The Director commented that there had not been any recent communication on this matter, but further updated would be checked with finance colleagues and further information provided.

Another Member thanked Officers and Teachers for their hard work during the current pandemic and wanted some clarity in relation to the questionnaires and surveys that have been sent out to parents / carers. The Member wanted to know if there is any data showing the responses from parents especially those

who do not have the availability to respond digitally as their responses are clearly important in helping us to identify any potential barriers.

In response the Director of Education explained that the questionnaires were in the early stages of development at present. It was explained there are many ways schools can get this information to parents/carers.

Members put forward several questions relating to digital learning, many Members were concerned about the number of children potentially not having access to devices which are essential to continuing with home learning. Officers continued to explain that many families may not have come forward during the first audit potentially due to them having a device in the household. However, with the continuation of the pandemic, may well have experienced later pressures with more than one family member needing to use device at the same time.

Another Member asked what was being offered to support vulnerable learners in transitioning back to school. The Member felt that the number of pupils needing support in the future was likely to increase especially with the introduction of the ALN Act. It was enquired whether the Local Authority was ready for this.

In response the Director of Education noted that the emotional impact on the wellbeing of all learners has been a great concern. However, there are many protocols in place to address the wellbeing needs of learners and Cabinet have approved various funding streams to support the needs to learners with significant needs. If schools are worried about children not engaging, then they can bring children into school to ensure their needs are met in a school context.

In respect of critical care workers and the fact that more groups of workers had been added to the group of eligible workers, Members wanted to know if this had an impact on staffing capacity.

The Officers explained that the service has kept a close eye on numbers attending schools at present and that a 20% cap has been put in place. Current learner numbers on school sites are manageable, schools know their families and have ensured that the families that require access to face-to-face learning are able to access it.

It was also explained that Welsh Government guidelines do not currently provide a cap on the number of learners in school.

One member queried literacy provision. Members were informed of ways schools are providing literacy support using digital schemes etc. It was also encouraging to see the creative work that was being undertaken by school staff to provide pupils with books throughout the pandemic.

Further questions were put forward by Members in relation to the pupils who were eligible for free school meals, wellbeing support and the impact of digital learning, along with what support was made available for pupils attending Welsh medium schools and whose parents did not speak Welsh.

With regards to schools' staff Members wanted to ensure that there was support available for staff who were juggling teaching and home schooling their own children. It was explained that the wellbeing of the workforce was of paramount importance, with regular wellbeing checks and support provided where needed.

The Cabinet Member for Education confirmed that work has been carried out to ensure that digitally excluded learners are identified and action taken as quickly as possible. This included identifying efsm learners.

After in depth discussion Members RESOLVED to:

- Acknowledge the verbal update from the Director of Education.
- Receive data in respect of efsm learners since the start of the pandemic.
- Receive an update on the grant funding.

51 Welsh in Education Strategic Plan - Annual Update 2020

The Director of Education and Inclusion Service provided Members with an update on the actions outlined in the RCTCBC's Welsh in Education Strategic Plan (WESP) for the period between 2017 and 2020 as approved by Welsh Government on the 15th of March 2018. It was explained that the previous 2019-2020 annual update was due to be the last annual update for this WESP, however due to the Covid 19 pandemics, the WESP has been extended to cover the period between 2020-2021.

The Director of Education continued and provided Members with an overview of the actions taken to date against the following seven outcomes that the local authority is expected to improve Welsh medium and Welsh Language education in the locality:

1. More seven-year-old children being taught through the medium of Welsh.
2. More learners continuing to improve their language skills on transfer from primary to secondary school.
3. More learners aged 14 to 16 studying for qualifications through the medium of Welsh.
4. More learners aged 14 to 16 study subjects through the medium of Welsh, in schools, colleges and work-based learning.
5. More learners with advance skills in Welsh
6. Welsh medium provision for all learners with additional learning needs (ALN)
7. Workforce planning and continuing professional development.

The Director of Education and Inclusion Services continued and informed Members that RCTCBC has the highest percentage statutory school aged learners who access their learning through Welsh Medium primary, middle and secondary schools in each of five Local Authority areas that comprise the CSCJES. This has been the case for the previous three academic years. It was explained that the majority of Welsh medium schools in both primary and secondary sector with RCT had surplus places, however there are a few primary and secondary schools where growth in capacity is needed and the authority is currently addressing the situation through its existing investment programme.

Members were informed of the commitment that RCTCBC has made to increase the quality of early years Welsh medium provision by spending £4 Million on several projects.

In respect of complex needs the officers explained that an evaluation of the provision was undertaken in the autumn term of 2019 and this showed that this inclusive model that has been adopted in the Welsh medium sector had been very positive.

Looking ahead to the new WESP, which will be consulted on later in the year, the Director of Education explained that there will be several initiatives to facilitate and support the growth of the Welsh language in the County Borough.

After further consideration of the report Members presented their questions and observations. A Member thanked the officer for a very informative report and commented that she was pleased to see the development of provision in early years settings.

The Member continued to ask questions regarding the 21st Century development and what is being done for north of Pontypridd for families wishing to send their children to Welsh medium schools especially those who live in Ynysbwyl, Coed Y Cwm area. How do we target these families who have concerns that the distance a child needs to travel is too great and have decided to send their children to an English-speaking school for that reason, is there going to be any developments in the future?

Members wanted clarity on why we are below target of 630 seven-year-old learners who are receiving their education through Welsh medium. How can we improve this? Also, questions were put forward regarding the provision for ALN and SEN through Welsh medium provision and is there the same number of supports for Welsh speaking children and well as English speaking pupils.

In answer to the above questions the Director of Education explained that there are clear criteria from Welsh Government that we must meet as a local authority to access 21st century schools funding. The LA has responsibility for ensuring that the conditions of school buildings are fit for purpose and ensuring the schools are in the right place and that there are sufficient places to meet need. All criteria are taken into consideration when deciding on priorities for investment. It was also noted that the percentage of surplus places in both primary and secondary WM schools was in the main significant.

The Director explained there were many potential reasons for the LA not achieving its target of 630 pupils. Marketing was something that needed to be developed as a priority. A marketing strategy group has been established to explore how we can promote WM education, entice learners to the sector and retain learners in Welsh medium schools once the decision is made.

Creative and innovative work is now needed to inform the new WESP which will be consulted on and shared in due course.

In respect of the ALN provision, the Access and Inclusion team continually assess the needs of learners in this sector and monitors this closely.

Members raised concerns in relation to the retention of staff in the Welsh medium sector and wanted to know what was being done to try and retain staff in the Welsh medium sector and to prevent their transition into the new 21st Century English medium schools.

This is a concern, and we need to have a joined-up strategy moving forward and to ensure that plans are aligned with WG strategies aimed at increasing the availability of Welsh medium staff.

The Chair wanted clarity on how the LA promote staffing and growth in numbers. The Director explained that as an authority we needed creative collaborative

approaches and effective marketing strategies to increase numbers in the WM sector. Staffing is a significant challenge.

After further discussion Members RESOLVED to:

- Acknowledge the content of the Report.
- Receive the Welsh Government Guidance in respect of the Methodology used to obtain the target figures.
- Receive a report in respect of the quality of Welsh medium School Buildings later.

52 Eye to Eye Counselling Service

The Head of Inclusion Services provided Members with an overview of the provision and effectiveness of counselling services for children and young people in Rhondda Cynon Taf during the academic year 2019/20.

The Head of Inclusion Services gave Members the background to the Service. It was explained that within schools counselling complements other approaches to support the health and wellbeing of learner, such as school-based wellbeing interventions and pastoral support or more specialist interventions from teams such as the Educational Psychology Service or Behaviour Support Service as well as services provided externally by the Child and Adolescent Mental Health Service (CAMHS)

It was explained that the appointment of a counselling service in the local authority is carried out via a tendering process every three to five years and in RCT, the Eye-to-Eye Counselling Service is currently contracted to provide the statutory service within schools and in the community.

Members were informed of the current position with RCT along with several graphs which demonstrated the number of young people who accessed counselling during the last three-year period. Analysis of the data suggests the overall decrease is due to a reduction in the number of referrals received during summer term 2020.

It was highlighted that that in addition to providing formal counselling sessions, school counsellors also made 714 recorded contacts with school staff over the lock down period and provided additional wellbeing and emotional support to families and young people.

Once again Members noted that when comparing males and females completing counselling during this three-year period significantly more females than males had counselling which is a common across Wales.

The Head of Inclusion Services explained to Members that this area is one which the Local Authority is looking to target intervention and development and recruitment.

Officers explained that it is important to note that due to Covid 19 providing a range of enhanced support to support the wellbeing of children and young people has been a high priority for both Education and Children's Services. Protocols were put in place to ensure regular contact between schools and learners and their families with a focus upon supporting wellbeing and identifying

at an early stage whether additional support would be beneficial.

Members acknowledged that concerns which had previously been discussed regarding counselling services for primary school aged children had been addressed and there is now provision for primary children aged 7 -10 years.

Further data and information were presented to Members relating to waiting times, the number of CLA accessing the service, the number of young people self-referring and the reason for referrals.

Members scrutinised the data in detail and put forward their questions to Officers.

The Chair thanked the Officers for the report and raised concerns regarding the decline across the summer term and asked whether there were any figures showing the uptake from September to Christmas for the autumn term and had there been an increase since children returned to school. The Officer will look for the data and come back with the answer.

A Member thanked officer for the report and congratulated the service with regards to waiting times.

Drop in the in the uptake of the service was very concerning. Members wanted clarity in respect of what is being done to address 29% drop during the summer term and how are we going to reconnect with the pupil who need the service more than ever.

Officers explained that, even though there have been fewer referrals, there has been a lot of work with schools in respect of wellbeing training support and the LA was upskilling staff to put in place interventions that can be dealt with at school level without the need to refer to the Counselling Services.

The Officer explained the there had been a number of extra counselling sessions provided for young people that did not want to take part in formal counselling sessions. These had been provided for young people during the school closure period however the LA can only record formal counselling sessions provided as part of the contract.

The Chair continued and still felt that clarity was needed in the future with regards to the reasons for the decrease in referrals and felt that Members needed to know if this is as a result of the pandemic or some other reason.

Other Members put forward questions relating to advertising the availability of counselling services both in schools and in the community, also the availability of online support for young people when needing access to Educational Psychology Service and the YEPS.

Officers explained that the Educational Psychology Service has a number of online resources for learners.

It was explained that the YEPS uses creative ways to engage with young people and that young people have responded well to this is the way of working.

A Member asked if was possible to receive a breakdown of areas where the referrals are the highest via schools and communities and to see if there may be

a common reason for the referral. This information could possibly identify issues of concern and sources of support before counselling is needed.

After further discussion Members RESOLVED to:

- Acknowledge the content of the report.
- Receive an updating report to consider the rate of referral to the service in the future.

53 Chair's Review and Close

The Chair thanked Members and Officer for a very productive meeting and reminded Members that the next meeting would be on the 3rd of February 2021 and it will contain reports from the Children Services portfolio.

54 URGENT BUSINESS

This meeting closed at 8.00 pm

**CLLR S REES-OWEN
CHAIR.**

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RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2020-21

CHILDREN AND YOUNG PEOPLES SCRUTINY COMMITTEE

24TH MARCH 2021

UPDATE ON THE IMPLEMENTATION OF THE ADDITIONAL LEARNING NEEDS AND EDUCATION TRIBUNAL ACT (2018) IN RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

REPORT OF THE DIRECTOR OF EDUCATION AND INCLUSION SERVICES

Author: Ceri Jones, Head of Inclusion Services

Tel: 01443 744008

1. PURPOSE OF THE REPORT

- 1.1 The purpose of the report is to provide Scrutiny Committee Members with an update on the implementation of the ALNET (Additional Learning Needs and Education Tribunal) Act (2018) and to provide Members with information on the implications of the new legislation for the Council from a local perspective.

2. RECOMMENDATIONS

- 2.1 It is recommended that Scrutiny Committee:
- i. Consider the content of this report.
 - ii. Identify if they wish to receive any further information on any aspect of the report.

3. REASONS FOR RECOMMENDATIONS

- 3.1 To make Members aware of the demand for additional capacity for the local authority to undertake its enhanced statutory duties under the new ALNET Act to ensure that all children and young people aged 0-25 in Rhondda Cynon Taf receive high quality ALN provision.

4. BACKGROUND/WIDER CONTEXT

- 4.1 Considerable changes are planned in Wales in relation to the statutory provision required to meet the needs of learners with Special Educational Needs (SEN)/Additional Learning Needs (ALN) with the implementation of new legislation, the ALNET Act (2018), in September 2021. The ALNET (Wales) Act 2018¹ (The 2018 Act) received Royal Assent in January 2018.
- 4.2 The new statutory framework is underpinned by three overarching objectives:
- A unified legislative framework to support all children of compulsory school age or below with additional learning needs (ALN) and to support young people with ALN who are in school or further education (FE);
 - An integrated, collaborative process of assessment, planning and monitoring of the support provided to ALN learners which facilitates early, timely and effective interventions; and
 - A fair and transparent system for providing information and advice, and for resolving concerns and appeals.

These in turn are supported by a further eleven core aims within the Act:

- The introduction of the term ‘additional learning needs (ALN)’;
 - A 0 to 25 age range;
 - A unified, single statutory plan;
 - Increased participation of children and young people;
 - High aspirations and improved outcomes;
 - A simpler and less adversarial system;
 - Increased collaboration;
 - Avoiding disagreements and earlier disagreement resolution;
 - Clear and consistent rights of appeal;
 - The ALN Code;
 - A bilingual system.
- 4.3 The Act replaces the terms ‘special educational needs (SEN)’ and ‘learning difficulties and/or disabilities (LDD)’ with the new term ‘additional learning needs (ALN)’. All children and young people with ALN regardless of the severity or complexity of their learning difficulty or disability will be entitled to a statutory support plan called an ‘Individual Development Plan’ (IDP). Children and young people with ALN will receive support called additional learning provision (ALP) which will be set out in their IDP.
- 4.4 The Act will be supported by the implementation of a new statutory ALN Code which will be laid before the Senedd in February 2021. Until this time, Welsh Government has published a draft version of the Code to support local authorities and other relevant stakeholders to plan towards implementation.
- 4.5 The transformed system will:
- Ensure that all learners with ALN are supported to overcome barriers to learning and achieve their full potential;

¹ [The Additional Learning Needs and Education Tribunal \(Wales\) Act](#)

- Improve the planning and delivery of support for learners from 0 to 25 with ALN, placing learners' needs, views, wishes and feelings at the heart of the process;
 - Focus on the importance of identifying needs early and putting in place timely and effective interventions which are monitored and adapted to ensure they deliver the desired outcomes.
- 4.6 It is expected that the new ALN system set out in the Act will be fully implemented over a three-year period. The implementation period is expected to run from September 2021 to August 2024. However, Welsh Government is yet to publish its revised implementation timetable following its decision to delay its original implementation over three years from September 2020.

5. LOCAL CONTEXT

- 5.1 Local authorities and all those who work with children and young people with special educational needs (SEN) must ensure that they continue to comply with the duties placed upon them by the Education Act 1996 and continue to have regard to the SEN Code of Practice for Wales (2002).
- 5.2 During the three year implementation period from September 2021, local authorities will need to implement the new ALN system in parallel to the current SEN system which will gradually be phased out. To support its implementation, the Act introduces three new statutory roles which took effect from 4th January 2021. These are:
- **Additional Learning Needs Coordinator (ALNCo):** this replaces the current non-statutory Special Educational Needs Coordinator (SENCo) in schools and education settings.
 - **Early Years Additional Learning Needs Lead Officer (EYALNLO):** each local authority is required to appoint an EYALNLO to undertake the strategic development and coordination of early years Additional Learning Provision in line with the new statutory duties.
 - **Designated Education Clinical Lead Officer (DECLO):** each Health Board must appoint a DECLO to work in partnership with local authorities to meet the enhanced duties placed upon it by the Act to contribute to any identified additional learning provision.
- 5.3 Welsh Government is providing financial assistance to support the implementation of the Act through a £20M package of funding. A substantial proportion of funding is being used to support workforce development. This is structured at three levels:
- Core skills development for all practitioners;
 - Advanced skills development through the implementation of the new ALNCo role;
 - Specialist skills development for local authority services provided to education services.

- 5.4 Funding has been used to appoint five ALN Transformation Leads since 2018, four of whom have been working with local authorities to prepare for the new system on a consortium footprint with the fifth supporting Further Education Colleges. Each ALN Transformation Lead is responsible for the delivery of a regional strategic project plan. The plan is designed to support local authority inclusion services, wider education services, schools, early years' settings, further education institutes and local health boards to work in partnership to prepare for the new system. The strategic priorities of the plan are based upon analysis of current practices across the region and are evaluated and updated annually.
- 5.5 The following four high-level regional priorities details how the Central South region is preparing for the implementation of the act during 2020-21:
- Ensure that all local authorities develop consistent practices and collaborate effectively with key partners to prepare for the new ways of working.
 - Ensure that local authority maintained schools develop consistent approaches to improving practice for learners with ALN that meet the expectations of the Act and are complementary to the wider national education reforms.
 - Develop support and provision for post compulsory-aged learners through identifying local and potential regional offers.
 - Develop Health Board preparedness for implementation of the Act.
- 5.6 Each year the regional plan is supported by a local action plan in each local authority to ensure a flexible and bespoke approach to addressing the above strategic priorities. The action plans are funded through the ALN Transformation Grant, part of the overall Welsh Government transitional financial support.
- 5.7 Due to the transformational nature of the new ALN system, ensuring compliance with the statutory requirements of the ALNET Act and ALN Code will bring significant challenges for local authorities. These include:
- **Increased statutory duties across an enhanced age range 0-25 years:** The requirement for local authorities to assume the additional statutory responsibility for making additional learning provision for children aged 0-3 and young people aged 19-25 has clear implications for the capacity of central local authority inclusion services. It also has legal implications in terms of governance. Local authorities will also become responsible for securing post-16 specialist placements of young people at ISPIs (Independent Special Post-16 Institutions) in the future – a function that is currently undertaken by Welsh Government every year.
 - **Replacement of the statutory assessment process with a single statutory plan:** all pupils with an ALN will now have a statutory Individual Development Plan (IDP). This is very different from the current system whereby the majority of learners with SEN have a non-statutory Individual Education Plan (IEP) and only a minority with the most

significant SEN will have a statutory Statement of SEN. For children under compulsory school age and not attending a maintained school, the local authority will be responsible for preparing and maintaining IDPs and ensuring the provision of any identified Additional Learning Provision (ALP). For children of compulsory school age, the majority of IDPs will be written by schools but the IDPs for learners with significant ALN will be maintained by the local authority. This will also be the case for young people attending a Further Education Institute (FEI). The new statutory process has implications for local authorities in relation to IT infrastructure, and, crucially, the capacity of central inclusion services to meet the new statutory requirement to carry out assessments and produce IDPs in a much shorter timescale than the current statutory assessment process (12 weeks instead of the current 26 weeks).

- ***Operating two legislative systems during transition:*** during the three year transitional period from the current SEN legislation to the new ALNET Act, local authorities will need to operate the two systems in parallel. This will have significant impact upon both the capacity of the central Access and Inclusion Team and the skillset necessary to undertake the above duties.
- ***Workforce Development:*** the strengthened requirements in the Act and Code to support the creation of a fully inclusive education system requires all schools and other relevant education settings to upskill their workforce to deliver high quality universal and additional learning provision. Central inclusion services will need to enhance their specialist workforce to provide high quality advice, support and provision for children and young people aged from 0 to 25 years old.
- ***Developing a bilingual system:*** the Act requires that, where it is identified that a child or young person needs additional learning provision in Welsh, 'all reasonable steps' must be taken to secure the provision in Welsh. A mechanism is included in the Act to remove by regulations the 'all reasonable steps' test, so that the duties to provide ALP through the medium of Welsh become absolute over time. This has implications for specialist workforce development and the potential need to develop Welsh medium additional learning provision on a regional/sub-regional basis. As such, the development of a bilingual ALN system is a priority in the local authority's Welsh in Education Strategic Plan (WESP).
- ***Dispute resolution and right of appeal to Education Tribunal Wales:*** the Act puts collaboration and the need to resolve disagreements with families at the earliest possible opportunity at its heart. As such, the Act gives local authorities a new duty to make advocacy services available to all children and young people on request. In addition, under the current SEN system only young people (not yet 19 years old) who are registered at maintained schools have the right to appeal to tribunal in relation to their SEN. However, the new Act will introduce more equitable rights of appeal by extending this right to all young people up to the age of 25 years who are in school or FEI. Extending rights of appeal to any

learner who is entitled to an IDP from 0 to 25 years, together with the heightened anxiety that some parents may experience due to the legislative changes, are likely to result in an increase in appeals made against the local authority. This would have both financial implications for the local authority in terms of implementing often costly tribunal directions and also in terms of the capacity of central ALN services and specialist provisions to meet the needs of learners with ALN.

- 5.8 In 2014 the Special Educational Needs and Disability (SEND) reforms came into force in England over a phased transitional period. There are clear similarities with the ALN reforms in Wales, particularly in relation to the replacement of the statutory Statement of SEN with a statutory unified plan, the Education and Health Care Plan (EHCP), the requirement for children and young people to be at the heart of the decision making process and an enhanced focus upon dispute resolution.
- 5.9 The implementation of the SEND reforms since 2014 have resulted in significant resource implications for local authorities in England. In a report commissioned by Welsh Government in July 2019, the Council for Disabled Children (CDC) reported that there has been a 45- 50% increase in the number of EHCPs issued in England since 2014. In January 2019 The Department for Education reported a 40% increase in the number of pupils attending special schools, and a significant increase in the number of pupils accessing highly expensive placements in independent schools. The number of appeals to the SEND Tribunal by parents dissatisfied with their children's SEN provision doubled over the first four years of implementing the reforms and have continued to rise.
- 5.10 The CDC (2019) reported that the ensuing budget pressures for English local authorities have, in turn, impacted upon the quality of SEND provision that children and young people receive citing that, as at 29th March 2019, 41(49%) of the 84 Ofsted and Care Quality Commission local area inspections of SEND support were found to have significant areas of weakness in their provision and required a written statement of action to be drawn up.
- 5.11 Other notable areas of concern reported by the CDC included insufficient resources for local authorities and services to meet their statutory responsibilities, lack of training to develop the specialist workforce, inadequate leadership, governance and strategy in local authority SEN services, poor local arrangements for joint commissioning with other services and limited involvement of families in service planning and delivery.
- 5.12 The £20M ALN package of funding awarded by Welsh Government is merely transitional funding intended to support local authorities and their partners to prepare for the implementation of ALNET. This is based on Welsh Government's premise that the ALN reforms will be cost neutral. However, in light of the additional statutory ALN duties that will be placed upon local authorities, and having seen the significant financial impact of the SEND Reforms upon local authorities in England, it would be more than reasonable to predict that the implementation of the new Act will have significant financial and

resource implications for local authorities in Wales. This report seeks to highlight these risks and to ensure that appropriate plans are put in place to mitigate risks.

- 5.13 Cabinet agreed on the 25th of February for a review to be undertaken by the Access and Inclusion Service to scope the additional resources needed to implement the new ALN legislation. This was agreed with a view to Cabinet receiving a further report detailing the outcome of the review including recommendations for potential future investment.

6. EQUALITY AND DIVERSITY IMPLICATIONS

- 6.1 Welsh Language, Equality, and Community Impact Assessments are not required for the purpose of this report.
- 6.2 Each of these Impact Assessments however will be prepared if approval is granted to progress with any proposal as a result of any future detailed review of the capacity of the local authority to undertake its enhanced statutory duties under the new ALNET Act.

7. CONSULTATION

- 7.1 Any changes to the Access and Inclusion Service identified by the service review undertaken will be subject to Cabinet approval and the Council's Management of Change Policy and under the arrangements outlined in the Welsh Government's Statutory Code – School Organisation Code (011/2018)² as appropriate.

8. FINANCIAL IMPLICATIONS

- 8.1 The associated costs of undertaking the review will be met from existing Access and Inclusion Service budgets. However, once the review is undertaken it is possible that further staffing will be deemed necessary to ensure that the full requirements of the ALNET Act are met.

9. LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED

- 9.1 Section 316 of the Education Act 1996³ specifies that children and young people with SEN should normally be educated in mainstream schools so long as this is compatible with them receiving the special educational provision that their learning difficulty calls for, the efficient education of other children and young people and the efficient use of resources.
- 9.2 Section 315 of the Education Act 1996 also requires Local Authorities to ensure that SEN/ALN provision is kept under review. Sections 1:20 and 1:21 of The Code of Practice also requires local authorities to evaluate the effectiveness of

² [Welsh Government's Statutory Code – School Organisation Code \(011/2018\)](#)

³ [Education Act 1996](#)

school funding arrangements in supporting and raising the achievements of children and young people with SEN.

- 9.3 The ALNET Act (2018) and the Draft ALN Code (2018) provide a legal framework to ensure that the additional learning needs of learners are met. Chapter 5 of the Draft Code specifies the statutory responsibilities of local authorities to ensure that additional learning provision is kept under review as a key part of local strategic planning.

10. LINKS TO CORPORATE AND NATIONAL PRIORITIES AND THE WELLBEING OF FUTURE GENERATIONS ACT 2015

- 10.1 The proposals will ensure that two of RCTCBC's three key priorities will be met. These include:

- Economy: Building a strong economy.
- People: Promoting independence and positive lives for everyone.

- 10.2 The proposals will ensure that some of RCTCBC's most vulnerable learners will have the best chance of achieving positive outcomes. The proposals will ensure more efficient and effective use of resources which promotes the development of social inclusion and positive outcomes for learners.

- 10.3 Organising services so that they are focussed on early intervention and prevention is a key statutory requirement of the Wellbeing and Future Generations Act 2015⁴ and a key element of RCTCBC's Corporate Plan.

11. CONCLUSION

- 11.1 RCT County Borough Council must be prepared to implement the new ALN system in line with the prescribed timescales from September 2021. The enhanced statutory duties placed upon local authorities under the new Act and Code are likely to have significant resource implications for the local authority's Access and Inclusion Service.

- 11.2 It is recommended therefore, that additional work be undertaken to facilitate a detailed review of the additional resources the County Borough's Access and Inclusion Service may require to ensure that RCTCBC is able to implement fully the new statutory requirements of the ALNET Act, and enable all learners with ALN to achieve their potential through the effective implementation of transformational reform. This report should also include recommendations for future investment.

⁴ [Wellbeing and Future Generations Act 2015](#)

LOCAL GOVERNMENT ACT 1972
AS AMENDED BY
THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985
RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL
CHILDREN & YOUNG PEOPLE COMMITTEE
24TH MARCH 2021

REPORT OF THE DIRECTOR OF EDUCATION AND INCLUSION SERVICES

**UPDATE ON THE IMPLEMENTATION OF THE ADDITIONAL LEARNING NEEDS
AND EDUCATION TRIBUNAL ACT (2018) IN RHONDDA CYNON TAF COUNTY
BOROUGH COUNCIL**

Background Papers

None

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RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2020-21

CHILDREN AND YOUNG PEOPLES SCRUTINY COMMITTEE

24TH MARCH 2021

SCHOOL ADMISSIONS

REPORT OF THE DIRECTOR OF EDUCATION & INCLUSION SERVICES

Author: Catrin Edwards, Head of Service Transformation
Tel. No: 01443 744205

1. PURPOSE OF THE REPORT

- 1.1 To provide a summary of the annual School Admission process.

2. RECOMMENDATIONS

It is recommended that Members:

- 2.1 Acknowledge the contents of the report and consider whether they wish to scrutinise any parts in greater depth.

3. BACKGROUND

- 3.1 A report was provided for the Children and Young People's Scrutiny Committee on the 26th of February 2020, which detailed the Council's school admissions process. This report provides an update on developments within school admissions in the last 12 months and planned developments for the next admissions round.

4. ADMISSION YEAR 2020/21

4.1 Normal/Routine Admissions

In September individual letters are annually sent to the parent/carer(s) of every pupil registered in nursery, year 2 in an infant school and year 6. The letter details their User Identification Number and the application process that they need to undertake to apply for a school place for the following September.

Information is also provided to the Welsh medium primary schools in Merthyr Tydfil and two schools in the Vale of Glamorgan for children who plan to attend schools in Rhondda Cynon Taf (e.g. Ysgol Gyfun Rhydywaun and Y Pant Comprehensive School).

4.2 **Applications for the Academic Year 2020/21**

For the academic year 2020/21, the local authority processed 8782 applications, of which 7188 (i.e. 81.85%) were applied for on-line. There were 1302 pre-nursery, 2352 nursery, 2534 reception, 71 junior and 2523 year 7 applications.

Within Rhondda Cynon Taf there are 8 voluntary aided (church) schools. The admission arrangements for these schools have been formulated by the schools' governing bodies and requests for admission into these schools are the responsibility of the relevant government bodies.

Decision letters were issued for applications for year 7 places for September 2020 on the 2nd of March 2020. Parents had until the 20th of March 2020 to appeal the decision if their application was unsuccessful.

For nursery, reception and year 3 applications, decision letters were issued on the 16th of April 2020.

The table below provides a summary of the breakdown of the 8782 applications received.

	Pre-Nursery Jan 2021	Pre-Nursery April 2021	Nursery Sept 2020	Reception Sept 2020	Junior Sept 2020	Yr. 7 Sept 2020	Total
Online	928	326	1673	2108	57	2164	7256
Paper	83	66	679	426	14	359	1627
Total	1011	392	2352	2534	71	2523	8883
1 st Preference	N/A	N/A	2281	2491	70	2391	7233
2 nd Preference	N/A	N/A	25	11	0	35	71
3 rd Preference	N/A	N/A	3	0	0	3	6
Applied too soon	273	N/A	N/A	N/A	N/A	N/A	273
School Place	410	122	N/A	N/A	N/A	N/A	532
REP	293	245	N/A	N/A	N/A	N/A	538
No. of places offered	50	25	N/A	N/A	N/A	N/A	75

Of the 7310 single applications made for nursery, reception, junior and year 7 children, 98.95% were offered their first preference, 0.97% their second and 0.08% their third.

For pre-nursery, 1011 applications were made for January 2021. Of these 1011, a total of 273 were not eligible as the children were not three years of age between September and December 2020. A total of 410 children were offered places in 59 schools and 293 were offered places across 32 Registered Education Providers (REPs). A total of 50 applications were refused a place due there not being sufficient capacity in their chosen school or REP in their area. These refused applications were distributed across 32 schools.

For pre-nursery April 2021, a total of 392 applications were received for and 245 were offered a place in 32 REPs and 122 in 31 schools.

4.3 **Appeals Processes**

Parents/carers wishing to appeal against the outcome of their application for secondary admission had until the 22nd of March 2020 to notify the authority. This extended to the 1st of May 2020 for primary schools. It is the parents/carers' responsibility to prove that an appeal request has been sent and therefore parents are strongly advised that all appeal requests are sent via recorded delivery or a tracked e-mail for evidence purposes.

For the September 2020 admission round, the authority received 27 appeals - 10 successful; 17 unsuccessful.

5. **ADMISSION YEAR 2021/22**

5.1 **Late Applications**

For September 2021 applications, a late application will only be accepted by the Admissions Authority when a good reason is given for the lateness of the application (e.g. when a single parent has been ill for some time or a family member has just moved into the area). Where a good reason is given, a late application will be accepted provided it is received before offers of places are made at the preferred school(s).

5.2 **Parental Responsibility**

Only persons holding responsibility for the named child are able to make an application and they will be required to make a declaration to this effect as part of the application process. Ordinarily it is expected that this person resides at the same address as the child and is referred to as the parent for admission purposes. Where parental responsibility is equally shared, the Council will ask the child's parents to determine which parent should submit the application. If parents cannot agree and neither has obtained a court order stating who should be making the application, the Council will accept an application from the parent in receipt of Child Benefit for the child. The Council is not in a position to intervene in disputes between parents over school applications and will request that these are resolved privately.

If an application is received from a step-parent, they will need to produce a parental responsibility order confirming that they have parental responsibility. Such documentation is required to proceed with processing the application.

5.3 **All Through Schools**

The parents and carers of children already attending an all through school, do not need to apply for a secondary school place as they will automatically transfer from year 6 to year 7 in the same school, unless they wish to attend a different secondary school.

Children will still have to apply for a pre-nursery, nursery and reception place at the relevant time.

5.4 **Timetable 2021/22**

Each local authority must publish an annual composite prospectus which sets out the determined admissions arrangements, including a timetable for the admissions process detailing the relevant dates for the receipt and determination of applications and for the receipt of appeals.

For the academic year 2021/22, the admission timetable is set out in the table below and is published in the Starting Schools booklet.

Admission Cohort	Age of Pupil	Applications Available From	Applications to be Returned By	Decision Notifications Issued
Secondary School - year 7	12 th birthday falls between 01/09/2021 – 31/08/2022	02/09/2020	18/10/2020	02/03/2021
Primary School - year 3 Transfer from Infant to Junior or Primary School	8 th birthday falls between 01/09/2021 – 31/08/2022	02/09/2020	15/11/2020	16/04/2021
Primary School Reception Class (i.e. age 4 before 01/09/2020)	5 th birthday falls between 01/09/2021 – 31/08/2022	02/09/2020	15/11/2020	16/04/2021
Primary School Nursery Class (i.e. age 3 before 01/09/2021)	4 th birthday falls between 01/09/2021 – 31/08/2022	02/09/2020	15/11/2020	16/04/2021
Pre-Nursery Admission from January 2022 (Spring Term)	3 rd birthday falls between 01/09/2021 – 31/12/2021	01/09/2021	02/10/2021	20/11/2021
Pre-Nursery Admission from April 2022 (Summer Term)	3 rd birthday falls between 01/01/2022 – 31/03/2022	04/01/2022	12/02/2022	12/03/2022

5.5 **Waiting List**

Following the allocation of places during the normal admission round, any pupil who is refused admission to an oversubscribed school will be placed on the

waiting list. The list will be maintained until the 30th of September (in line with the School Admission Code). Thereafter parents/carers must make a fresh application for admission (by completing the application form) and/or provide a written request to remain on the waiting list.

Admissions in respect of pupils on waiting lists are determined by application of the over-subscription criteria, not by the length of time a child has been on the waiting list.

5.6 **Admissions at Other Times**

During the course of any academic year, children transfer between schools due to a number of reasons ranging from house moves and those moving into the County Borough. We advise parents to first contact their present headteacher to alert them of the decision to change schools and then if parents wish to proceed they should contact the School Admissions Team for advice in making the application to the new school.

Between 01/09/2019 and 31/08/2020 there were 874 primary and 213 secondary in-year transfer applications, of which 567 (52.16%) were due to a house move.

Of the total in-year transfers (IYT) 36.61% of primary and 35.21% secondary children were in receipt of free school meals (FSM) and 4.58% and 4.69% were children looked after (CLA).

Number of IYT Primary Applications

Primary	PN/N	Rec	1	2	3	4	5	6	Total
2016/2017	159	134	156	132	128	109	124	68	1010
2017/2018	155	147	151	148	154	125	110	57	1047
2018/2019	133	150	150	174	151	159	131	58	1106
2019/2020	121	102	122	127	110	132	109	51	874
FSM Children	19	37	52	55	38	50	47	22	320
CLA Children	4	5	6	5	6	4	7	3	40
House moves 2019/2020	61	41	59	69	61	62	53	33	439

Number of IYT Secondary Applications

Secondary	7	8	9	10	11	Total
2016/2017	77	87	71	46	18	299
2017/2018	56	66	69	33	4	228
2018/2019	79	75	87	49	8	296
2019/2020	48	65	65	27	8	213
FSM Children	20	26	16	9	4	75
CLA Children	2	2	3	3	0	10
House moves 2019/2020	27	38	44	16	3	128

6. WELSH MEDIUM TRANSFERS

6.1 Primary Welsh Medium Transfers

During the academic year 2019/2020, 82 children transferred into a Welsh medium primary school and 76 left (i.e. a net increase of 6, compared to a net reduction of 16 in the previous year).

	Primary	PN/N	Rec	1	2	3	4	5	6	Total
2017/2018	Receiving	6	10	10	7	13	9	15	3	73
2017/2018	Leaving	8	12	14	11	15	17	12	9	88
2018/2019	Receiving	14	8	12	8	9	5	7	2	65
2018/2019	Leaving	6	16	13	10	7	10	17	2	81
2019/2020	Receiving	12	16	11	10	5	11	12	5	82
2019/2020	Leaving	7	8	9	12	10	15	9	6	76

6.2 Secondary Welsh Medium Transfers

During the academic year 2019/2020, 6 children transferred into a Welsh medium primary school and 12 left (i.e. a net reduction of 6, compared to a net reduction of 18 in the 2018/2019).

	Secondary	7	8	9	10	11	Total
2017/2018	Receiving	4	1	6	3	0	14
2017/2018	Leaving	4	3	3	1	0	11
2018/2019	Receiving	7	2	4	3	0	16
2018/2019	Leaving	9	15	7	3	0	34
2019/2020	Receiving	1	3	1	0	1	6
2019/2020	Leaving	1	3	4	2	2	12

6.3 Year 7 Welsh Medium Applications September 2020

Of the 386 children in year 6 at a Welsh medium primary school or Welsh medium all-through school in Rhondda Cynon Taf in July 2020, 368 applied for and were offered a place in a Welsh medium secondary school or Welsh medium all-through school in the County Borough (i.e. 95.37%) for September 2020.

In the dual language schools, there were 62 children in Welsh medium streams in year 6 and 57 applied for and were offered a place in a Welsh medium secondary school or Welsh medium all-through school in Rhondda Cynon Taf (i.e. 91.94%).

In September 2020, 94.87% of children in year 6 Welsh medium primary schools or Welsh medium dual language schools continued their education in Welsh medium secondary schools or Welsh medium all-through schools.

7. ADMISSIONS FOR LEARNERS WITH SPECIAL EDUCATIONAL NEEDS

It is the local authority's policy that all children, as far as is possible within the terms of the Education Act 1996, should be educated in mainstream schools within their local communities. If parents/carers feel that their child may have special education needs they should, in the first instance, arrange to discuss their child's difficulties with the headteacher of the child's current school.

There is an expectation that schools adopt a graduated response to meeting a learner's needs in line with the SEN Code of Practice Wales (2002) requirements. For learners with significant or complex needs, referrals should be made to the Access and Inclusion Service, to inform further intervention from the Educational Psychology Service and/or the Learner Support Service. If appropriate, referrals can be made to the relevant local authority SEN panel should a specialist placement be required. If the threshold criteria for a specialist placement is met, then placements are agreed and administered by the Access and Inclusion Service.

8. FAIR ACCESS PANEL

In April 2018, a Fair Access Placement Panel (FAPP) was established. The forum consists of representatives from schools and the local authority who discuss and agree to placements for children deemed to be hard to place for a range of reasons. This has resulted in some of the most vulnerable children being offered suitable school places promptly. For primary school learners requiring a school place, the functions of the FAPP are undertaken by the local authority's School Admissions Service, in partnership with the Attendance and Wellbeing Service and the Access and Inclusion Service.

In the academic year 2019/2020, 40 children were brought forward to discuss and placements made. Of the 40, 16 were managed moves, 24 were parental in-year transfer requests.

9. EQUALITY AND DIVERSITY IMPLICATIONS

- 9.1 There are no negative or adverse equality or diversity implications associated with this report.

10. CONSULTATION

- 10.1 The consultation process in respect of the local authority school admissions and school admission appeals is undertaken as outlined in the Welsh Government's School Admissions Code.

11. FINANCIAL IMPLICATION(S)

- 11.1 There are no financial implications.

12. LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED

12.1 There are no financial implications aligned to this report

13. LINKS TO THE COUNCIL'S CORPORATE PLAN/OTHER CORPORATE PRIORITIES/SIP

13.1 The Council's Corporate Plan 2020–2024 highlights the Council's commitment to delivering three main priorities, namely:

- Ensuring People are independent, healthy and successful;
- Creating Places: where people are proud to live, work and play; and
- Enabling Prosperity: creating the opportunity for people and businesses to be innovative; be entrepreneurial; and fulfil their potential and prosper.

13.2 This report is linked to ensuring that the Council's School Admissions supports children and their families to be independent, healthy and successful.

14. CONCLUSION

14.1 The admission of pupils into schools is controlled and administered by the Admissions Authority. A total of 81.85% of all applications were made online. The majority of applications were allocated to their first preference (i.e. 98.95%).

14.2 For children not allocated their first preference school there is an appeal process, the criteria of which must be adhered to. There is no appeal for pre-nursery or nursery places. There were 27 appeals for September 2020 - 10 successful; 17 unsuccessful.

14.3 Between 01/09/2019 and 31/08/2020 there were 874 primary and 213 secondary in-year transfer applications, of which 567 (52.16%) were due to a house move. Of the 874 in-year primary transfers and 213 in-year secondary transfers, 320 and 75 respectively were for learners eligible for free school meals.

14.4 During the academic year 2019/2020 there was a net increase of 6 learners attending the Welsh medium primary sector, compared to a net reduction of 16 in 2018/2019. There was a net reduction of 6 in 2019/2020, compared to a net reduction of 18 in the 2018/2019, in the Welsh medium secondary sector.

14.5 In September 2020, 94.87% of children in year 6 Welsh medium primary schools or Welsh dual language schools continued their education in Welsh medium secondary schools or Welsh medium all-through schools.

14.6 Admission to specialist settings are only made if the threshold criteria for specialist placement is met. These placements are agreed and administered by the Access and Inclusion Service.

14.6 In the academic year 2019/2020, 40 children were discussed, and placements made. Of the 40 - 16 were managed moves; 24 were parental in-year transfer requests.

LOCAL GOVERNMENT ACT 1972
AS AMENDED BY
THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985
RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL
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24TH MARCH 2021
REPORT OF THE DIRECTOR OF EDUCATION
AND INCLUSION SERVICES
SCHOOL ADMISSIONS

BACKGROUND PAPERS:

None

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RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2020- 2021

CHILDREN & YOUNG PEOPLE SCRUTINY COMMITTEE

24th MARCH 2021

SCHOOL ATTENDANCE

REPORT OF THE SERVICE DIRECTOR of DEMOCRATIC SERVICES

1. PURPOSE OF THE REPORT

The purpose of this report is to provide Members of the Children & Young People Scrutiny Committee with information regarding unauthorised absence levels of pupils in Rhondda Cynon Taf following concerns raised by Members of the Audit Committee.

2. RECOMMENDATIONS

It is recommended that Members:

2.1 Review the information contained in the report attached at Appendix 1:

2.2. Consider whether they wish to scrutinise in greater depth any matters contained in the report.

3. REASONS FOR RECOMMENDATIONS

3.1 For the Children and Young People Scrutiny Committee to consider the concerns raised by the Audit Committee at its meetings held on the 5th of October 2020 and 2nd November 2020.

4. BACKGROUND

4.1 At its meeting on the [5th October 2020](#) Audit Committee considered the

“Finalised Audit Assignments Report”, where a number of priorities were identified relating to ‘Attendance, Referrals and Intervention’ and ‘Post 16- Planning and Funding’,

- 4.2 Following the consideration of the report Audit Committee agreed that Officers from Education and inclusion Services attend the Meeting on the [2nd November 2020](#) to discuss some of the findings.
- 4.2 Members of the Audit Committee considered the presentation of the Director of Education, Members also discussed post-16 attendance and as an issue. The main concerns from the report were the level of unauthorised absences for statutory school age and post 16 settings.
- 4.3 The Audit Committee resolved to refer these matters to the Children and Young People Scrutiny Committee for consideration in greater detail.
- 4.4 Following scrutiny and challenge of this report and the information contained within these appendices, Members may wish to consider, if appropriate, making recommendations to the Council’s Cabinet on this matter or seek further information from officers. Members may also consider seeking appropriate evidence as part of Members’ enquiries in request of this area, should committee determine to explore and scrutinise this subject as part of future work programming.
- 4.5 Members of the Children and Young People Scrutiny Committee formed a Scrutiny Working Group to scrutinise School Non-Attendance Fixed Penalty Notices (FPNs) and their impact on improving attendance and decreasing absenteeism. The Working Group acknowledged the procedures that were already in place and considered how to improve upon them.
- 4.6 The Working Group formed a number of recommendations based on the work that had been undertaken along with the feedback that had been received from Headteachers, school staff and Governors. However, due to the Covid 19 pandemic the Working Group Report has be held back and Members of the Working Group will reconvene and revise their recommendations when educational settings return to more normal operational procedures and report back to Members of the Committee with a final report.

5. **CONCLUSION**

- 5.1 Excellent school attendance is key to raising educational outcomes. In addition, schools play a pivotal role in safeguarding children and young people, ensuring their positive social and emotional wellbeing, which would not be possible without their engagement in education.

6. EQUALITY AND DIVERSITY IMPLICATIONS

6.1 There are no Equality and Diversity implications arising from this report and no Equality Impact Assessment is deemed necessary for the purposes of this report.

7. CONSULTATION

7.1 There are no consultations implications arising from the content of the report.

8. FINANCIAL IMPLICATIONS

8.1 There are no financial implications arising from this report.

9. LINKS TO CORPORATE AND NATIONAL PRIORITIES AND THE WELLBEING OF FUTURE GENERATIONS ACT

9.1 Education performance has a clear link to the Council's priority of Building a Strong Economy. Improved attendance processes and therefore attendance will have a positive impact on this priority.



RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2020-21

CHILDREN AND YOUNG PEOPLES SCRUTINY COMMITTEE

24TH MARCH 2021

UNAUTHORISED ABSENCE & POST-16 ATTENDANCE

REPORT OF THE DIRECTOR OF EDUCATION & INCLUSION SERVICES

Author(s): Daniel Williams, Head of Attendance and Wellbeing
Tel: 01443 744298

1. PURPOSE OF THE REPORT

- 1.1 The purpose of this report is to provide Members with information regarding unauthorised absence levels for statutory school ages and also Post-16 attendance following concerns raised by members of Audit Committee.

2. RECOMMENDATIONS

It is recommended that Members:

- 2.1 Scrutinise and comment on the information contained within this report.
- 2.2 Consider whether they wish to scrutinise in greater depth any matters contained in the report.

3. BACKGROUND TO THE REPORT

- 3.1 During internal audits relating to 'Attendance, Referrals and Intervention' and 'Post-16 Planning and Funding', a number of priorities were identified. The 'Attendance, Referrals and Intervention' audit was discussed by Audit Committee on the 5th of October 2020 and members requested Education and Inclusion Service representation at their meeting on the 2nd of November 2020 to discuss some of the findings. During this meeting, post-16 attendance was also discussed as an issue raised in the 'Post-16 Planning and Funding' audit report.
- 3.2 The main concerns from the report surrounded unauthorised absence levels for statutory school ages and for post-16, settings not always maintaining class registers for academic lessons as well as Key Skills/Welsh Baccalaureate lessons.
- 3.3 The Audit Committee resolved to refer these matters to Children and Young People Scrutiny Committee for consideration in greater detail.

4. **UNAUTHORISED ABSENCE**

4.1 The concern raised by Audit Committee surrounded high levels of unauthorised absence levels in the secondary and through schools which were sampled. A specific concern surrounded one setting having 6,325 unauthorised sessions during that period – this equated to 4.8%. The sample period was between 1st September 2019 and 29th November 2019. Please see Appendix One for the table presented in the original audit report.

4.2 It was relayed via a presentation during the Audit Committee meeting, and previously discussed at Children and Young People Scrutiny Committee during yearly attendance progress reports, that unauthorised absence figures increased in recent academic years. The tables below show these figures at primary and secondary phase for statutory age groups.

Table 1. Primary Absence Rates

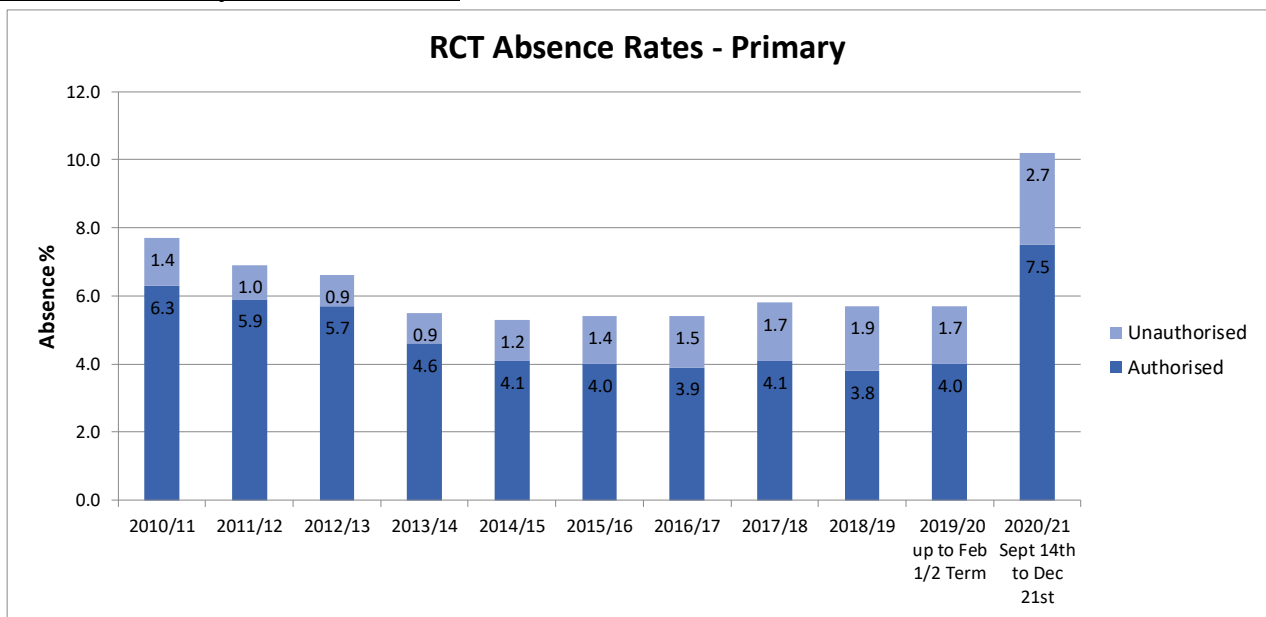
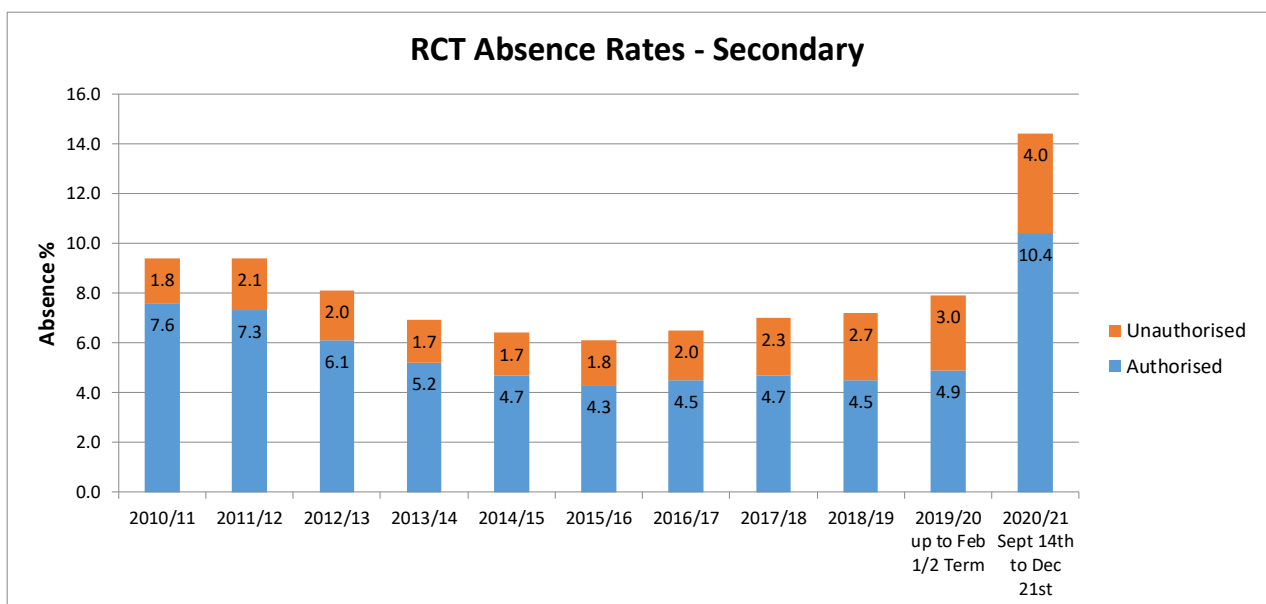


Table 2. Secondary Absence Rates



- 4.3 As you will be able to see, from Table 1 and 2, from the 2010/11 academic year to 2013/14 academic year the percentage of authorised and unauthorised absences both declined. Since this time unauthorised absence has risen year on year.
- 4.4 The increase in unauthorised absence levels are in line with the onus placed upon schools to investigate absence by the Attendance and Wellbeing Service, and wider Education and Inclusion Services, as a result of the release of the All Wales Attendance Framework in 2011 and the introduction of Fixed Penalty Notices since 2015.
- 4.5 Following the release of the Attendance Framework in 2011, settings were encouraged to challenge parents/carers more frequently and request evidence for absences. This increased emphasis supported an improvement in attendance in the immediate years following.
- 4.6 The introduction of Fixed Penalty Notices in 2015 placed a specific emphasis on accurate recording of authorised or unauthorised absences as schools could only request a penalty notice on learners meeting aspects of the code of conduct which all surround unauthorised absences only. We therefore see in the subsequent years, an increase in unauthorised absences. This increase in unauthorised absences was therefore expected.
- 4.7 In relation to 4.1, the school raised as concerning due to the high number of unauthorised sessions may need further context. This school was our lowest performing through-school during that period, as well as having our lowest performing secondary phase across the local authority. Therefore, absence figures were particularly high and an attendance audit had been undertaken with the school. It was identified that more work was needed in key areas and the school was sending a strong message to parents/carers that absence would not be tolerated at that time.
- 4.8 In Tables 1 and 2, we do not have a complete data set for 2019/20 and 2020/21, due to the Covid-19 pandemic. As expected during this period, absence levels have increased drastically at the onset of the pandemic and subsequently in this academic year. Various changes have been made to coding guidance during this time from Welsh Government. The increase in unauthorised absences at both phases is a consequence of parental/pupil anxiety and refusal to return to school. Where this refusal has continued over a long period, schools have begun to unauthorise absences where there are no mitigating circumstances.
- 4.9 Operationally, the Attendance and Wellbeing Service has changed during the pandemic to support in these key areas. The majority of 'open cases,' that were open prior to the pandemic, were closed with the agreement of families and settings in order to realign the focus on Wellbeing Response Visits.
- 4.10 Wellbeing Response Visits are door-knock visits adhering to Public Health Wales guidance where either the child has been absent from school without explanation; where the explanation provided is disputed by the school; where there are safeguarding concerns; or, during full lockdowns, where parent/carers fail to maintain engagement with the school and no contact has been made for three days. All schools are on a three-day rota for visits and staff will attempt to establish contact to

determine the reason behind absence/non-engagement and work with families to support. Feedback is provided to the schools on the same day as referral in the majority of cases.

- 4.11 The Attendance and Wellbeing Service also maintains termly register compliance checks with all settings, including throughout the pandemic, to ensure that the attendance codes are used in line with Welsh Government guidance. During these checks, schools are RAG rated dependent on compliance and actions are issued where needed. Schools who appear as 'red' during these checks are escalated in line with the Attendance and Exclusions Graduated Response.
- 4.12 Attendance coding is also frequently monitored with open cases under ordinary circumstances and the ability that we have centrally to monitor the attendance picture of all settings within 24 hours via Capita One ensures that we have the data available for support and challenge. We are therefore confident that registers, coding practices and the ability to challenge these is very effective within RCT.

5. POST-16 ATTENDANCE

- 5.1 The second concern raised by Audit Committee, and subsequently requested to be referred to Children and Young People Scrutiny Committee, was Post-16 Attendance Practices.
- 5.2 The original audit into this subject was not attendance focused. However, a concern was raised during the audit that attendance registers were not always completed in academic lessons as well as Key Skills/Welsh Baccalaureate lessons. Learners were also leaving site at various times without challenge.
- 5.3 Post-16 attendance is not statutory. Therefore, we do not ordinarily report on attendance at this level within the annual attendance progress reports and similarly there is no attendance data collection by Welsh Government for Post-16 learners.
- 5.4 However, settings still need to maintain safeguarding practice on site. This is particularly relevant where many of our learners are still under 18 years of age and therefore legally defined as children whilst accessing our Sixth Forms. This is defined in section 175 of the Education Act 2002 and section 3 of the Social Services and Well-being (Wales) Act 2014.
- 5.5 Schools with Post-16 provision have been encouraged to ensure safeguarding practices are considered and pupils adhere to these practices. They have been reminded that any Post-16 learners leaving the school site must sign-out and unexplained absences should be acted upon.
- 5.6 Schools will also be reminded that their Post-16 Attendance and Absence procedures, as well as their expectations, should be communicated with learners and their families.
- 5.7 The Attendance Toolkit was revised in March 2020, just prior to the outbreak of the pandemic, which emphasised the need to maintain accurate registers for all year groups to accurately monitor, not just attendance, but also engagement levels.
- 5.8 The Covid-19 pandemic has led to various new approaches to attendance in Post-16 education where learners in some settings have been requested to return home

during periods without lessons to reduce the risk of transmission. Welsh Government guidance has suggested the use of areas such as common rooms should not be utilised.

6. EQUALITY AND DIVERSITY IMPLICATIONS

6.1 There are no equality and diversity implications at this time.

7. CONSULTATION

7.1 There are no consultation implications arising from the content of the report.

8. FINANCIAL IMPLICATION(S)

8.1 There are no financial implications arising from the content of the report.

9. LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED

9.1 None at present.

10. LINKS TO THE COUNCIL'S CORPORATE PLAN / OTHER CORPORATE PRIORITIES/SIP

10.1 Educational performance has a clear link to the Council's priority of Building a Strong Economy. Improved attendance processes, and therefore attendance, will have a positive impact on this priority.

11. CONCLUSION

11.1 Our Attendance approach has shifted over the past ten years as a result of Welsh Government guidance, the introduction of FPN's and changes within the Attendance and Wellbeing Service. Attendance Strategies have been updated and renewed throughout that time to change the focus of the service and this strategy has dynamically changed throughout the pandemic to deal with the frequent changes we are presented with.

11.2 Unauthorised absence levels during this time have increased which may look concerning at first glance. However, this is expected as settings have responded to the changes outlined above and provided an increased level of challenge to parents/carers/learners relating to their absence. Where there is no evidence or explanation, schools have coded correctly in line with the Guidance on School Attendance Codes (June 2010).

11.3 The measures that the Attendance and Wellbeing Service are able to undertake to monitor attendance and coding provides sufficient and effective support and challenge for all settings. This provides us centrally with the confidence that coding is accurate.

11.4 Post-16 attendance is more difficult to centrally control but settings are frequently reminded of their responsibilities to maintain registers and ensure safeguarding practices are in place.

- 11.5 The Covid-19 pandemic has changed the expectation of settings in relation to Post-16 learners remaining on site in libraries or common rooms to be counteracted with mitigation of virus transmission. Hopefully, going forward, when educational settings return to more 'normal' operating procedures and the guidance around risks of transmission reduce then we can revisit schools to consider this aspect.
- 11.6 At this time, we will also work closely with Internal Audit to consider an audit specifically aimed at Post-16 attendance practices to determine where further improvement can be made.

Appendix One - ATTENDANCES, ABSENCES & AM/PM LATE MARKS AT SAMPLED SECONDARY/THROUGH SCHOOLS – TABLE INITIALLY PRESENTED IN THE ‘ATTENDANCE, REFERRALS & INTERVENTION’ AUDIT REPORT

(Sample period - 01/09/2019 to 29/11/2019)

School Name	Present Percent	Present	Authorised Absence	Unauthorised Absence	Possible Sessions	Present			
						AM	PM	L*	U**
Aberdare Community School	92.6%	121721	5976	3791	131488	56390	58485	3484	80
Ferndale Community School	92.2%	62623	3182	2141	67946	28927	30327	1858	111
Hawthorn High School	92.8%	66321	3025	2137	71483	30736	32203	2163	6
Porth Community School	91.8%	92208	4689	3555	100452	44446	45082	1234	7
Tonyrefail Community School	90.8%	120265	5901	6325	132491	57992	58616	2310	533
Ysgol Garth Olwg	94.3%	104607	4325	2020	110952	50587	50071	1455	24
TOTALS		567745	27098	19969	614812	269078	274784	12504	761

NOTE –

N - No reason for the absence provided yet	Unauthorised Absences could include any of these Attendance Codes
G - Family holiday (not agreed or sessions in excess of agreement)	
O - Other unauthorised (not covered by other codes or descriptions)	
U - Late and arrived after the register closed	

KEY –

* <u>CODE L</u> - LATE (But arrived before the register closed)
** <u>CODE U</u> - LATE (But arrived after the register closed)

LOCAL GOVERNMENT ACT 1972
AS AMENDED BY
THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985
RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL
CHILDREN & YOUNG PEOPLE COMMITTEE
24TH MARCH 2021
REPORT OF THE DIRECTOR OF EDUCATION
AND INCLUSION SERVICES