



RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

CABINET

4th OCTOBER 2021

REVIEW OF SPECIAL SCHOOL PROVISION IN RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

REPORT OF THE DIRECTOR OF EDUCATION AND INCLUSION SERVICES

AUTHOR(S): Gaynor Davies, Director of Education and Inclusion Services and
Andrea Richards, Service Director, 21st Century Schools and
Transformation

1. PURPOSE OF THE REPORT

- 1.1 The purpose of this report is to provide Cabinet with updated information following the [report](#) presented to Cabinet in February 2021 where Cabinet agreed to additional scoping work being undertaken including feasibility studies, where appropriate, to inform potential proposals for change in our special school provision.
- 1.2 This report includes opportunities for further investment and recommends the next steps to address the demand for additional capacity in our special school provision.

2. RECOMMENDATIONS

- 2.1 It is recommended that Cabinet:
 - i. Note the content of this report.
 - ii. Acknowledge the pressures on our special schools and the need for significant investment to increase capacity and manage increased demand.
 - iii. Note that investment has been included within the Council's revised 21st Century Schools Strategic Outline Programme to invest in a new special school within the County Borough of Rhondda Cynon Taf (RCT).
 - iv. Agree to receive further reports as the proposal develops and progresses in accordance with the Welsh Government's School Organisation Code, and Welsh Government's 21st Century Schools and Colleges statutory approval processes.

3. REASONS FOR RECOMMENDATIONS

- 3.1 To address the demand for additional capacity in special schools in the County Borough of RCT to accommodate the growth in learner numbers.
- 3.2 To acknowledge that the statutory duties placed upon the Council to deliver the obligations of the Additional Learning Needs and Education Tribunal (Wales) Act 2018 (ALNET Act), will compound the pressures placed on the special school sector and our capacity to make statutory provision for the learners that require it.
- 3.3 To secure appropriate provision for pupils with additional learning needs and avoid long-term budget pressures for the Council.

4. BACKGROUND

- 4.1 At the current time, there are 600 learners accessing education across four special schools in the County Borough of RCT. The Council currently has four special schools:
 - Maesgwyn Special School, Cwmdare, Aberdare.
 - Park Lane Special School, Trecynon, Aberdare.
 - Ysgol Hen Felin, Ystrad, Rhondda.
 - Ysgol Ty Coch, Tonteg, Pontypridd, which includes a satellite base in Buarth y Capel, Ynysybwl, Pontypridd.
- 4.2 Information on each special school was provided in the previous [report](#) presented to Cabinet in February 2021, including information on the educational provision, the age range of the learners, and an overview of the school site, including property condition information and suitability ratings. This information has not changed and remains valid.
- 4.3 Also acknowledged within the same report were the difficulties placed on special school admissions as special schools do not have a capacity calculation, unlike other school provisions. Learners are placed in special schools based on an assessment of their needs and as a consequence special schools cannot be classed as full. Measuring the Capacities of Schools in Wales – October 2011 confirms that the capacity assessment method for calculated school capacities applies to all community, voluntary aided, voluntary controlled and foundation schools in Wales. The method does not apply to nursery or special schools or pupil referral units.

The Current Pressures

- 4.4 The following data analysis is based on data derived from the Pupil Level Annual School Census (PLASC) unless otherwise stated. This analysis gives an indication of the children and young people with Additional Learning Needs (ALN) in the County Borough of RCT.

- 4.5 Table 1 outlines the total number of children and young people who accessed their education in one of the four special schools (including the Buarth y Capel satellite base) from the academic year 2013/2014 to 2020/2021. The data clearly shows the steady rise in learner numbers accessing special school provision.

Table 1: Total Special School Learner Numbers

Total Number of Children and Young People who Access their Education in Special Schools in the County Borough of RCT Between the Academic Years 2013/2014 2020/2021									
	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	9/2021
Total Number of Learners	483	488	531	539	543	562	577	574	600

- 4.6 Table 2 outlines the total number of children and young people who accessed special schools broken down into each of the four special schools (including Buarth y Capel) from the academic year 2016/2017 to September 2021.

Table 2: Trend Data Between Academic Year 2016/2017 and September 2021

Total Number of Children and Young People who Access their Education in Special Schools in the County Borough of RCT Between the Academic Years 2013/2014 to 2020/2021						
Special School	Academic Year					
	2016/2017	2017/2018	2018/2019	2019/2020	2020/2021	Sept 2021
Maesgwyn School	132	130	127	130	119	120
Park Lane School	101	93	97	88	93	104
Ysgol Hen Felin	169	178	179	186	184	191
Ysgol Ty Coch	137	142	159	173	178	185
Total	539	543	562	577	574	600

- 4.7 The PLASC data comparison demonstrates that there has been a consistent increase in learner numbers in both Ysgol Hen Felin and Ysgol Ty Coch. The current numbers on roll as of September 2021 cumulatively across the special schools in the County Borough of RCT is **600**, demonstrating another significant increase. Numbers of learners in Ysgol Hen Felin and Ysgol Ty Coch are currently 191 and 185 respectively and reflects the continued pressure on placements in these schools.

- 4.8 As stated in the previous report, based on the overall growth in number of learners requiring special school placements in the last 4 years, it seems inevitable that the number of learners will continue to grow over the next 5 to 10 years. In recent years, there have been more learners with significant needs who need placement in a special school setting than there have been places. The trend data suggest that this will continue to be the case. Whilst it has been possible to address this through remodelling and building works this is becoming increasingly challenging and options for extending school sites are now limited.
- 4.9 It is not just the increase in the number of learners accessing our special schools that are causing the pressures, it is also the increase in the complexities of the learners' needs that attend these specialist provisions and the staffing numbers required to meet need.
- 4.10 It is difficult to provide a breakdown in the needs of the learners that attend our special schools given the complex nature and numerous iterations of any ALN diagnosis. Following guidance from colleagues in Inclusion Services, and for the sole purpose of this report, we will use the staff ratio bandings to evidence the growing complexity of need in our special school provision. Utilising this data will highlight the changes in the staffing levels required to support each learner depending on presenting need over the last few years, further evidencing the change in need and the increased demand placed upon this sector.
- 4.11 The staff bandings according to learner need are detailed below in Table 3. For a class of 10 for learners with profound and multiple learning difficulties requiring enhanced support (BAND 1+), there would be a requirement for 3 teaching staff and 4.5 learning support staff to meet need of this complexity – at total of 7.5 staff. This illustrates the intensive support required for children with the most complex needs and does not include the intervention required from highly specialist health professionals e.g., nurses, occupational therapists, speech and language therapists and physiotherapists.

Table 3: Staffing Based on Pupil Banding and Need

Band	Band of Learning Difficulty	Number of Teachers per 10 FTE Learners	Number of Learning Support Assistants per 10 FTE Learners
1+	Profound and Multiple Learning Difficulties (Enhanced)	3	4.5
1	Profound and Multiple Learning Difficulties	2	3
2	Severe Communication Difficulties	1.8	1.8
3	Severe Emotional and Behavioural Difficulties	1.5	1.5
4	Severe Development Difficulties	1.3	1.3
5+	Other Learning Difficulties (Enhanced)	1	0.5
5+	Other Learning Difficulties	1.115	0.9

- 4.12 In January 2021, the special schools had the following learner numbers, which are broken down according to the corresponding banding categories detailed in Table 4.

Table 4: Data for January 2021 Based on Learner Numbers

January 2021	Band of Learning Difficulty							
	B1+	B1	B2	B3	B4	B5+	B5	TOTAL
	Total	Total	Total	Total	Total	Total	Total	Post 16
Park Lane	11	10	21	10	38	0	3	93
Ysgol Hen Felin	14	26	30	39	73	0	2	184
Maesgwyn	10	6	4	19	46	2	32	119
Ysgol Ty Coch (Including BYC*)	7	39	38	22	54	0	5	178
Total	42	81	93	90	211	2	42	574

In the main our special schools have significant numbers of learners at Band 4, with lower numbers of learners with high end needs (Band 1+) and lower end needs (Band 5/5+).

This data can be compared with the number of learners in the staff banding categories from January 2016 which are detailed in Table 5 below. As can be seen from the table below, the band B1+, which has the highest level of staff to learner ratio, was not a category. This new banding was introduced in 2017 to provide the additional support required for learners with increasingly complex and profound needs.

Table 5: Data for January 2016 Based on Learner Numbers

January 2016	Band of Learning Difficulty						
	B1	B2	B3	B4	B5+	B5	TOTAL
	Total	Total	Total	Total	Total	Total	Post 16
Park Lane	34	9	5	51	0	0	99
Ysgol Hen Felin	31	38	7	97	0	0	173
Maesgwyn	16	3	27	14	63	18	141
Ysgol Ty Coch (incl Buarth y Capel)	48	7	6	52	0	0	113
Total	128	57	45	214	63	18	539

- 4.13 This data shows very clearly the increase in learners requiring the support of the higher staffing ratios as specified in categories B1+, B1, B2 and B3. This is especially the case in the two largest special schools, Ysgol Hen Felin and Ysgol Ty Coch, with the numbers rising from 76 and 61 in 2016, to 109 and 106 in 2021 respectively for all of these categories.

- 4.14 This data is important as it not only shows the change in the number of learners requiring additional support, but it also demonstrates the increase in the numbers of staff required to work in our special schools due to the enhanced complexity of need, which also has a detrimental impact on the physical space pressures, further compounding the effects on capacity within our special school provision.

National Curriculum Year

- 4.15 Table 6 that follow outlines the national curriculum year of the learners who access their education in each of the four special schools (five sites including Buarth y Capel). This data was correct as of 21st September 2021 and is not taken from the PLASC.

Table 6: National Curriculum Year of Learners that Access their Education at Special School

National Curriculum Year of Learners who Access their Education at Special School							
Key Stage	National Curriculum Year	School				Total	
		Maesgwyn Special School	Park Lane Special School	Ysgol Hen Felin	Ysgol Ty Coch (Ysgol Ty Coch and Buarth y Capel Combined)		
Foundation Phase	Nursery	0	5	3	5	13	100
	Reception	0	4	10	5	19	
	1	0	10	10	9	29	
	2	0	8	17	14	39	
Key Stage Two	3	0	9	12	7	28	144
	4	0	4	11	24	39	
	5	0	6	16	15	37	
	6	0	9	19	12	40	
Key Stage Three	7	9	15	15	16	55	150
	8	13	1	18	10	53	
	9	19	5	10	19	42	
Key Stage Four	10	11	5	11	11	38	73
	11	9	6	10	10	35	
Key Stage Five	12	23	4	7	14	48	133
	13	18	8	17	9	52	
	14	18	5	5	5	33	
Total		120	104	191	185	600	

The data indicates:

- The national curriculum year with the highest number of learners was year 8 with 55 learners.

- Key stage three was the key stage with the highest number of learners with 150 learners.
- However, figures are relatively consistent across all key stages.

Updated School Information

- 4.16 Since the previous report in February 2021, the works to increase the capacity at Ysgol Hen Felin have commenced and a 2-classroom modular build is due for completion by the end of the year. This will provide much needed additional space at the school site to cater for the additional numbers currently on roll at the school site.
- 4.17 Further works at Ysgol Ty Coch have been undertaken over the summer holidays with remodelling carried out to increase the capacity on the existing school site. In addition, plans are progressing to add a modular building on Buarth y Capel, again with the objective of increasing the capacity at this important facility.

5. FUTURE PROPOSALS

- 5.1 In summary, the trend data clearly indicates that the demand on the Council's special school provision is significant and current patterns suggest that this will continue to grow. Our existing special school sites are constrained and will continue to be so unless an increase in special school provision can be created. The previous report put before Cabinet in February 2021 described the geographical limitations of each school site, and the conclusion reached was that all opportunities to extend and increase capacities have been explored and where possible, undertaken.
- 5.2 As there are no alternative options to extend the current special schools on their existing sites, the acknowledgement is that the only feasible alternative is to build a brand new provision on a new site, growing the special school provision within the County Borough and increasing the number of special schools from four to five. The benefits to the Council will include financial benefits in terms of cost avoidance in relation to very costly out of county placements for learners with the most complex medical and health needs. By creating a highly specialist 21st century special school environment it will enable the Council to meet the needs of learners requiring access to highly specialist therapeutic facilities, equipment and resources required to meet all needs, including complex medical and health needs in the County Borough. The Council places significant importance on educating some of our most vulnerable learners in their local communities so that they can access local services and effective multi-agency working in settings close to their homes.
- 5.3 In addition, building a new special school will allow a review of the existing catchments to be undertaken and options for realignment to be explored. The objective of any catchment change recommended as a part of the review will be to free up valuable capacity in the existing special school

provision and create much needed additional places for the County Borough for the benefit of our communities.

- 5.4 Given the considerable changes planned in Wales in relation to the statutory provision required to meet the needs of learners with the implementation of new legislation, the ALNET Act (2018), building a new special school, and creating further capacity in our current provision, will ensure that the Council successfully delivers on its statutory obligations.
- 5.5 This proposal will be developed alongside a review of existing special school provision so that our learners with the most significant ALN have access to the best possible special provision across the County Borough. This will include a review of existing out of county provision, with a view of potentially developing local specialist provision for learners with the most significant medical and health needs.
- 5.5 A site has not yet been selected and the Council is currently undertaking the final stages of an appraisal on a number of potential sites with good external facilities. It is not possible to disclose potential sites at present as some are not currently under Council ownership.
- 5.6 Should this proposal be approved, the creation of a new special school will be subject to a statutory school organisation consultation.

6. EQUALITY AND DIVERSITY IMPLICATIONS

- 6.1 The Council has to satisfy its public sector duties under the Equalities Act 2010 (including specific Welsh public sector duties). Pursuant to these legal duties Councils must in making decisions, have due regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of protected characteristics.
- 6.2 Equality and Community Impact Assessments will be prepared if approval is granted to progress with the proposal. The assessments will form an integral part of the consultation documentation and will be available on the Council's website for public viewing.

7. CONSULTATION

- 7.1 If approval is granted to progress, the consultation process in respect of the proposal will be undertaken under the arrangements outlined in the Welsh Government's Statutory Code – School Organisation Code (011/2018)¹.

8. FINANCIAL IMPLICATIONS

¹ [Welsh Government's Statutory Code – School Organisation Code \(011/2018\)](#)

- 8.1 Without this investment, there is a potential future financial risk to the Council arising from the pressures on special school places. Where need cannot be met in the County Borough out of county placements would have to be sourced. The resulting costs of securing independent special school placements outside of the County Borough would put a significant financial burden on the Council. In this situation, the Council would have to find significant revenue costs to support these placements.
- 8.2 The Council has successfully made a bid to Welsh Government to include a new special school provision in its overall funding envelope of the Band B Strategic Outline Programme (SOP) of the 21st Century Schools and Colleges Programme. This project will be developed in accordance with the Welsh Government's 21st Century Schools and Colleges business case approval process. Noting the preferential rates afforded to special school projects, with a Welsh Government intervention rate of 75%.
- 8.3 If approval is granted, a report setting out the Council's financial contribution will be put before Council for approval when appropriate.
- 8.4 Any revenue and capital costs that are accrued in preparing the financial business cases for Welsh Government approval will be met from within existing budgets.

9. LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED

- 9.1 Section 316 of the Education Act 1996² 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 school funding arrangements in supporting and raising the achievements of children and young people with SEN.

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 proposal will ensure that some of the Council's most vulnerable learners will have the best chance of achieving positive outcomes. The proposal will ensure more efficient and effective use of resources which

² [Education Act 1996](#)

promotes the development of social inclusion and positive outcomes for learners. This will also have a beneficial impact on transport costs and on carbon emissions.

- 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 2015³ and a key element of the Council's Corporate Plan.

11. CONCLUSION

- 11.1 The Welsh Government and legislation requires Local Authorities to regularly review arrangements for supporting learners with ALN and to ensure that provision is sufficient and meets the needs of its communities.
- 11.2 The priority for the Council's Directorate of Education and Inclusion Services is to continue to focus on driving up standards in schools and early years settings, and to improve the outcomes for all children and young people. If the cycle of deprivation and underachievement is to be broken, a top quality education that meets the needs of all children and young people is essential. It is also hoped that by investing in our special school provision in the County Borough of RCT we would further reduce the need for out of county placements for our learners with the most complex needs.
- 11.3 Given the increase in the numbers of learners accessing our special schools, the restrictions of the existing school sites, and the implementation of the new ALNET Act (2018), there is a need to increase our special school provision to ensure that it will meet the needs of our future residents. Without expanding the capacity of provision in the County Borough of RCT there is a risk that we will be unable to meet any future increase in demand for special school placements.
- 11.4 It is recommended therefore that Cabinet acknowledge the pressures on our special schools and the need for significant investment to be prioritised in the sector in order to increase capacity. It is also recommended that Cabinet recognise the opportunities presented by the Welsh Government's 21st Century Schools and Colleges funding, and as such agree to receive further reports as this vital proposal develops and progresses. Future development of the proposal will be carried out in accordance with the Welsh Government's School Organisation Code, and Welsh Government's 21st Century Schools and Colleges statutory approval processes.

³ [Wellbeing and Future Generations Act 2015](#)

LOCAL GOVERNMENT ACT 1972

AS AMENDED BY

THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

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Background Papers

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25TH FEBRUARY 2021

REPORT OF THE DIRECTOR OF EDUCATION AND INCLUSION SERVICES

AUTHOR(S): Ceri Jones, Head of Inclusion Services (Tel: 01443 744008)
Lisa Howell, 21st Century Schools Manager (Tel: 01443 744062)