



RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

CABINET

24TH JANUARY 2024

PROPOSALS TO DEVELOP A NEW SPECIAL SCHOOL IN RHONDDA CYNON TAF

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

AUTHOR(S):

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1. PURPOSE OF REPORT

1.1 The purpose of the report is to advise Members of the outcome of the recent publication of a Statutory Notice in respect of the proposal to open a new 3 to 19 special school in Rhondda Cynon Taf (RCT) and introduce catchment areas for all 3 to 19 special schools across RCT, these are:

- Park Lane Special School
- Ysgol Hen Felin
- Ysgol Ty Coch.

2. RECOMMENDATIONS

It is recommended that Members:

- 2.1 Note that no objections or comments were received in response to the publication of the Statutory Notice to progress the proposal.
- 2.2 Agree to implement the proposal with no amendments.
- 2.3 Agree that an update to the Council's borrowing envelope is included in a future Treasury Management report to Council when costs are known and Welsh Government funding is secured.

3. REASONS FOR RECOMMENDATIONS

- 3.1 To progress the proposal in accordance with the process outlined in Welsh Government legislative guidance [School Organisation Code \(2nd Edition\) \(011/2018\)](#).

- 3.2 To continue to meet our statutory duty and appropriate special school provision for pupils with additional learning needs (ALN) and avoid long-term budgetary pressures for the Council.
- 3.3 To better meet and manage the demand for special school places across RCT, helping to ensure that pupils are allocated places in the special school nearest their home.

4. BACKGROUND

- 4.1 Members will recall that, at the meeting of the Cabinet held on [28th June 2023](#), approval was given to begin a statutory process to formally consult on a proposal to open a new 3 to 19 special school in RCT and to introduce catchment areas for all 3 to 19 special schools across RCT.
- 4.2 Following the conclusion of the consultation period, and at a subsequent meeting of the Cabinet held on [23rd October 2023](#), a decision was taken to progress to the next phase of the statutory process and to publish the required Statutory Notice.
- 4.3 The Statutory Notice was published on 10th November 2023 which triggered the commencement of the Objection Period. This ran for a period of 28 days. No objections or comments were submitted during this period.

5. EQUALITY AND DIVERSITY IMPLICATIONS

- 5.1 An Equality Impact Assessment was prepared in respect of the proposal and published on the Council's website together with a Consultation Document that outlined the proposal in further detail in accordance with the requirements of the Welsh Government's [School Organisation Code \(2nd Edition\) \(011/2018\)](#).
- 5.2 The outcome of Equality Impact Assessment identified positive and neutral impacts, and no negative impacts, upon the protected characteristics and so it was deemed that approval would be sought to continue to implement the proposal. In summary:
 - The new special school will be built in accordance with the current requirements of planning and building control legislation and will be fully accessible and compliant with the Equality Act 2010.
 - The new special school and the way in which it will be used will bring positive socio-economic impacts across all of the vulnerable groups identified under the protected characteristic headings.
 - Additional capacity of the new special school could ensure sufficient places to accommodate families who may move into the area midway through an academic year (due to a change in circumstances), this could include the armed forces community and carers.

- The new special school and the way in which it will be used will bring positive socio-economic impacts across all of the vulnerable groups identified under the socio-economic disadvantage headings.
- 5.3 To confirm, the Action Plan included within the Equality Impact Assessment will continue to be reviewed throughout the duration of the project delivery period.

6. WELSH LANGUAGE IMPLICATIONS

- 6.1 A Welsh Language Impact Assessment was prepared in respect of the proposal and was published on the Council's website together with a Consultation Document that outlined the proposal in further detail in accordance with the requirements of the Welsh Government's [School Organisation Code \(2nd Edition\) \(011/2018\)](#).
- 6.2 The outcome of the Welsh Language Impact Assessment found that the proposal could assist with delivering the targets outlined in RCTCBC's Welsh in Education Strategic Plan (WESP) and could support the aim of the Welsh Government's Cymraeg 2050 target of one million Welsh speakers in Wales by 2050. In summary:
- The new special school will be built in accordance with the current requirements of planning and building control legislation and will be fully accessible and compliant with the Equality Act 2010.
 - The Council aims to embed positive habits and attitudes towards the Welsh language through purposeful planning to promote the informal use of the Welsh language amongst pupils inside and outside schools. Facilitating the use of the Welsh language across the curriculum and in wider contexts in schools, to ensure a continuum of linguistic progression to support pupils in the transition between key stages, offers all pupils the opportunity to become fully bilingual and aligns with the Curriculum for Wales 2022. The new special school will be encouraged and supported to do this through the achievement of the 'Cymraeg Campus' Welsh Language Charter, a framework to promote and increase the use of Welsh.
 - The new special school will be a fully accessible and fully integrated community school. A dedicated area will be designed within so that the local community will be allowed to safely use the facilities, both during and after the school day. The headteacher of the new special school will be encouraged and supported to consider using these facilities to increase participation in the Welsh language by offering the opportunity to parents/carers and other members of the community to attend Welsh medium learning classes for adults and/or other opportunities for community engagement through the medium of Welsh.
- 6.3 To confirm, the Action Plan included within the Welsh Language Impact Assessment will continue to be reviewed throughout the duration of the project delivery period.

7. CONSULTATION / INVOLVEMENT

- 7.1 The consultation processes in respect of the proposal has been undertaken under the arrangements outlined in the Welsh Government's [School Organisation Code \(2nd Edition\) \(011/2018\)](#).
- 7.2 The consultation took place between 4th July 2023 and 15th September 2023 and full details of this process were published in a Consultation Report, which was presented at the meeting of Cabinet held on [23rd October 2023](#) and subsequently published on the Council website.

8. THE STATUTORY PROCESS

- 8.1 The consultation processes in respect of the proposal has been undertaken under the arrangements outlined in the Welsh Government's [School Organisation Code \(2nd Edition\) \(011/2018\)](#).

9. FINANCIAL IMPLICATIONS

- 9.1 The funding required to support the scheme is being sought through the Welsh Government's Sustainable Communities for Learning Programme at an intervention rate of 75%. Scheme costs will be developed as the scheme progresses through the WG five case business model and approval process.
- 9.2 Alongside securing WG funding approval, the impact on the Council's borrowing envelope to fund the required 25% contribution will be subject to approval through the Council's Treasury Management reporting arrangements. Any revenue implications resulting as a consequence of the new school, including the school's delegated budget and any potential increases in home to school transport costs will be identified as the proposal develops and will be built into the Council's Medium Term Financial Plan.

10. LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED

- 10.1 Section 315 of the [Education Act 1996](#) requires Councils to ensure that ALN provision is kept under review. In addition, the [ALNET Act 2018](#) requires Councils to keep under review the arrangements for supporting pupils with ALN within their area and consider whether these are sufficient.
- 10.2 Powers for Councils to develop school organisation proposals are governed by the:
- [The School Standards and Organisation \(Wales\) Act 2013](#).
 - The Welsh Government's [School Organisation Code \(2nd Edition\) \(011/2018\)](#).
- 10.3 Council's must, when exercising functions under Part 3 of the [School Standards and Organisation \(Wales\) Act 2013](#), act in accordance with any relevant requirements contained in the Welsh Government's [School Organisation Code](#)

[\(2nd Edition\) \(011/2018\)](#) and must have regard to any relevant guidelines contained in it.

11. LINKS TO THE CORPORATE AND NATIONAL PRIORITIES AND THE WELL-BEING OF FUTURE GENERATIONS ACT

11.1 There are links to Making a Difference, the Council's Corporate Plan for the years between 2020 and 2024, specifically:

- **People:**
 - Encouraging all residents to lead active and healthy lifestyles and maintain their mental wellbeing:
 - Delivering new indoor and outdoor sporting facilities and enhancing existing sporting facilities such as changing rooms and outdoor play areas.
 - Improving services for children and young people and ensuring the needs of children are considered in everything we do:
 - Improving the social, emotional, and mental health and wellbeing of children and young people by increasing the range of specialist services available.
- **Places:**
 - Ensuring RCT is one of the safest places in Wales, with high levels of community cohesion where residents feel safe:
 - Supporting the voluntary, community and faith sectors to help build active communities, creating the capacity for meeting the needs of residents within their communities.
- **Prosperity:**
 - Ensuring we have good schools, so all children have access to a great education:
 - Improving outcomes for children and young people with special educational needs and disabilities.
 - Helping people into work and better paid employment:
 - Offering employment schemes and apprenticeships in the Council, on the regeneration sites, and through other Council contractors.

11.2 There are links to the Council's Directorate of Education and Inclusion Services Strategic Plan for the years between 2021 and 2024, specifically:

- **Strategic Priority 3:**
 - Ensuring equity and support for vulnerable pupils and their families.
- **Strategic Priority 5:**
 - Delivering 21st century learning environments and innovative services for our pupils and communities.

11.3 Due regard has been made to all seven well-being goals and the five ways of working, as contained within the [Wellbeing of Future Generations \(Wales\) Act 2015](#) which requires the Council to think about the long term impact of

decisions, on communities to prevent consistent issues such as poverty, health inequalities and climate change.

11.4 The proposal could contribute towards achieving some of the seven well-being goals by:

- **A Prosperous Wales** - Should the proposal proceed, construction will be competitively tendered, thereby achieving best value for money. Main contractors will be asked to advertise work on Sell2Wales which could provide opportunities for local businesses to tender for the construction. This could provide opportunities for local business to engage with the main contractor for inclusion in their supply chain, via 'Meet the Buyer' events. This would support economic activity in the area.
- **A Resilient Wales** – The proposal could improve the sustainability of school buildings in the Council's portfolio through a commitment to achieving zero-carbon buildings and building to BREEAM excellent standards.
- **A Healthier Wales** – The new special school will be a fully accessible and integrated community school with a dedicated area designed within so that the local community will be allowed to safely use the facilities, both during and after the school day. Accommodation will consist of enhanced outdoor spaces to support the full range of curriculum activities.
- **A More Equal Wales** – The new special school and the way in which it will be used will bring neutral or positive socio-economic impacts to all of the vulnerable groups.
- **A Wales of More Cohesive Communities** – Fully accessible and integrated community school with a dedicated area designed within so that the local community will be allowed to safely use the facilities, both during and after the school day.
- **A Wales of Vibrant Culture and Thriving Welsh Language** – Although the new special school will be English medium, Welsh is taught as part of the curriculum and all pupils will benefit from having the opportunity to be taught in brand new facilities fit for the 21st century.
- **A Globally Responsive Wales** – The new special school could build upon the good working practices and initiatives already have in place to further develop extra-curricular activities to encourage healthy lifestyles for the school community. zero-carbon buildings and building to BREEAM excellent standards.

11.5 The proposal could contribute towards achieving some of the five ways of working by:

- **Long Term** – The proposal forms a part of the Council's wider 21st Century Schools Investment Programme and contributes to the delivery of sustainable schools fit for the 21st century and supports the better strategic management of the Council's education estate. Given the

considerable changes in Wales in relation to the statutory provision required to meet the needs of pupils with ALN, with the implementation of the [ALNET Act 2018](#), building a new 3 to 19 special school in RCT, and creating further capacity in our current provision, will ensure that the Council can continue to meet its statutory obligations.

- **Prevention** – The Council believes that the proposal represents the best opportunity to safeguard and sustain educational standards for the future and provides a platform for further improvement through significant investment in permanent and fit for purpose facilities.
 - **Integrations** – The new special school will be a fully accessible and integrated community school. A dedicated area will be designed within so that the local community will be allowed to safely use the facilities, both during and after the school day.
 - **Collaboration** – The Council will continue to work effectively with internal and external partners to ensure the new 3 to 19 special school meets the short and long term needs of pupils, parents/carers, staff and the wider community.
 - **Involvement** – The proposal is made in accordance with the [School Organisation Code \(2nd Edition\) \(011/2018\)](#) and seeks the views of a prescribed list of stakeholders including pupils, parents/carers, staff and the wider community. As such face to face meetings have been undertaken with the staff, school councils and governing bodies.
- 11.6 As stated in 6.1 to 6.3, an Equality Impact Assessment which further details the contribution of the proposal to the [Wellbeing of Future Generations \(Wales\) Act 2015](#) was prepared.

12. STRATEGIC OR RELEVANT TO ELECTORAL WARDS

- 12.1 Given the considerable changes in Wales in relation to the statutory provision required to meet the needs of pupils with the implementation of the [ALNET Act 2018](#) the proposal to build a new 3 to 19 special school in RCT, creating further capacity in our current provision, will ensure that the Council can continue to meet its statutory obligations and as such is a strategic proposal relevant to all wards.

13. CONCLUSION

- 13.1 In accordance with Section 315 of the [Education Act 1996](#), councils are required to ensure that ALN provision is kept under review. In addition, the [ALNET Act 2018](#) requires Councils to keep under review the arrangements for supporting pupils with ALN within their area and consider whether these are sufficient. Building a new 3 to 19 special school in RCT, and creating further capacity in our current provision, will ensure that the Council can continue to meet its statutory obligations.

13.2 The proposed investment to open a new 3 to 19 special school in RCT on a new site provides the opportunity for more pupils with ALN to benefit from improved educational facilities and learning environments.

Other Information:-

Relevant Scrutiny Committee-

Education and Inclusion Scrutiny Committee

LOCAL GOVERNMENT ACT 1972

AS AMENDED BY

THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

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**Item: PROPOSALS TO DEVELOP A NEW SPECIAL SCHOOL IN RHONDDA
CYNON TAF**

Background Papers

N/A

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