

STATUTORY CONSULTATION DOCUMENT



12.03.18 - 23.04.18

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Foreword

Conwy County Borough Council is responding to a request from the Head Teacher and Governing Body of Ysgol Sŵn y Don to consider whether one or both of the County's Additional Learning Needs Resource Classes can be moved from their current location within the school. This is in response to their reported increase in pupil numbers in the school as a whole and the pressure that this has placed on physical space within the building. At their meeting on 19th December 2017, the Cabinet of Conwy County Borough Council resolved to undertake a process of 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 statutory consultation will take place between 12th March 2018 and 1.00 p.m. on 23rd April 2018, and is based on the proposal to move one or both of the Additional Learning Resource Classes to another location within the local or neighbouring areas.

Conwy County Borough Council would like you to have the opportunity to put forward your views on the proposal so that these can be considered before a decision is reached. At the end of the consultation period we shall submit a report to the Cabinet of Conwy County Borough Council.

This statutory consultation aims to serve all of the communities in and around the Sŵn y Don catchment area, and primarily the young people who are currently attending the Learning Resource Classes and their families.

A copy of this document, and other background papers, are available on the Council's website: www.conwy.gov.uk/eductationconsultations

PLEASE NOTE – any comments on this statutory consultation document should be sent to Education Services by 13:00 on Monday, 23rd April 2018. Please see the relevant contact details later in this report.

We look forward to receiving your views.

Sincerely

Dr Lowri Brown

Head of Education Services

1. Introduction

In July 2017, a 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 lau 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 has no plan to reduce this support, therefore the proposal is concerned only with the possible relocation of one or both of the Resource Classes.

1.1 The proposal subject to this 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).

1.2 Possible options for consultation

The Authority proposes that an alternative location(s) is 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. The preferred option at this stage would be to move the Key Stage 2 Learning Resource to Ysgol Cystennin in Mochdre. However, all other possibilities will be consulted on.

This could involve both Resource Classes moving to a new location on the same site (as they are now); 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.

2. Consultation

The consultation will be held between 12th March 2018 and 23rd April 2018.

The consultation refers only to the possible relocation of one or both of the Additional Learning Needs Resource Classes currently located within Ysgol Sŵn y Don. Therefore responses to this consultation should comment only on the proposal as described in paragraph 1.1. above.

2.1 Consultees

This Consultation Document will be 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), Llŷr 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.	Unions
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, Llysfaen Community Council, Mochdre Community Council, Towyn and Kinmel Bay Town Council
Local Communities First Partnership	Marianne Jackson, Head of Community Development Service (HoS)
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 will be published on the Conwy County Borough Council website at: www.conwy.gov.uk/eductationconsultations

2.2 Meetings

During the consultation period, Conwy ALN Officers will hold 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

Should further alternative possible location(s) be identified for one or both of the Learning Resource Classes during this consultation process, then additional dates will be published for further "drop-in" sessions and meetings with the Governing Body at the potential new school site(s).

Comments received during this statutory consultation period will be considered by the Cabinet before a decision is reached regarding the next steps and any potential move(s). Conwy County Borough Council will decide whether or not to continue with the proposal, and whether a Statutory Notice on the proposal should be published.

2.3 Consultation with children and young people

Arrangements will also be made to obtain the views of the children and young people attending the two Learning Resource Classes. A designated session will be arranged with the children and young people at Ysgol Sŵn y Don.

Should an alternative possible location(s) be recommended for one or both of the Learning Resources following this consultation process, additional sessions will be arranged for information sharing and discussion with the children and young people attending the Resource Classes.

2.4 Comments: contact address and deadline

You can respond to this consultation by completing the response form at the end of this document. Please address all responses to:

E-mail: addysg@conwy.gov.uk

Post: Education Services

Government Buildings

Dinerth Road

Rhos on Sea

LL28 4UL

Note – All responses, whether by post or by e-mail, must arrive at Education Services by no later than **13:00 on Monday**, **23**rd **April**.

3. Background Information

3.1 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 building work was completed to extend the previous building.

At the time of writing this report, there are 131 pupils on the school roll, 119 of whom are of statutory school age. This number has 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 Tŷ Mawr site), is 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 Tŷ Mawr housing development, should this be agreed, is 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 the school's progress continues to be monitored on a termly basis by Estyn.

The Governing Body of Ysgol Sŵn y Don feel that they are 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 involve utilisation of at least one of the smaller classrooms currently used to host the Local Authority's Learning Resource Classes.

3.2 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 is proposed that any move for the current Key Stage 2 Learning Resource Class is 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.

3.3 Pupil forecasts and capacity

As described above, current pupil numbers in the school are 133, with projections for the next five years, (not including the possible increase associated with the potential housing development at the nearby Tŷ Mawr site), 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 Tŷ Mawr housing development is 50 of primary school age and 41 of secondary school age.

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 are around the number of classrooms and how these can 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 are concerned about the school's ability to provide good quality teaching and learning opportunities in the current context without the capacity to have single year groups, particularly in upper Key Stage 2, and feel that the engagement, performance and outcomes for learners can 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 impacts 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.

It is proposed that any move for either of the Learning Resource Classes takes into account the philosophy and vision of the potential new school, and the commitment of the Governing Body and Head Teacher to promoting inclusion and the high quality and effective support of learners with additional learning needs. It would obviously also prioritise the availability of appropriate classroom space which enables the Learning Resource Class to have its own protected space, but with a sense of being part of the wider school community.

3.4 Accommodation

As described above, Ysgol Sŵn y Don has six main classrooms, with two smaller rooms that were originally designed to host the two Learning Resource Classes. Currently these are arranged as follows:

Year 5

A012 (capacity 30 pupils)

Year 3/4

A011 (capacity 30 pupils)

Year 2

A010 (capacity 30 pupils)

Year 1

A001 (capacity 29 pupils)

Nursery and Reception

A056 (capacity 30)

Year 6 A003

Library

KS2 Learning Resource A030 Foundation Phase Learning Resource Class/ Playgroup A053

A003 and A030 ALN classrooms should not be taken into account for capacity purposes.

A053 refers to Nursery unit, i.e not compulsory school age pupils.

The school would like to configure the classrooms as follows for the academic year 2018/2019 in order to focus on delivering best outcomes for all of their learners:

Classroom 0: Nursery and Playgroup (pupil numbers unknown)

Classroom 1: Reception and Year 1 (26 pupils)

Classroom 2: Year 2 (19 pupils)

Classroom 3: Year 3 (24 pupils)

Classroom 4: Year 5 (18 pupils)

Classroom 5: Year 6 (21 pupils)

Small Classroom 1: Year 4 (11 pupils)

Small Classroom 2: to be consulted on

3.5 ALN Provision

It is proposed that the relocation of one or possibly both of the Learning Resource Classes, will enable focus to be put on developing high quality teaching and learning experiences for all learners, and will 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.

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 is not an ideal situation and raises concerns about the quality of ALN provision and teaching and learning opportunities for all learners across the wider school.

4. The Proposal

4.1 Current situation: maintaining the status quo

The current situation involves the location of both Foundation Phase and Key Stage 2 Learning Resource Classes being located on the site of Ysgol Sŵn y Don. A combination of increased pupil numbers and difficulties being experienced by the Governing Body and school staff in responding to recommendations for improving teaching and learning opportunities, has resulted in the request to consult on the possible relocation of one or both of the Learning Resource Classes.

The Governing Body, Head Teacher and Acting Head Teacher have shared their concerns with the Local Authority and Conwy County Borough Council with regard to the challenges that they are experiencing in coordinating classes in the most effective and positive way with a view to improving wellbeing, academic and social outcomes for all children in the school, including those within the Learning Resource Classes.

The Local Authority wishes to maintain the current level of provision as part of the County's continuum of ALN support, and is committed to addressing all concerns and issues that may impact on the effectiveness of the provision.

4.2 Proposed options

The possibility of moving the Key Stage 2 Learning Resource Class to Ysgol lau Cystennin is the preferred option for consultation at this stage. The Category 5 school is situated 3.7 miles away from Ysgol Sŵn y Don in the village of Mochdre. The school has recently been federated with Ysgol Babanod Mochdre, but remains on its own separate site currently catering only for Key Stage 2 pupils. The school have identified an adequately sized classroom within which they believe that the Learning Resource Class could be situated.

The Head Teacher and Chair of Governors are in support of further consultation on the proposal and recognise the value that the Learning Resource can bring to the school.

The building in which Ysgol Cystennin is based currently has capacity for 82 Key Stage 2 pupils, however, it has additional rooms that could be converted to classrooms and the capacity accordingly increased. The projected pupil numbers over the next 5 years are as follows:

Academic Year	Projected Pupil Numbers
2018/2019	76
2019/2020	85
2020/2021	89
2021/2022	79
2022/2023	76

In addition to Ysgol Cystennin, it is proposed that any other alternative locations that may be suggested during this consultation period are as close as possible to Ysgol Sŵn y Don. This is in order to ensure that the Learning Resource provision continues to be easily accessible across Conwy, keeping the travel of all children to a minimum and maximising their opportunities for integration and inclusion within their local communities. In addition, as the two Learning Resource Classes currently located at Ysgol Sŵn y Don are English Medium Resources, they would need to be located within a Category 4/5 Primary School.

4.3 New accommodation/locations

In addition to Ysgol Cystennin, where necessary/appropriate, other possible alternative locations (schools) could be approached and consulted on/with as part of this statutory consultation process, and essential features identified and checked. For example:

- Adequate access
- Appropriate accommodation
- Opportunities for inclusion within appropriate mainstream lessons
- A well-established commitment as a school to ALN and Inclusion

The proposed classroom in Ysgol Cystennin was previously a computer suite and is felt to comply with all of the above features.

4.4 Transport arrangements

Transport arrangements will remain unaltered, with all pupils being transported by taxi to their Learning Resource Class placements. The proposal is that any new potential locations will be sufficiently close to Ysgol Sŵn y Don so that any additional transport time is minimised.

Ysgol Cystennin is located only 3.7 miles from Ysgol Sŵn y Don, and is in fact closer or almost equidistant to the home addresses of a number of the pupils currently accessing the current Key Stage 2 Learning Resource.

4.5 Staffing

Education Officers will be meeting with existing teaching and support staff from the two Learning Resource Classes on 22.03.18 to consult on proposed changes. Further formal meetings with staff and appropriate Union representatives will be arranged if and as appropriate.

4.6 Equality Impact Assessment

A full Equality Impact Assessment, including a Community Impact Assessment will be carried out as part of this statutory consultation period. The full assessment will included within the consultation report which will follow this consultation period.

4.7 Benefits and disadvantages

Consultation on the proposed relocation of one or both of the Learning Resource Classes currently situated in Ysgol Sŵn y Don will ensure that acceptable outcomes are reached that promote the values and vision of the Council for all young people and their families in Conwy, and in particular those with additional learning needs.

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.

The advantages of relocating one or both of the Learning Resource Classes are primarily around appropriate accommodation enabling teaching staff to deliver high quality teaching and learning opportunities which promote academic outcomes and wellbeing objectives for all learners, both within the Resource Classes and across Ysgol Sŵn y Don, not impeded by physical capacity or organisational challenges.

5. Explanation of the Statutory Process

A period of pre-consultation took place with the Governing Body and Head Teacher of Ysgol Sŵn y Don prior to submission of a report requesting the permission of Cabinet to consult with key stakeholders in respect of the requested relocation of one or both of the Learning Resource Classes.

This report was presented to Cabinet on 19.12.17, who supported the recommendation to hold a statutory consultation period, consulting on possible options and ensuring that the interests of all parties are considered and addressed.

Subsequent pre-consultation engagement has taken place with the Head Teacher and Governing Body of Ysgol Cystennin, who are in support of consultation around the possible move of the Key Stage 2 Learning Resource to the school. That is to say, they are supportive of formal consultation taking place with the community, the young people in their care, their parents/carers and teaching staff. To be clear, no decision has been made about any move at this point, and this is simply a proposal to be consulted upon.

This is the consultation document which details the background to the proposal to consider the relocation of one or both of the Learning Resource Classes currently located in Ysgol Sŵn y Don. The document will be published on 12th March 2018, and responses can be received until 13:00 on Monday 23rd April. At this stage, these responses will not be counted as objections, but comments. If anyone wishes to object, they must do so following the publication of the statutory notice (should one be issued). During this consultation, responses may include comments or questions on any aspect of the proposal and suggest alternative options.

Following this statutory consultation period, a report will be submitted to the Cabinet in April 2018 where a decision will be made whether to proceed with the proposal to relocate one or both of the Learning Resource Classes to an alternative Primary School site(s). This consultation report will summarise the comments and questions raised by consultees and will be published on the Council's website. All stakeholders, as listed above, will be informed that the consultation report is available.

If the Cabinet decides to proceed following consideration of the consultation report, the favoured option/proposal will have to be issued in the form of a statutory notice. The notice will be published on a school day and there will be an "objection period" of 28 days from when the proposal is published. Anyone can object to the proposals. The notice will be posted on the Conwy Council website and in the main reception of the school(s) involved. Copies will also be sent to the schools to be distributed to pupils, parents, carers and guardians, staff and governors. Hard copies will also be available in request from Conwy Education Services.

After the objection period closes, the Council will publish a summary of the statutory objections and the Council's response to the objections in an "objection report". As above, all key stakeholders will be informed of the availability of this report and where it can be accessed.

The Council Cabinet will make the final decision about the objection report within 28 days of the end of the objection period. When the Cabinet has made its final decision, the decision will be put in writing along with reasons for the decision. The decision will be posted on the Council's website and all key stakeholders informed.

In some instances, following the Cabinet's final decision, it is possible for the following bodies to refer the proposal to the Welsh Ministers for their consideration:

- Another Local Authority affected by the proposal
- · Appropriate religious body for any school affected
- Governing body of a voluntary or foundation school which is the subject of proposals
- Any Trust which holds land on behalf of a voluntary or foundation school which is the subject of proposal

The bodies which refer the proposal need to note the reason why they are of the opinion that the decision reached by the Local Authority is incorrect. The Welsh Ministers will decide whether the proposals affect the bodies and whether they need to consider the proposals.