



RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

CABINET

22ND JUNE 2022

**REVIEW OF LEARNING SUPPORT CLASS PROVISION WITHIN
RHONDDA CYNON TAF**

**REPORT OF THE DIRECTOR OF EDUCATION AND INCLUSION SERVICES IN
DISCUSSION WITH THE CABINET MEMBER FOR EDUCATION AND YOUTH
PARTICIPATION, COUNCILLOR RHYS LEWIS**

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1. PURPOSE OF THE REPORT

- 1.1 The purpose of this report is to advise Members of the outcome of the publication of the Statutory Notice in respect of the proposal to enhance Learning Support Class (LSC) provision within Rhondda Cynon Taf (RCT).

2. RECOMMENDATIONS

It is recommended that Members:

- 2.1 Consider the information contained within the report.
- 2.2 Agree to implement the proposal as published in the Statutory Notice which will open a Key Stage 3/4 LSC provision for pupils with significant Additional Learning Needs in Ysgol Garth Olwg with effect from 1st September 2022.
- 2.3 Subject to 2.1 and 2.2 above, agree to the publication of the relevant Decision Notices in respect of any proposals taken forward as required by the School Organisation Code.

3. REASON FOR RECOMMENDATIONS

- 3.1 To progress the proposal in accordance with the process outlined in the Welsh Government legislative guidance (The School Organisation Code) so that an improved continuum of Welsh ALN provision can be achieved in RCT.

4. BACKGROUND

- 4.1 Members will recall that, at the meeting of Cabinet held on 21st March 2022, approval was given to issue a Statutory Notice in relation to the enhancement of Welsh medium mainstream Learning Support Class Provision within RCT.
- 4.2 Considerable changes are underway in Wales in relation to the statutory provision required to meet the needs of pupils with additional learning needs (ALN). The Additional Learning Needs and Education Tribunal (Wales) (ALNET) Act was introduced in January 2018. The Act requires local authorities to keep under review the arrangements for supporting pupils with ALN within their area and consider whether these are sufficient. This includes a statutory requirement to take all reasonable steps to create a bilingual system of support for pupils with ALN. The Act is supported by a new statutory Additional Learning Needs Code 2021. The Code is based on the following principles:
- meeting the needs of pupils with ALN should be part of a whole school approach to school improvement;
 - pupils must be supported to participate in mainstream education and in the National Curriculum as fully as possible wherever this is feasible.
- 4.3 For pupils with more significant needs who experience difficulties in coping with mainstream education, more specialist placements are required. Rhondda Cynon Taf has a range of specialist provisions which includes: 44 LSCs, 2 Pupil Referral Units (PRUs) and 4 Special Schools. These placements are agreed by Access and Inclusion Service panels. However, the LA does not currently have a discreet Welsh medium LSC provision for pupils with additional learning needs. In light of the requirements of the ALNET Act, it is vital that this shortfall is addressed, and approval is sought to create a specialist LSC provision for Welsh medium Key Stage 3/4 pupils with significant ALN.

5. STATUTORY NOTICES

- 5.1 A Statutory Notice was issued on the 4th April until 11th May 2022 relating to the proposal to open a Key Stage 3/4 LSC provision for pupils with significant Additional Learning Needs in Ysgol Garth Olwg with effect from 1st September 2022.
- 5.2 Following completion of the Statutory Notice period an objection report has been produced. No objections were received in relation to the notice. The report is attached as Appendix A.

6. EQUALITY AND DIVERSITY IMPLICATIONS / SOCIO-ECONOMIC DUTY

- 6.1. As detailed in previous reports, Equality Impact and Community Impact Assessments have been undertaken and have been published on the Council's website together with the consultation document at the appropriate time.

7. WELSH LANGUAGE IMPLICATIONS

- 7.1 A Welsh Impact Assessment has also been prepared in respect of this proposal and has been published on the Council's website as a part of the Consultation Documentation in accordance with the requirements of Welsh Government's School Organisation Code (2nd Edition) (011/2018) (the "Code").

8. CONSULTATION / INVOLVEMENT

- 8.1 The consultation process in respect of this proposal has been undertaken under the arrangements outlined in the Welsh Government's School Organisation Code, which was introduced on 1st November 2018, replacing the previous Code introduced in October 2013. These arrangements stipulate that Statutory Notices must be issued and a report provided to Cabinet outlining any objections that have been received. This report is attached as Appendix A.

9. FINANCIAL IMPLICATIONS

- 9.1 Secondary schools hosting LSC provisions are funded via the Council for one specialist teacher and two Learning Support Assistants at an approximate cost of £112k per class. Funding that is currently provided to Ysgol Garth Olwg to establish a Step 4 provision following the amended proposal in June 2020 will be re-directed to support the establishment of the proposed new LSC for learners with significant ALN.
- 9.2 The creation of the LSC will incur a transportation cost in line with the Council's Learner Travel Policy, however this increase in cost is seen as a necessity in order to enhance provision for RCT's most vulnerable pupils. Costs cannot be quantified at this time as placements are pupil led.

10. LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED

- 10.1 Section 316A of the Education Act 1996 specifies that children with SEN should normally be educated in mainstream schools so long as this is compatible with them receiving the special educational/additional learning provision that their learning difficulty calls for; the efficient education of other children, and the efficient use of resources.
- 10.2 Section 315 of the Education Act 1996 also requires Local Authorities to ensure that SEN/ALN provision is kept under review. The ALN Code for Wales (2021) places a statutory duty upon the LA to keep under review the overall Additional Learning Provision (ALP) available in its area and supporting arrangements, to ensure provision is sufficient to meet the overall needs of its population of learners with ALN and that provision is available in Welsh.

11. LINKS TO THE COUNCIL'S CORPORATE PLAN / OTHER CORPORATE AND NATIONAL PRIORITIES / WELL-BEING OF FUTURE GENERATIONS ACT

- 11.1 The proposal will ensure that two of the Council's three key priorities will be met. These include:
- Economy: Building a strong economy
 - People: Promoting independence and positive lives for everyone.
- 11.2 The proposal will ensure that some of the Council's most vulnerable pupils will have the best chance of achieving positive outcomes, whilst also ensuring equity and support for vulnerable learners and their families in line with strategic priority 3 of the Education and Inclusion Services Directorate's Strategic Plan. The proposal will also ensure more efficient and effective use of Council resources to promote the development of social inclusion and positive outcomes for learners.
- 11.3 The proposal will ensure there is renewed capacity to focus on prevention which is a key statutory requirement of the Wellbeing and Future Generations Act and a key element of the Council's Corporate Plan.
- 11.4 The proposal will also assist the directorate in achieving strategic priority 3 of the Directorate of Education and Inclusion Services Strategic Plan: Ensuring equity and support for vulnerable learners and their families

12. STRATEGIC OR RELEVANT TO ELECTORAL WARDS

- 12.1 The proposal relates to the strategic development of Welsh-medium Additional Learning Provision that is available within the county borough that will enable learners with significant additional learning needs in Key Stage 3/4 to continue with their education through the medium of Welsh by accessing a Welsh medium specialist learning support class placement.

13. CONCLUSION

- 13.1 Members are now asked to consider the contents of the Objection Report, at Appendix A to the report, and agree to its immediate publication and consider whether or not to implement the proposed enhancement to LSC provision within RCT.
- 13.2 If the proposal is agreed as outlined in the report, the Council must publish a Decision Notice that formally outlines the reasons for the implementation of this proposal.

Other Information:-

Relevant Scrutiny Committee-

Education and Inclusion Scrutiny Committee

Background Papers-

None

Contact officer:

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RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

OBJECTION REPORT

**PROPOSAL: THE ENHANCMENT OF WELSH MEDIUM MAINSTREAM
LEARNING SUPPORT CLASS (LSC) PROVISION
WITHIN RHONDDA CYNON TAF**

1. Purpose of the Objection Report

This report is prepared in accordance with the Welsh Government's School Organisation Code, statutory document 011/2018. Its purpose is to:

- Inform the outcome of the publication of the statutory notice published for the proposal, which was published on 4th April until 11th May 2022;
- Include a summary of the statutory objections received and the local authority's response to them.

2. The Statutory Notice

The Statutory Notice to progress this proposal, which were published on 4th April 2022 are reproduced below:

Statutory Notice

Rhondda Cynon Taf County Borough Council

Notice is given in accordance with section 42 of the School Standards and Organisation Act 2013 and the School Organisation Code that Rhondda Cynon Taf, having consulted such persons as required, proposes to establish SEN provision at Ysgol Garth Olwg, Main Road, Church Village, Pontypridd, CF38 1DX, by providing 14 places for Key Stage 3/4 (aged 11 – 16) pupils with Significant Additional Learning Needs through the Medium of Welsh at the school. The school is currently maintained by Rhondda Cynon Taf.

Rhondda Cynon Taf undertook a period of consultation before deciding to publish this proposal. A consultation report containing a summary of the issues raised by consultees, the proposers' responses and the views of Estyn is available on www.rctcbc.gov.uk/schoolconsultations.

It is proposed to implement the proposal on 1st September 2022.

The current number of pupils at the school is 1208, the pupil capacity of the school is 1110 Secondary and 324 Primary and the proposed capacity once the proposal is implemented will be 1110 Secondary and 324 Primary.

Within a period of 28 days after the date of publication of these proposals, that is to say by 11th May 2022 any person may object to the proposals.

Objections should be sent to Director of Education and Inclusion Service, Access and Inclusion Service, Ty Trevithick, Abercynon, Mountain Ash, CF45 4UQ.

Rhondda Cynon Taf will publish a summary of any such objections made (and not withdrawn in writing) within the objection period, together with their observations thereon, within the period of 28 days after the end of the objection period.

Signed



Director of Education and Inclusion Service, Rhondda Cynon Taf

Date – 4th April 2022

Explanatory Note

1. Improving the quality of education and raising standards is one of the Council's main priorities. It is considered that improving standards and educational outcomes for some of our most vulnerable learners will improve their life chances, access to the world of work and other education pathways. Ensuring that our support classes are well matched to the needs of learners is important in helping them to make progress.
2. Whilst the quality of LSC classes in Rhondda Cynon Taf is good, there is a need to modernise and develop the type of LSC classes to increase opportunities for mainstream inclusion and to further improve results for vulnerable groups of learners.
3. There is a need to expand KS 3/4 LSC provision for pupils with significant Additional Learning Needs in the Local Authority.

3. Details of Objections Received

No objections were received by the published closing date, namely 5pm on 11th May 2022.

4. Conclusion

As there have been no objections received from stakeholders Access & Inclusion will seek permission from Cabinet to continue with the proposed enhancement of Welsh medium LSC provision within RCT.

LOCAL GOVERNMENT ACT 1972

AS AMENDED BY

THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

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Background papers

None

Officer to contact:

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