



# STATUTORY CONSULTATION REPORT



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# 1. Introduction

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In July 2017, a formal request was made by the Governing Body and Head Teacher at Ysgol Sŵn y Don to cease hosting the Foundation Phase and Key Stage 2 Additional Learning Needs Resource Classes in the school following their concerns about increasing pupil numbers and their perceived potential for a further increase in numbers over coming years. They reported that the increasing pupil numbers were placing pressure on physical space within the school building, and in particular the organisation of different year groups and classes.

Ysgol Sŵn y Don, (previously Ysgol Babanod Penmaenrhos and Ysgol Iau Tan y Marian) currently plays host to two Learning Resource Classes, one for Foundation Phase pupils (ages 4-7), and one for Key Stage 2 pupils (ages 7-11).

The Authority's Learning Resources are designed to support and enhance the mainstream education of children with identified learning difficulties, and whose difficulties are impacting significantly on their academic progress. The Learning Resource Classes offer the opportunity for small group teaching and over learning of basic skills, including language, literacy and numeracy. The purpose of the Learning Resources is to offer additional intensive learning opportunities in order to support access back to a full time mainstream curriculum.

The Authority funds a total of seven Key Stage 2 Learning Resource Classes across Conwy and one Foundation Phase Resource. The Authority had no plan to reduce this support, therefore the proposal was concerned only with the possible relocation of one or both of the Resource Classes.

The Welsh Government's Statutory "School Organisation Code" states that changes which require the publication of proposals include, ***"the addition or removal of SEN provision or any change in the type of such provision. This is where the provision is in a mainstream school but the pupils who are admitted are in addition to admission number of the school. The provision must also be recognised by the local authority as reserved for pupils with SEN."***

Consequently, at their meeting on 19<sup>th</sup> December 2017, Cabinet resolved to undertake a statutory consultation on the possible relocation of one or both of the Additional Learning Needs Resource Classes, in accordance with Section 2.2 'Regulated Alterations' of the School Organisation Code, 2013.

The proposal subject to the statutory consultation was as follows: "That one, or both, of the Learning Resource Classes currently located within Ysgol Sŵn y Don could be relocated to another/other schools within the same or neighbouring catchment areas, (i.e. the Bryn Elian, Eirias or Emrys ap Iwan school catchment areas)".

The statutory consultation period took place between **12<sup>th</sup> March 2018** and **1.00pm on 23<sup>rd</sup> April 2018**, and was based on the proposal to move one or both of the Additional Learning Resource Classes to another location within the local or neighbouring areas.

## 2. Background Information

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### 2.1 School Information

Ysgol Sŵn y Don is a community school for pupils aged three to eleven situated on the outskirts of Old Colwyn in the County Borough of Conwy. The school was formed in September 2015 when Tan y Marian Junior School and Penmaenrhos Infant School merged, and has been based on the site of the former Junior School since September 2016 when work was completed to extend the previous building.

At the start of the consultation period, there were 131 pupils on the school roll, 119 of whom were of statutory school age. This number had increased as follows since September 2013:

Academic Year	Actual Pupil Numbers (Sept PLASC Data)
2013/2014	88
2014/2015	89
2015/2016	88
2016/2017	99

The school has a total of 6 main classrooms and two smaller classrooms for the two Learning Resource Classes. The classes are currently configured as follows:

- 1) Nursery and Reception (26 pupils: *12 Nursery and 14 Reception*)
- 2) Year 1 (19 pupils)
- 3) Year 2 (26 pupils)
- 4) Years 3 and 4 (28 pupils: *10 Year 3 and 18 Year 4*)
- 5) Year 5 (21 pupils)
- 6) Year 6 (11 pupils)
- 7) Playgroup/Foundation Phase Learning Resource Class (12 pupils)
- 8) Key Stage 2 Learning Resource Class (12 pupils)

“Around 70% of children are eligible for free school meals. This is well above the national average (19%). About 42% of the children have additional learning needs, which is well above the national average, and a few have a statement of special educational needs. A few pupils are in the care of the local authority. Nearly all pupils are of white British ethnic origin and speak English as their first language. No pupils speak Welsh at home”, (Estyn Report, January 2017).

Annual pupil projections for the next five years, (not including the possible increase associated with the potential housing development at the nearby Ty Mawr site), were as follows:

Academic Year	Projected Pupil Numbers
2018/2019	120
2019/2020	114
2020/2021	110
2021/2022	113
2022/2023	101

The projected number of children who may move to the area with the proposed Ty Mawr housing development, should this be agreed, was 50 of primary school age and 41 of secondary school age.

In addition to the pressure being experienced from increased pupil numbers this academic year, following their Inspection in January 2017, both the school's performance and their prospects for improvement were deemed 'Unsatisfactory' by Estyn. As a result, it was recognised that special measures were required in relation to the school, and at the time the consultation period began, the school's progress continued to be monitored on a termly basis by Estyn.

The Governing Body of Ysgol Sŵn y Don felt that they were better able to effectively address all of the recommendations within the recent Estyn Inspection by separating year groups, particularly across Key Stage 2. Taking this into account and the increase in pupil numbers, this would have involved utilisation of at least one of the smaller classrooms currently used to host the Local Authority's Learning Resource Classes.

## 2.2 Learning Resource Classes

The two Learning Resource Classes currently located within Ysgol Sŵn y Don are part of a continuum of provision for children with additional learning needs in Conwy. All children attending the Learning Resource Classes continue to be registered at their home school, and the aim is for children to be re-integrated back into their home schools if and when they are ready. The children's home schools are encouraged to maintain close links with the children and their families, and to ensure that pupils are invited back to their home schools for significant events and occasions.

All placements in a Learning Resource Class are agreed by the multi-agency Additional Learning Needs Moderation Panel according to an agreed set of access criteria.

The Foundation Phase Learning Resource Class is a full time placement in order that travelling and changes throughout the day are minimised for these younger children. Taxi transport is provided to Ysgol Sŵn y Don for pupils from their home addresses each morning and back to their home addresses at the end of the school day.

The Foundation Phase Learning Resource Class is the only Resource Class specifically designed for children with moderate to severe learning difficulties in Conwy. It caters for a maximum of twelve children and is accessible for children from any Conwy school aged between 4 and 7.

Currently, there are nine children attending the Foundation Phase Learning Resource Class. Two children are registered at Ysgol Sŵn y Don as their home school, with one living within and one outside of the catchment area for the school. The other 7 children are registered at 7 other schools from across Conwy.

There are seven Key Stage 2 Learning Resource Classes across Conwy, currently located in the following schools: Ysgol Bro Gwydir, Ysgol Porth y Felin, Ysgol Tudno,

Ysgol Pencae, Ysgol Awel y Mynydd, Ysgol Maes Owen and Ysgol Sŵn y Don. The Key Stage 2 Learning Resource Classes are currently configured as part time placements, with all pupils returning to their mainstream schools in the afternoon. Teaching and support staff support the pupils and the staff within their mainstream schools during the afternoon sessions. Pupils are transported by taxi from their home addresses to Ysgol Sŵn y Don every morning and back to their home school for lunch time.

The Key Stage 2 Learning Resource Classes have been positioned across Conwy to try and ensure that there is provision as locally as possible. With this in mind, it was proposed that any move for the current Key Stage 2 Learning Resource Class was kept as close as possible to its current location.

There are currently eleven children attending the Key Stage 2 Learning Resource Class at Ysgol Sŵn y Don. Eight children are registered at the school, with two children living within and six outside of the catchment area for the school.

## 2.3 Capacity

The capacity for the school is 149 following the building work completed to merge the two school sites; however, the concerns of the Governing Body and Head Teacher were around the number of classrooms and how these could be effectively used to accommodate all of the current mainstream and Learning Resource Classes, particularly in the context of responding to Estyn recommendations, improving standards and outcomes for all learners, (including those children attending the Learning Resource Classes), promoting inclusion and prioritising wellbeing.

The Governing Body and Head Teacher were concerned about the school's ability to provide good quality teaching and learning opportunities without the capacity to have single year groups, particularly in upper Key Stage 2, and felt that the engagement, performance and outcomes for learners could only be improved by looking at the physical accommodation and configuration of the class groups to facilitate the implementation of their action plan and Estyn recommendations.

Concern about outcomes and progress was felt to impact on the learners within the Key Stage 2 Learning Resource Class in particular, with regard to successful and meaningful inclusion opportunities within well established, calm and positive learning environments within the mainstream classes where appropriate.

## 2.4 ALN Provision

It was proposed that the relocation of one or possibly both of the Learning Resource Classes, would enable focus to be put on developing high quality teaching and learning experiences for all learners, and would offer an opportunity to improve on and enhance provision for additional learning needs, both within Ysgol Sŵn y Don and the Local Authority Learning Resource provision.

It was suggested that, if the two Learning Resource Classes were to remain on the school site, there would continue to be difficulties in terms of adequately coordinating class groups and classrooms, with the potential for the Learning Resource Classes being forced to share space with other year groups/playgroup. This was not an ideal situation and raised concerns about the quality of ALN provision and teaching and learning opportunities for all learners across the wider school.

## 2.5 Contextual Changes since the Initial Request

**Since the initial request and the start of the formal consultation period, the school has made significant progress with regards to Estyn recommendations and implementation of the school's action plan. Concerns about the ability of the school to provide good quality teaching and learning opportunities, and to provide successful and meaningful inclusion opportunities, have reduced considerably, and there is growing confidence that all of the objectives can be achieved with the maintenance of both of the Learning Resource Classes on site.**

**There is recognition that the coming academic year poses the greatest challenge to the school in terms of pupil numbers, learning need and social emotional and behavioural difficulties; however, senior leadership and Governing Body of the school are increasingly confident that they now have the support systems in place to respond to this need.**

**In addition, consideration of how the skills of the Learning Resource staff can be used to support the wider school context has offered the opportunity for the Key Stage 2 Resource Teacher to work with a wider group of pupils in the afternoons to promote inclusion, wellbeing and curricular access, both for the Learning Resource and mainstream pupils. This is an extremely positive model for working, and demonstrates the school's renewed commitment to the Learning Resource Classes forming an integral part of the school community as a whole. The wider staff team and pupils are benefitting from the sharing of skills and experience of the Learning Resource staff, and both the Acting Head Teacher and the Additional Learning Needs Coordinator are committed to the philosophy and benefits of having the Resource Classes as part of the school.**

**The Local Authority responded to the initial request as they wished to maintain the level and quality of provision as part of the County's continuum of ALN support, and was committed to addressing any concerns and issues that may impact on the effectiveness of the provision. The changes and progress described above have renewed the Local Authority's confidence that the Learning Resource Classes could remain in their current location without any significantly adverse or negative effects on the quality of the provision and experiences and inclusion of the children attending them.**

## 3. The Proposal

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### 3.1 The proposal subject to the statutory consultation

**That one, or both, of the Learning Resource Classes currently located within Ysgol Sŵn y Don could be relocated to another/other schools within the same or neighbouring catchment areas, (i.e. the Bryn Elian, Eirias or Emrys ap Iwan school catchment areas).**

### 3.2 Maintaining the status quo

Maintaining the status quo, as described in the Consultation Document, involved both Foundation Phase and Key Stage 2 Learning Resource Classes continuing to be located on the site of Ysgol Sŵn y Don.

The perceived disadvantages of this, at the time of writing the Consultation Document were as follows:

*“It is proposed that maintaining both of the Learning Resource Classes in the current school poses a risk in terms of ensuring teaching and learning opportunities are of the highest quality for both learners in the Resource Classes and the wider school community. So ensuring that educational standards and pupil wellbeing are afforded the highest priority. When considering the potential increase in pupil numbers associated with proposed housing developments in the area, it is essential that this issue of accommodation is addressed in anticipation rather than subsequent to increased numbers”.*

**As described above, the Local Authority is now satisfied that the Governing Body and Acting Head Teacher are addressing this risk and planning carefully for pupil numbers over the next 5 years and beyond in a positive way and independently of the accommodation requirements of the Learning Resource Classes.**

### 3.3 Proposed options

The Authority proposed that an alternative location(s) was sought in a Primary School(s) across the Bryn Elian catchment area in the first instance, and then the neighbouring Eirias and Emrys ap Iwan catchment areas.

This could have involved both Resource Classes moving to a new location on the same site (as they were at Ysgol Sŵn y Don); the two Resource Classes moving to separate school sites; or one Resource Class moving to a new location while the other remains at Ysgol Sŵn y Don.

Following consideration of available options and discounting them when matching them against essential criteria, the possibility of moving the Key Stage 2 Learning Resource Class to Ysgol Iau Cystennin was the preferred option for consultation.

The Head Teacher and Chair of Governors of Ysgol Cystennin were in support of further consultation on the proposal and recognised the value that the Learning Resource could bring to the school. They identified an adequately sized classroom within which they believed the Learning Resource Class could be situated.

No other alternative locations were identified or suggested during the consultation period. The other schools with possible capacity within the Eirias, Bryn Elian and Emrys ap Iwan catchment areas were explored, but discounted as they were not able to fulfil the necessary criteria or already had a Learning Resource Class located on the school site.

**The Local Authority continues to believe that the enthusiasm and commitment to Learning Resource provision and inclusion demonstrated by the Governing Body, Head Teacher and school staff at Ysgol Cystennin was extremely positive and welcome. With this in mind, we propose that it is considered as a potential location for future provision should further consultation take place around relocation or extension of existing Resource Provision.**

## 4. The Consultation

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The consultation was held between **12<sup>th</sup> March 2018** and **23<sup>rd</sup> April 2018**.

### 4.1 Consultees

The Consultation Document was distributed, in accordance with the Welsh Government's School Organisation Code, to the following consultees during the statutory consultation period:

Requirements of the Organisation Code 006/2013	Distributed to:
The maintaining or proposed maintaining authority for any school likely to be affected by the proposals.	Conwy County Borough Council is presenting the proposal
Any other local authority likely to be affected – including in the case of dedicated SEN provision any authority placing or likely to place statemented pupils in it.	Denbighshire Council
The Church in Wales and Roman Catholic Diocesan Authority for the area in which any school likely to be affected is located.	Church in Wales St Asaph Diocesan Authority Roman Catholic Diocese of Wrexham
Any other appropriate religious body for any school likely to be affected by the proposals.	n/a
The governing body of any school which is the subject of the proposal and any other schools likely to be affected by the proposals.	Governing Bodies of all Conwy Primary Schools

Parents (and where possible prospective parents) carers and guardians.	Parents, carers and guardians of the children attending the two Learning Resource Classes.
Welsh Ministers	Kirsty Williams (AM).
Assembly Members and Members of Parliament representing the area.	Michelle Brown (AM), Janet-Finch Saunders (AM), Llyr Huws (AM), Mark Isherwood (AM), Mandy Jones (AM), Darren Millar (AM) Guto Bebb (MP), David Jones (MP)
Estyn	Anne Keane – Education and Training in Wales Chief Inspector
Teaching and teaching staff trade unions representing teachers and other staff at any school which is the subject of the proposals.	
Regional Education Consortium	Arwyn Thomas – Chief Officer GwE
Police and Crime Commissioner	Arfon Jones – North Wales Police Commissioner
Any community or town council for the area served by the school which is the subject of this proposal.	Abergele Town Council, Bay of Colwyn Town Council, Llanddulas and Rhyd y Foel Community Council, Llysaen Community Council, Mochdre Community Council, Towyn and Kinmel Bay Town Council
Local Communities First Partnership	
Relevant Health Bodies with an interest.	Dr Hamilton Grantham – Consultant Community Paediatrician, Betsi Cadwaldr University Health Board
Other	All Additional Learning Needs staff All Conwy Head Teachers All teaching staff in specialist resource classes across Conwy

The consultation document was published on the Conwy County Borough Council website and copies were available on request from Education Services, Government Buildings, Dinerth Road, Rhos on Sea, LL28 4UL.

## 4.2 Meetings

During the consultation period, Conwy ALN Officers held the following “drop-in” sessions to discuss the proposals with teaching and support staff, parents and carers, members of the public.

Group	Date	Time	Location
Parents and Carers/Members of the Public	22.03.18	14.00 - 15.00	Ysgol Sŵn y Don
School Staff	22.03.18	15.00 – 16.30	Ysgol Sŵn y Don
Parents and Carers/Members of the Public	12.04.18	14.00 – 15.00	Ysgol Cystennin
School Staff	12.04.18	15.00 – 16.30	Ysgol Cystennin

### 4.3 Consultation with children and young people

The children who could be affected by a potential move were included in discussion and a developmentally appropriate class task with their teacher about the benefits and disadvantages of the Learning Resource Classes staying at Ysgol Sŵn y Don or moving to another school.

Their thoughts and comments are as follows:

		
<b>Being at Sŵn y Don</b>	It's in a quiet place, because it's fun, it's a nicer room with space outside to do our work, all our friends are here, we like all the teachers, we like the rewards and prizes, it is close by and we don't need to travel too long, we like going on school trips and activities here, we like speaking welsh here, nice big room, we respect our teachers and the rules, we get help when we are angry.	Some children are naughty, some bullies.
<b>At a different school</b>	We would get used to it, meet new friends, meet new teachers, different lunches might be tasty, it might be better.	We would be scared of a new place, we would be shy of seeing new people, it might be hard in a big different building, it would be hard to get used to a new school, it would be new teachers and we wouldn't know them.

### 4.4 Consultation Responses

Two consultation responses were received during the consultation period. The following is a summary of issues raised in these responses, considered as part of the consultation period and discussion at the drop in sessions.

#### 4.4.1 Information sharing with parents

One of the written responses queried the sharing of information with parents at Ysgol Sŵn y Don. We can confirm that information was shared with all parents through a letter sent home with all pupils, the school newsletter and on the school's Facebook page.

#### 4.4.2 Pupil Profile

It was queried why it would be considered to move the KS2 Learning Resource Class when 73% of the pupils were from Ysgol Sŵn y Don. While it was the case that 8 of the 12 children currently attending are enrolled at the school, only 2 of these pupils actually lived within the catchment area and for the remaining 6 it was a parental

decision to register the children at the school following their part time placement in the Learning Resource Class.

While the pupils currently attending the KS2 Learning Resource Class are from a number of original home schools, it is acknowledged that in previous years, a significant proportion of pupils attending the Class have been from the Ysgol Sŵn y Don catchment area.

#### **4.4.3 Proposal to move KS2 Learning Resource to relocate to Ysgol Cystennin**

One of the written responses queried why this was the preferred option rather than the relocation of the Foundation Phase Resource. This proposal was made following discussion and pre-consultation with the Head Teacher and Governing Body of Ysgol Cystennin and Ysgol Mochdre and the identification of space within the Key Stage 2 site.

#### **4.4.4 Travel**

The additional travel time that a potential move could result in was questioned. There was a commitment to ensuring that any proposed alternative locations would be sufficiently close to Ysgol Sŵn y Don so that any additional transport time would be minimised.

The possible option of Ysgol Cystennin was located only 3.7 miles from Ysgol Sŵn y Don, and was in fact closer or almost equidistant to the home addresses of a number of the pupils already accessing the Key Stage 2 Learning Resource Class at Ysgol Sŵn y Don.

#### **4.4.5 Accommodation**

It was queried that surely the recent building works at Ysgol Sŵn y Don must have taken into account predicted pupil numbers, including the maximum agreed numbers for the two Learning Resource Classes. This is factually correct, and the existing pupil numbers are still within the physical capacity of the building. The initial request from the Head Teacher and Governing Body was made with regards to concern about class configuration and the desire to achieve single year groups within individual classrooms.

#### **4.4.6 Ysgol Cystennin**

One of the responses highlighted that a potential move of the Key Stage 2 Learning Resource Class to Ysgol Cystennin would mean that there would be no Learning Resource serving the Bryn Elian catchment area. In fact, the existing Resource Class serves both the Eirias and Bryn Elian catchment areas (feeding in to both secondary schools), and the wider population across Conwy, and this would have continued to be the case, should the Class be located at Ysgol Cystennin.

#### **4.4.7 Benefit to the wider school**

A written response to the consultation received by a member of staff stated the following: *"I believe that when Conwy County Borough Council was establishing and setting up Resource Bases all those years ago, the placement of the Infant Resource*

*Base at Ysgol Penmaenrhos and the Junior Resource Base at Ysgol Tan Y Marian demonstrated an acknowledgement of the level of need within this socially and economically deprived area, and its high levels of ALN pupils - of which both have gone on to serve effectively ever since. The placement of these Resource Bases at the time were well considered and planned for. The continued commitment to fund these SEN Resource Bases is a real strength of the County and its dedication to give ALN and specifically SEN pupils the best possible start in life.”*

## 5. Equality Impact Assessment

A full Equalities Impact Assessment was completed as part of this assessment, considering the options of both maintaining the status quo and a proposed move. No significant impact was identified for any group.

## 6. Summary and Recommendations

### 6.1 Summary

Whilst the written responses received during the consultation period were small in number, the discussions and information shared during this time have enabled a thorough and robust consideration of the proposal, which has ensured that an outcome has been reached that responds to both the needs of the school and the needs of the Conwy children currently accessing the two Learning Resources.

This period of consultation has enabled the Authority to ensure that the interests of all parties have been considered and addressed, and that an acceptable outcome has been reached that promotes the values and vision of the Council for all young people and their families, and in particular those with additional learning needs.

The consultation period has also given the leadership and Governing Body at Ysgol Sŵn y Don time to reflect on the original request and to reconsider the longer term benefits of maintaining the status quo.

### 6.2 Recommendation

**The recommendation following this period of consultation is that both Learning Resource Classes remain at Ysgol Sŵn y Don, with the Local Authority continuing to work closely with the school to ensure that this provision continues to be effective and well integrated into the school community as a whole.**

However, it is also recommended that recognition is given to the enthusiasm and commitment of the Head Teacher, Governing Body and teaching staff of Ysgol Cystennin to the Learning Resource provision. The Local Authority feels that this is potentially a very positive prospect for Resource provision in the future, and should be considered as such. The ethos of the school is conducive to the successful inclusion of Resource Provision and the Head Teacher demonstrates a sound understanding of

both the benefits and objectives of Resource provision. It is proposed that the Local Authority now works with the school to further support ALN provision and planning within the school in order to further prepare for any potential consultation on relocation or extension of Resource Provision in the future.