

CABINET

Date of Meeting	Tuesday, 15 th October 2024
Report Subject	Expansion of Specialist Additional Learning Needs Resource Provision within the Secondary Education Network
Cabinet Member	Cabinet Member for Education, Welsh Language and Culture
Report Author	Chief Officer (Education & Youth)
Type of Report	Operational

EXECUTIVE SUMMARY

This report seeks Cabinet approval to the proposed expansion of specialist resource provision within the secondary education network.

Cabinet approval to proceed to issue a statutory notice for the introduction of a new Additional Learning Needs (ALN) Resource provision at both Flint High School and Hawarden High School.

This legal process is in line with the requirements of The School Standards and Organisation (Wales) Act 2013 and School Organisation Code 2018.

RECOMMENDATIONS

1	Cabinet supports the request to expand the Council's specialist ALN resource provision within the secondary education network.
2	Cabinet support the issuing of a statutory notice for the introduction of a new ALN resource provision at Flint High School and Hawarden High School.

REPORT DETAILS

1.00	EXPLAINING THE EXPANSION OF SPECIALIST ADDITIONAL LEARNING NEEDS RESOURCE PROVISION WITHIN THE SECONDARY EDUCATION NETWORK
1.01	The Council is experiencing challenges in meeting its statutory duties with regards to educational provision for children with additional learning needs due a lack of specialist placements both inhouse and externally. Since the pandemic, there has been a rise in the number of children for whom mainstream schools are unable to meet their presenting needs.
1.02	The Council has a range of specialist provision which includes county ALN Resource Bases in mainstream schools which allows for those with a higher level of need to be co-educated in designated settings. These cater for needs such as social communication, hearing impairment and behaviour/social emotional difficulties. Apart from two secondary Resources, our Resource provision is full or oversubscribed.
1.03	Under the Additional Learning Needs and Education Tribunal (Wales) Act 2018 (ALNET), the Council has a duty to keep its specialist provision under review and a review was undertaken in 2020. At the time of the review, the Council was able to cater for the educational needs of its children with additional learning needs, but the review did identify a developing dependency on non-maintained provision, referred to as Out of County (OOC) provision, of which there was sufficient to meet demand at the time. The report made a recommendation of significant investment in the Council's specialist provision in the future to redress the dependency.
1.04	The impact of the Covid pandemic has been significant in the area of additional learning needs and has resulted in a higher demand for specialist provision nationally. This has impacted on the availability of our own provision and OOC placements along with the level of cost, with educational day placements ranging from £55k to £125k per annum depending on the level of need. Providers are in a position of strength in terms of market demand and a number of placements have been ceased where a child's needs are deemed to be too complex.
1.05	As a result of the increasing need, Flintshire currently has a waiting list for specialist provision, with a number of children being educated in settings that are not specialised to meet their needs which impacts on them, their families and the children around them.
1.06	The School Standards and Organisation (Wales) Act 2013 and School Organisation Code 2018 describes a number of regulated alterations to maintained schools, which must not be carried out unless the relevant local authority and/or governing body have complied with the requirements imposed by the Code. One such requirement is the introduction of specialist ALN resource provision at mainstream schools as identified in section 2.3 of the Code:

	<i>'the introduction 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;'</i>
1.07	A review of ALN learner needs indicates a demand for ALN Resource places for children who present with either moderate learning difficulties alongside a range of other complexities or social, emotional, and mental health needs meaning that they struggle to access education in a mainstream setting. Resource provision caters for children who tend not to fit neatly into either mainstream or specialist school, requiring elements of both settings to meet their educational needs.
1.08	<p>Flint High School has been identified as secondary school that can operationally accommodate a new specialist ALN Resource provision to meet the needs of children with moderate learning difficulties for a number of reasons, namely:</p> <ul style="list-style-type: none"> • The proximity of the school with Flintshire's secondary specialist school Ysgol Maes Hyfryd, with the schools sharing a site in Flint. This facilitates a sharing of expertise, resources and curriculum access as required, • The inclusive nature of the school, • The availability of space within the school building to support a provision of this nature, • The Headteacher and governing body are positive and supportive of the development, • The provision has been piloted as an Enhanced Provision Base within Flint High School and this is operating successfully within the setting.
1.09	<p>It is proposed that a specialist ALN Resource base is also established at Hawarden High School to cater for children with social, emotional, and mental health (SEMH) needs for the following reasons:</p> <ul style="list-style-type: none"> • The school is already operating an in-house provision for SEMH for pupils on roll at Hawarden High School. This could be scaled up operationally to respond to the needs of the county as a whole; there is space within the school building that could suitably accommodate this provision. • Trauma Informed practice is a priority for the school, and this is being developed and embedded across all areas of the school. • The school has significant experience of running a specialist Resource base. • The Headteacher and governing body are positive and supportive of the development.
1.10	These proposals would create specialist ALN English medium educational provision for 25 pupils aged 11 to 16 years based at Flint High School and 15 pupils aged 11-16 based at Hawarden High School. The pupils would be on roll at the designated school with the local authority being the admitting body. Pupils would be admitted in line with the agreed entry criteria which would include the requirement for an Individual Development Plan (IDP). Any admission would start with a consultation process with the

	<p>school to ensure that they are able to meet the additional learning provision outlined in the IDP of the child. All pupils with IDPs are subject to regular review to ensure that the provision is suitable to their educational needs. The relevant Service Level agreement with the school also outlines the exit criteria which would need to be met for children to leave the provision.</p>				
1.11	<p>Resource bases operate in response to pupil needs and that of the school community. Pupils would be able to attend the base for designated intervention whilst maintaining a supported place at Flint High school or Hawarden High School. These placements enable pupils to continue to learn alongside and interact socially with their mainstream peers. Resource bases in schools also work to remove barriers to on-going inclusion within mainstream schools and serve to build its capacity to meet the wider needs of the school cohort.</p>				
1.12	<p>The proposed introduction of a new specialist ALN resource provision at Flint High School and Hawarden High School meets the requirement to consult, a process which would be undertaken by the School Modernisation Team.</p>				
1.13	<p>Timescales for approvals are noted below:-</p> <table border="1" data-bbox="306 931 970 1010"> <tr> <td>Informal Cabinet</td> <td>1st October 2024</td> </tr> <tr> <td>Cabinet</td> <td>15th October 2024</td> </tr> </table> <p>Subject to Cabinet approval the statutory consultation would be issued in January 2025. This provides time for officers to prepare the appropriate paperwork.</p>	Informal Cabinet	1 st October 2024	Cabinet	15 th October 2024
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2.00	RESOURCE IMPLICATIONS
2.01	<p>A number of options for expanding specialist provision across the special school network are still under consideration including the addition of temporary teaching accommodation, building extensions and refurbishment of other facilities within the Education & Youth Portfolio. All options are being fully considered and further information will be provided to COT and Cabinet as part of any future consultation process.</p>

2.02	<p>There are associated revenue costs attached to the proposal for the Resource Base at Flint High School and these are outlined below. These have been captured within the Medium-Term Financial Strategy (MTFS). There will be incremental rises as the provision moves to full capacity:</p> <table border="1" data-bbox="322 300 1382 819"> <thead> <tr> <th data-bbox="322 300 676 483">Revenue Pressure</th> <th data-bbox="676 300 1031 483">Estimated full year cost (when provision is at capacity)</th> <th data-bbox="1031 300 1382 483">Implementation date</th> </tr> </thead> <tbody> <tr> <td data-bbox="322 483 676 667">Flint High School Specialist ALN Resource Provision Registration</td> <td data-bbox="676 483 1031 667">£232k</td> <td data-bbox="1031 483 1382 667">September 2025</td> </tr> <tr> <td data-bbox="322 667 676 819">Hawarden High School Specialist ALN Resource Provision Registration</td> <td data-bbox="676 667 1031 819">£237k</td> <td data-bbox="1031 667 1382 819">September 2025</td> </tr> </tbody> </table>	Revenue Pressure	Estimated full year cost (when provision is at capacity)	Implementation date	Flint High School Specialist ALN Resource Provision Registration	£232k	September 2025	Hawarden High School Specialist ALN Resource Provision Registration	£237k	September 2025
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2.03	<p>An additional financial consideration is that of transport costs. The Council provides transport for children who are deemed to required specialist provision. Pupils moving into resource provision will be entitled to transport and in the majority of cases, will have already been receiving transport to access their primary education; these pupils will generally have accessed primary Resource base provision.</p>									

3.00	IMPACT ASSESSMENT AND RISK MANAGEMENT
3.01	<p>All projects and consultations within the school modernisation programme are managed using a risk register. Risks are managed accordingly, and financial risks are managed through a programme contingency. Any high-level risk which cannot be managed with the projects/programme will be incorporated into the risk register for the Education and Youth Portfolio.</p>

3.02

Ways of Working (Sustainable Development) Principles

Ways of Working Principle	Impact
Long-term	Positive - Ensures that high quality specialist education places are available to communities to meet demand of specialist educational
Prevention	Positive - preventing inappropriate placements for the most vulnerable learners.
Integration	Positive – the additional specialist education places will integrate children from varying backgrounds.
Collaboration	Positive – partnership arrangements inhouse and with external parties including school governing bodies.
Involvement	Positive - The proposed projects involves a range of stakeholders to enable its delivery.

3.03

Well-being Principle Impacts

Against the seven well-being goals of the Act, the potential impact of the report and its recommendations would be evaluated as follows:-

Well-being Principle	Impact
Prosperous Wales	Positive - Ensuring our schools and resource bases are in the right place and of the right type.
Resilient Wales	Positive - Use of sustainable and recycled materials during construction, more energy efficient, potential reduction in carbon
Healthier Wales	Positive - Improved physical infrastructure, facilities and services which positively impact on the wellbeing of the school and its community.
More Equal Wales	Positive - Assessments are already embedded in school culture. Opening up more specialist education places to those who need them.
Cohesive Wales	Positive - School network widens its number of places for specialist provision

		through delivery of facilities of the right type in the right place and services are appropriately aligned.
	Vibrant Wales	Positive - Enables facilities and services to work together to improve, both curricular, extra-curricular and community use of school buildings.
	Globally Responsible Wales	Positive - Delivers more sustainable services and added benefits for the community.

4.00	CONSULTATIONS REQUIRED/CARRIED OUT
4.01	Determination on statutory proposals is the responsibility of Cabinet.
4.02	Subject to Cabinet agreement, consultation will be carried out, through the School Standards and Organisation (Wales) Act 2013 and School Organisation Code 2018.

5.00	APPENDICES
5.01	Appendix 1 – Copy of Anticipated Consultation Timeline.

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	School Organisation Code – The School Standards and Organisation (Wales) Act 2018 https://www.gov.wales/sites/default/files/publications/2018-10/schoolorganisation-code-second-edition.pdf

7.00	CONTACT OFFICER DETAILS
7.01	Contact Officer: Jeanette Rock, Senior Manager Inclusion and Progression Telephone: 01352 704017 E-mail: jeanette.rock@flintshire.gov.uk Telephone: 01352 704015 E-mail: jennie.williams@flintshire.gov.uk

8.00	GLOSSARY OF TERMS
8.01	<p>School Organisation Code – The new School Standards and Organisation (Wales) Act 2018 makes Local Authorities responsible (rather than the Welsh Ministers prior to October 2018) for the determination of most statutory school organisation proposals that receive objections.</p> <p>Revenue Funding - Is linked to items that will be used within a year. Examples include salaries, heating, lighting, services and small items of equipment. Routine repairs are revenue expenditures and can include significant repairs that do not extend the life of the asset or do not improve the asset (the repairs merely return the asset to its previous condition).</p>