

**BRIDGEND COUNTY BOROUGH COUNCIL**

**CONSULTATION REPORT**

**24 APRIL 2018**

**REPORT OF THE INTERIM DIRECTOR OF EDUCATION AND FAMILY SUPPORT**

**PROVISION FOR PUPILS WITH ADDITIONAL LEARNING NEEDS (ALN)-  
OUTCOME OF CONSULTATIONS ON PROPOSAL TO ESTABLISH A LEARNING  
RESOURCE CENTRE FOR PUPILS WITH AUTISM SPECTRUM DISORDERS AT  
PENCOED PRIMARY SCHOOL**

**1. Purpose of report**

- 1.1 The purpose of this report is to inform Cabinet of the outcome of the consultation on the proposals to establish a learning resource centre (LRC) for pupils with autism spectrum disorders (ASD) at Pencoed Primary School.

**2. Connection to Corporate Improvement Plan/other corporate priorities**

- 2.1 These proposals are related both to the Corporate Plan 2016-2020 and the Education Inclusion Programme and, in particular, the following corporate improvement priority:
- Supporting a successful economy.

**3. Background**

- 3.1 In December 2011, Cabinet received an update on the review of support and provision for the inclusion of children and young people with ALN.
- 3.2 Currently, in conjunction with this proposal there is also a proposal approved by Cabinet to establish a Welsh-medium ASD LRC at Ysgol Gyfun Gymraeg Llangynwyd.
- 3.3 In addition, a proposal to open an ASD LRC in one of the Welsh-medium primary schools will be submitted to Cabinet during 2018, to undergo a consultation exercise.
- 3.4 The Council supports the principles that, when possible, children should be educated within a mainstream school environment and as near to their home as possible. The proposal to open an ASD LRC at Pencoed Primary School would afford those children with ASD living in the east locality of Bridgend County Borough to be educated locally.

#### **4. Current situation/proposal**

4.1 In order to progress a proposal to establish the ASD LRC at Pencoed Primary School consultation exercises were carried out between 9 February 2018 and 23 March 2018 with staff, governors, parents and pupils of Pencoed Primary School and also the wider community in accordance with the Statutory School Organisation Code. A copy of the consultation document was also made available during this time on the Council's website:

[www.bridgend.gov.uk/consultation](http://www.bridgend.gov.uk/consultation)

4.2 The consultation document invited views and opinions to be submitted in respect of the proposal.

4.3 Under the Statutory Code referred to above the local authority is required to publish a consultation report summarising any issues raised by consultees and the local authority's response and setting out Estyn's view of the overall merit of the proposals.

4.4 If approved by Cabinet, the next stage of the process is to publish a statutory notice outlining the proposals which would need to be published for a period of 28 days and any formal written objections would be invited during this time.

4.5 If there are no objections during the Public Notice period then the proposal can be implemented with Cabinet's approval.

4.6 If there are objections at this Public Notice stage, an objections report will be published summarising the objections and the authority's response to those objections. Cabinet will need to consider the proposal in light of objections. Cabinet could then accept, reject or modify the proposal.

#### **5. Summary of written presentations**

5.1 Key points from the consultation exercises were as follows, with full details appended at the end of this report.

#### **Pupil consultation**

5.2 Pencoed Primary School Council met with Bridgend County Borough Council (BCBC) representatives on 26 February 2018 to discuss the proposal (full details can be found at Appendix i).

5.3 Pupils raised questions regarding as to whether the pupils will be mixing with other pupils in the school; how many pupils and teachers will be in the class; the age groups of the pupils and what will they learn.

5.4 Pupils also asked if the pupils will be from different places in the County Borough and what the classroom will be like.

- 5.5 Further questions were asked specifically about autism, such as are there different types; is it rare and the involvement of a doctor.
- 5.6 Pupils noted that it was a great idea to have the ASD LRC and that when the pupils do subjects like physical education (PE) they can make friends.

**The local authority response is as follows:**

- 5.7 It was emphasised that it is important for the pupils to feel part of the school. There would be a maximum of eight pupils from Years 3 to 6 in the class with one teacher and two learning support officers (LSOs). The curriculum will be tailored to meet individual's needs.
- 5.8 It was noted that the provision is a county provision and that pupils from other schools in Bridgend could attend. The headteacher is working with the local authority to look at the best space for the classroom in the new school.
- 5.9 It was explained that there is an autistic spectrum and that pupils will have a diagnosis of ASD to be admitted into the LRC.

**Parent consultation**

- 5.9 A consultation meeting was held for parents and interested parties to discuss the proposal with BCBC representatives at Pencoed Primary School on 26 February 2018 (full details can be found at Appendix ii).
- 5.10 Parents stated that it is a very positive proposal and they asked if it was a new provision or would resources be diverted from the moderate learning difficulties (MLD) LRCs.
- 5.11 Parents also enquired as to whether the pupils would come from just the Pencoed area and whether the LRC would reduce the capacity for local children to attend.
- 5.12 Parents raised further questions regarding additional one-to-one support for the pupils in the LRC; exit criteria for the provision and what would happen if the pupils needed time out.

**The local authority response is as follows:**

- 5.13 It was explained that the ASD LRC is new provision for key stage 2.
- 5.14 It was noted that the provision is a LA provision and pupils would come from across the County Borough and that Welsh Government does not fund surplus places and the school is near capacity.
- 5.15 An explanation was given in relation to each pupil being treated on an individual basis with their needs met accordingly. A panel decides whether a pupil exits the provision using the exit criteria, however a pupil can go back into the LRC if

sufficient progress is not being made. It was highlighted that the new school does not have specific break-out areas but there are flexible areas in which the school can meet the needs of the pupils.

### **School staff consultation**

- 5.16 A consultation meeting was held with Pencoed Primary staff on 26 February 2018 (full details can be found at Appendix iii).
- 5.17 Staff raised questions with regards to staffing of the LRC; when it would open and whether it was an additional resource.
- 5.18 Further questions were raised in relation to team-teach training and how the pupils will access the provision.

The local authority response is as follows:

- 5.19 It was explained that there would be one teacher and two LSOs; the proposed opening is September 2018 and that the ASD LRC is an additional resource.
- 5.20 An explanation was given with regards to team-teach training being available for all staff at Pencoed Primary School and that the panel would determine the pupils who can access the provision using entry criteria.

### **Governing body consultation**

- 5.21 A consultation meeting was held with Pencoed Primary School Governors on 26 February 2018 (full details can be found at Appendix iv).
- 5.22 The governors asked questions regarding the size of the ASD LRC and where the pupils would be taught.
- 5.23 Further questions were raised regarding the integration into a secondary school and if the ASD LRC was an additional resource.

The local authority response is as follows:

- 5.24 It was explained that there would be a maximum of eight pupils with one teacher and two LSOs in the ASD LRC, taught in a classroom but also accessing mainstream education where appropriate.
- 5.25 It was highlighted that there are ASD LRCs at secondary schools in the County Borough in order for pupils to transfer into one, if appropriate at this stage of their education. It was noted that the ASD LRC at Pencoed Primary school is a new resource.

## Summary of written presentations

5.26 There were no items of direct correspondence received during the consultation

### **6. The view of Estyn, her Majesty's Inspectors of Education and Training in Wales**

6.1 Estyn has considered the educational aspects of the proposals (see Appendix v).

6.2 It is Estyn's opinion that the proposal to establish a LRC at Pencoed Primary School is likely to improve the standard of educational provision for those pupils with ASD living in the east locality of Bridgend County Borough.

6.3 Estyn states that Bridgend County Borough Council has presented a clear rationale for the proposed opening of a LRC at Pencoed Primary School.

6.4 Estyn acknowledges that the LRC will increase the expertise amongst the staff at Pencoed Primary School, to accommodate the needs of other pupils who are known to demonstrate ASD traits in the absence of a formal diagnosis.

6.5 Estyn comments that there are no perceived risks associated with this proposal and that there will only be advantages compared to the status quo.

6.6 Estyn notes that the Council correctly identifies that this proposal will have no impact on current travel arrangements for pupils who attend Pencoed Primary School as transport is already available for those pupils who are eligible for a place at a LRC. However, consideration will have to be given to the most appropriate mode of transport for those pupils with ASD who would be accessing the LRC

6.7 The local authority's response to Estyn's comment is that the most appropriate mode of transport is discussed for each pupil who will access the ASD LRC based on their individual needs.

6.8 Estyn states that the plan has taken sufficient account of the possible impact of the proposal on Welsh-medium provision within the local authority. Also the proposal gives appropriate consideration to alternative provision and concludes reasonably that these would not support the needs of pupils with ASD in the most appropriate way.

6.9 It is Estyn's opinion that the Council's evaluation of educational aspects of the proposal is in line with the most recent Estyn inspection (January 2011). Estyn notes that it is therefore unlikely that the proposal will have a negative impact on vulnerable groups, including children with Special Educational Needs.

6.10 Estyn acknowledges that the local authority identifies that leaders at Pencoed Primary School demonstrate a very strong capacity to plan and implement change and sustain improvement successfully in nearly all aspects.

## **7. Impact assessments**

### **7.1 Community Impact Assessment**

There is no significant negative impact on the community.

### **7.2 Equality Impact Assessment.**

An initial EIA was undertaken. The full EIA can be found at Appendix (vi). The full EIA holistically evaluates the pupils affected by the introduction of the proposal.

## **8. Financial implications**

8.1 The funding for the LRC would be allocated through the mainstream school's delegated budget, via the school's formula allocation, and using a combination of the age-weighted pupil unit (AWPU) element, plus a per place factor.

8.2 Funding levels would be derived from notional current staffing needs. If pupil numbers remain constant, then the cost of the provision would be largely unchanged. The number of places would be reviewed annually and agreed with the headteacher to enable staffing stability and to assist in school planning.

8.3 These proposed funding arrangements are similar to those implemented for secondary schools in 2013-2014, that were part of the annual consultation with governing bodies and the School Budget Forum on changes to the schools' funding formulae. One-off funding for the set-up costs would be £10k.

8.4 As part of the medium-term financial strategy budget-setting process for 2017-2018, a total of £263k was allocated under budget pressures to establish additional LRCs for pupils with ASD in two Welsh-medium schools and two English-medium schools with effect from the academic year 2017-2018. This was supplemented in the 2018-19 budget-setting process by an additional £51K to meet the full year effect of the 2017-18 budget pressure application. These allocations will be used to fund the LRC at Pencoed Primary School if the proposal goes ahead.

## **9. Statutory process in determining proposals**

### **9.1 Provisional timetable:**

24 April 2018	Report to Cabinet on the outcomes of the consultation.
2 May 2018	Publish Consultation Report on BCBC website, hard copies of the report will be available on request.
3 May 2018	If agreed by the Cabinet of Bridgend County Borough Council, a Public Notice will be published and there

will be a period of 28 days in which to submit any objections to the proposal in writing.

31 May 2018

End of Public Notice period. Cabinet will consider any objections and make decision based on all the information available.

1 September 2018

Potential Implementation

Hard copies of this report are available on request.

Contact Officer: Anne Whittome

Telephone No: 01656 815253

E-mail: [anne.whittome@bridgend.gov.uk](mailto:anne.whittome@bridgend.gov.uk)

Postal Address: Inclusion Service  
Bridgend County Borough Council  
Civic Offices  
Angel Street  
Bridgend  
CF31 4AR

**Consultation Meeting with  
 School Council  
 Re. Proposal to establish provision for  
 pupils with additional learning needs  
 (ALN) at Pencoed Primary School  
 26 February 2018 – 2.45pm**

**Present:** Michelle Hatcher - Group Manager, Inclusion and School Improvement  
 Classroom Teacher  
 11 Pupils

Michelle Hatcher introduced the consultation meeting and set out the purpose of the meeting, nature and process of the consultation and outlined the proposal.

**Questions/Issues**

**Answer/Comments**

Will they be mixing with mainstream pupils?

The panel decides who goes into the LRC. Where possible, individual pupils are included into mainstream. It is important to feel part of the school.

How many pupils and teachers?

There will be a maximum of 8 pupils, 1 teacher and 2 LSOs. There will not always be 8 pupils to start. It depends on who has met the criteria and the panel will decide this.

What things will they learn?

They will learn the same as other pupils. The curriculum is tailored to meet individual's needs.

What age groups will be in the LRC?

Key stage 2 (years 3 to 6) – 7 to 11 years.

Will the children be from different places?

It is like the MLD LRCs at Pencoed. It is a county provision. Pupils from other schools in Bridgend could attend here.

How many boys and girls in the class?

There will be a maximum of 8 pupils.

Who will decide how big the classroom is?

The headteacher will look at how the classroom works with the LA and look at the best space.



Will they be doing PE with other pupils?

It is a good idea. The spare classroom can be used for children with autism. I like how they can attend with other children.

Are there different types of autism?

Does a doctor have a say?

Is autism rare?

It is a great, great, great idea to have the classroom.

When pupils do PE with others, they will be able to make friends, which is a good thing.

They have already spoken.

Depends on how the school wants to mix. It is important to integrate and for the children to feel part of the school.

There is an autistic spectrum – a range of different needs on that spectrum.

Pupils have a diagnosis of ASD – classroom - Specialist staff will work with the school. The LA will provide money to the school to help set up the classroom.

No. More and more people are being diagnosed with autism.

**Consultation Meeting with  
 Parents  
 Re. Proposal to establish provision for  
 pupils with additional learning needs  
 (ALN) at Pencoed Primary School  
 26 February 2018 - 5.30pm**

**Present:** Michelle Hatcher - Group Manager, Inclusion and School Improvement  
 Alison Gwyther – Principal Advisor Employee Relations - Schools  
 Headteacher – Pencoed Primary School  
 7 parents

Michelle Hatcher introduced the consultation meeting and set out the purpose of the meeting, nature and process of the consultation and outlined the proposal.

**Questions/Issues**

It is a very positive proposal; would resources be diverted from the other MLD classes to this new class?

The current MLD classes are organic, they change with the needs of the children, and will this provision be similar to this?

Will the class be for key stage 1 and 2?

Will the unit just take children from the Pencoed area?

The new school is at full capacity and there is new building in Pencoed, would this unit reduce the capacity and local

**Answer/Comments**

No, this is a new provision and given new funding, the MLD classes are separate.

Yes, children will be on the autistic spectrum, children will be integrated into mainstream where appropriate; the specialist teacher will share expertise to other staff in the school to benefit all children at Pencoed. Staff currently has a broad range of skills and this unit will allow development and ability to build on these skills. The class will open with the new school in September.

Just key stage 2 as we currently have observation classes for children in key stage 1.

They would be discussed at panel and their decision would place the children in the LRC. We want to reduce children travelling to schools across the County Borough.

Welsh Government does not fund surplus places and the school is near capacity.

children will not be able to attend the school?

In the future will the class increase in pupil numbers?

ASD children may need one -to -one support; will the school have to fund this?

Once the unit is full, will these pupils remain in the unit?

What age is key stage 2?

If children exit the provision do they remain in Pencoed or go to their catchment area?

Does the new school have breakout areas if the children need time out?

When will we know if the proposals have been agreed?

No, there is a maximum of 8 pupils

The LA looks at each individual case, it is unlikely that this highly staffed unit require more, however if there is a pupil with specific need then we must meet that need.

The panel will access exit and entrance to the unit and children are reviewed.

Year 3 to 6

The panel would decide on the exit of children and these children may relapse and go back in, they would usually stay in Pencoed, each case discussed with all stakeholders.

The school does not have specific areas, however the new school has flexible areas and are confident that the new school can meet the needs of all children in Pencoed.

Cabinet will make a final decision around June time to open in September. There will be ongoing discussions to ensure the LRC has the correct resources and staffed appropriately for September. There may not be a full class in September there may be a gradual increase.

**Consultation Meeting with Staff**  
**Re. Proposal to establish provision for pupils with additional learning needs (ALN) at Pencoed Primary School**  
**26 February 2018 - 3.40pm**

**Present:** Michelle Hatcher - Group Manager, Inclusion and School Improvement  
 Alison Gwyther – Principal Advisor Employee Relations - Schools  
 Headteacher – Pencoed Primary School  
 20 members of staff

Michelle Hatcher introduced the consultation meeting and set out the purpose of the meeting, nature and process of the consultation and outlined the proposal.

**Questions/Issues**

**Answer/Comments**

Will the resource base be open in September?

Yes if the proposal is approved.

What staffing will be required for this unit?

1 teacher and 2 LSOs.

As the children will be in the school will all staff be offered training in Team-teach?

The LA will train staff and this has been offered, if the school feel it is appropriate, staff can be trained. Some staff may not wish to be trained and may not feel comfortable, it is personal choice. We want all the staff equipped and prepared for the proposed opening in September. We will be consulting with SLT of the school to assist and advise.

This is a positive consultation as we are an inclusive school. Can you confirm this is an additional resource and there will be no change to the other MLD classes in the school?

This is a new resource with additional funding and £10k set up cost being given to the school to purchase the appropriate resources as required.

How will the children access the provision?

There is a panel that will assess entry and exit into the LRC, there is a process in place, and children would need to have a diagnosis in

Will the unit accommodate pupils on need basis or location?

ASD to access this LRC.

We are trying to limit children travelling and to accommodate them locally, children would need to have a diagnosis and it would be a panel decision.

**Consultation Meeting with  
 School Governors  
 Re. Proposal to establish provision for  
 pupils with additional learning needs  
 (ALN) at Pencoed Primary School  
 26 February 2018 - 4.30pm**

**Present:** Michelle Hatcher - Group Manager, Inclusion and School Improvement  
 Alison Gwyther – Principal Advisor Employee Relations - Schools  
 Headteacher – Pencoed Primary School  
 1 School Governor

Michelle Hatcher introduced the consultation meeting and set out the purpose of the meeting, nature and process of the consultation and outlined the proposal.

**Questions/Issues**

Are the new ASD units in schools the same size?

This was discussed at governors, we are an inclusive school, is this an additional resource?

Will the pupils be taught in a classroom in the school?

The pupils will be in the unit to year 6 where will they integrate into a secondary school?

**Answer/Comments**

Yes, 8 pupils, 1 teacher and 2 LSO.

Yes this is new funding and a new provision.

Yes and they will be integrated into the school as appropriate

Currently there are LRC's in Maesteg, Bryntirion and YGG Llangynwyd we are looking for another school currently at key stage 3.

## **Estyn's response to the proposal to establish provision for pupils with additional learning needs (ALN) at Pencoed Primary School**

### **Introduction**

This report has been prepared by Her Majesty's Inspectors of Education and Training in Wales.

Under the terms of the School Standards and Organisation (Wales) Act 2013 and its associated Code, proposers are required to send consultation documents to Estyn. However Estyn is not a body which is required to act in accordance with the Code and the Act places no statutory requirements on Estyn in respect of school organisation matters. Therefore as a body being consulted, Estyn will provide their opinion only on the overall merits of school organisation proposals.

Estyn has considered the educational aspects of the proposal and has produced the following response to the information provided by the proposer and other additional information such as data from Welsh Government and the views of the Regional Consortia which deliver school improvement services to the schools within the proposal.

### **Summary/ Conclusion**

The proposal to establish a learning resource class (LRC) at Pencoed Primary School is likely to improve the standard of educational provision for those pupils with autistic spectrum disorders (ASD) living in the east locality of Bridgend County Borough.

### **Description and benefits**

Bridgend County Borough Council has presented a clear rationale for the proposed opening of a LRC would open in conjunction with the opening of Pencoed Primary School on a new site in September 2018. The LRC will increase the expertise amongst the staff of Pencoed Primary School to accommodate the needs of other pupils who are known to demonstrate ASD traits in the absence of a formal diagnosis. There are no perceived risks associated with this proposal. There will only be advantages for these pupils compared to the status quo.

The Council correctly identifies that this proposal will have no impact on current travel arrangements for pupils who attend Pencoed Primary School as transport is already available for those pupils who are eligible for a place at an LRC. However, consideration will have to be given to the most appropriate mode of transport for those pupils with ASD who would be accessing the LRC

The plan has taken sufficient account of the possible impact of the proposal on Welsh medium provision within the local authority. Currently, in conjunction with this proposal there is also a proposal to establish a Welsh-medium ASD LRC at Ysgol Gyfun

Gymraeg Llangynwyd, which is at public notice stage of the consultation process. In addition, the council are planning to present a proposal to open an ASD LRC in one of the Welsh-medium primary schools. This will be submitted to Cabinet once the feeder primary school has been identified.

The proposal gives appropriate consideration to alternative provision and concludes reasonably that these would not support the needs of pupils with ASD in the most appropriate way.

The proposal will not involve any potential transfer or disposal of land. Other than the planned building of the new school, there are no additional planned building associated with the proposal.

### **Educational aspects of the proposal**

The Council has considered the current quality of outcomes, provision and leadership and management at Pencoed Primary School using the National Categorisation School Report 2016/17 as the source of evidence. Analysis of the school's own data shows that it has a very good track-record in raising the achievement of nearly all pupils, including vulnerable learners over at least a three-year period. Nearly all pupils identified as having special educational needs make progress in line with their stage of development. The local authority's evaluation concludes that all staff have a shared understanding of the characteristics of excellent and good teaching and demonstrate these in classroom practice. The proposal notes that the quality of teaching across the school, and the impact on nearly all pupils' learning and progress, is consistently good and often excellent. This evaluation is in line with the most recent Estyn inspection (January 2011). It is therefore unlikely that the proposal will have a negative impact on vulnerable groups, including children with Special Educational Needs.

The local authority identify that leaders at Pencoed Primary School demonstrate a very strong capacity to plan and implement change and sustain improvement successfully in nearly all aspects.

The community impact assessment concludes that there will be no significant negative impact on the local community or other schools.



**Full Equality Impact Assessment**

<b>Name of project, policy, function, service or proposal being assessed:</b>	Proposal to change the provision for pupils with additional learning needs (ALN) at Pencoed Primary School
<b>Date assessment completed</b>	4 March 2018

At this stage you will need to re-visit your initial screening template to inform your discussions on consultation and refer to [guidance notes on completing a full EIA](#)

An Initial Equality Impact Assessment Screening was undertaken on this proposal on **INSERT** The recommendation from the EIA Screening was that a Full Equality Impact Assessment would be required.

The consultation is to invite your views on the proposal to establish a learning resource centre for a maximum of 8 pupils with ASD at Pencoed Primary School.

A consultation exercise lasting from 9 February 2018 to 23 March 2018 sought the views of staff, parents, pupils, interested parties and the governing body as the first step in the statutory process. If the proposals are supported they would come into effect on 1 September 2018.

**1. Consultation**

		<b>Action Points</b>
<b>Who do you need to consult with (which equality groups)?</b>	Within each of the protected characteristic groups the council will need to consult with: Headteacher, teachers, governing body, parents, carers and guardians of children and the general public.	The consultation tools and mechanisms to be used should include: Focused Meetings, Public Meetings, a consultation document and associated questionnaire, publication of all information on the council's website and school websites, press releases, information on the council's customer service screens, all partners, social media, Bridge members, schools texting service, Local Service Board, citizens panel
<b>How will you ensure your consultation is inclusive?</b>	The council is mindful that as wide a range of consultation and engagement	

	<p>activities and tools need to be deployed in order to reach as wide an audience of consultees as possible. Consultation and engagement must be maximised in order that public views and concerns are “heard and considered” by the council to identify better ways of working and influence difficult decision making from a representative group.</p> <p>Methods of consultation will include (where appropriate) bilingual (Welsh / English) materials, information produced in languages other than English and Welsh, large print documents, easy read versions of information, provision of audio information and will include a mix of hard copy documents and provision of online forms and information. The council recognises that, key to the council’s consultation and engagement strategy is the commitment to visiting the public and other consultees in their own locations / communities at times that are convenient to them. Another key element is liaising with pupils of the school through engagement with the school council.</p>	
<p><b>What consultation was carried out? Consider any consultation activity already carried out, which may not have been specifically about equality</b></p>	<p>Interested / impacted parties were invited to consider the proposal and submit views as to whether or not they supported the proposal to establish a learning resource</p>	

<b>but may have information you can use</b>	centre for pupils with ASD at Pencoed Primary School via consultation meetings held on 26 February 2018 for the different interested parties. Interested and impacted parties were invited to attend meetings to hear an explanation of the proposal, put questions and express any views or concerns.	
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**Record of consultation with people from equality groups**

<b>Group or persons consulted</b>	<b>Date, venue and number of people</b>	<b>Feedback, areas of concern raised</b>	<b>Action Points</b>
Members of School Council of Pencoed Primary School	26 February 2018. Further details are included in this EIA	Feedback documents were circulated to all attendees at the event for individual considered views to be shared with the council	Please see tables within this Full EIA.
Pencoed Primary School school staff	26 February 2018. Further details are included in this EIA	Feedback documents were circulated to all attendees at the event for individual considered views to be shared with the council.	Please see tables within this Full EIA.
Governing Body of Pencoed Primary School	26 February 2018. Further details are included in this EIA	Feedback documents were circulated to all attendees at the event for individual considered views to be shared with the council.	Please see tables within this Full EIA.
Parents of pupils at Pencoed Primary School	26 February 2018. Further details are included in this EIA	Feedback documents were circulated to all attendees at the event for individual considered views to be shared with the council.	Please see tables within this Full EIA.

## 2. Assessment of Impact

Based on the data you have analysed, and the results of consultation or research, consider what the potential impact will be upon people with protected characteristics (negative or positive). If you do identify any adverse impact you **must**:

a) Liaise with the Engagement Team who may seek legal advice as to whether, based on the evidence provided, an adverse impact is or is potentially discriminatory, and

b) Identify steps to mitigate any adverse impact – these actions will need to be included in your action plan.

Include any examples of how the policy helps to promote equality.

The attached Cabinet Report provides a summary of Consultation responses, data and feedback.

<b>Gender</b>	<b>Impact or potential impact</b>	<b>Actions to mitigate</b>
Identify the impact/potential impact on women and men.	None	Neither men nor women will be disproportionately negatively affected by this proposal.
<b>Disability</b>	<b>Impact or potential impact</b>	<b>Actions to mitigate</b>
Identify the impact/potential impact on disabled people (ensure consideration of a range of impairments, e.g. physical, sensory impairments, learning disabilities, long-term illness).	None	Disabled people will not be negatively impacted by this proposal.
<b>Race</b>	<b>Impact or potential impact</b>	<b>Actions to mitigate</b>
Identify the impact/potential impact of the service on Black and minority ethnic (BME) people.	Black and minority ethnic people will not be disproportionately negatively affected by this proposal.	None
<b>Religion and belief</b>	<b>Impact or potential impact</b>	<b>Actions to mitigate</b>
Identify the impact/potential impact of the service on people of different religious and faith groups.	There will be no impact on Religion and Belief as a result of this proposal if it is approved.	None

<b>Sexual Orientation</b>	<b>Impact or potential impact</b>	<b>Actions to mitigate</b>
Identify the impact/potential impact of the service on gay, lesbian and bisexual people.	There will be no impact on Sexual orientation as a result of this proposal if it is approved.	None
<b>Age</b>	<b>Impact or potential impact</b>	<b>Actions to mitigate</b>
Identify the impact/potential impact of the service on older people and younger people.	There will be no impact on Age as a result of this proposal if it is approved.	None
<b>Pregnancy &amp; Maternity</b>	<b>Impact or potential impact</b>	<b>Actions to mitigate</b>
	There will be no impact on Pregnancy and Maternity as a result of this proposal if it is approved.	None
<b>Transgender</b>	<b>Impact or potential impact</b>	<b>Actions to mitigate</b>
	There will be no impact on Transgender people as a result of this proposal if it is approved.	None
<b>Marriage and Civil Partnership</b>	<b>Impact or potential impact</b>	<b>Actions to mitigate</b>
	There will be no impact on Marriage and Civil Partnership as a result of this proposal if it is approved.	None

### **United Nations Convention on the Rights of the Child (UNCRC)**

The UNCRC is an agreement between countries which sets out the basic rights all children should have. The United Kingdom signed the agreement in 1991. The UNCRC includes 42 rights given to all children and young people under the age of 18. The 4 principles are:

1. Non-discrimination
2. Survival and development
3. Best interests

#### 4. Participation

This section of the Full EIA contains a summary of all 42 articles and some will be more relevant than others, depending on the policy being considered however, there is no expectation that the entire convention and its relevance to the policy under review is fully understood. The Engagement Team will review the relevant data included as part of its monitoring process. The EIA process already addresses two of the principle articles which are non-discrimination and participation. This section covers “Best interests” and “Survival and development”.

Some policies will have **no direct impact** on children such as a day centre for older people.

Some policies will **have a direct impact** on children where the policy refers to a children’s service such as a new playground or a school.

Some policies will **have an indirect impact** on children such as the closure of a library or a cultural venue, major road / infrastructure projects, a new building for community use or change of use and most planning decisions outside individual home applications.

##### **What do we mean by “best interests”?**

The “Best interest” principle does not mean that any negative decision would automatically be overridden but it does require BCBC to examine how a decision has been justified and how the Council would mitigate against the impact (in the same way as any other protected group such as disabled people).

- The living wage initiative could be considered to be in the “Best interests”. The initiative could potentially lift families out of poverty. Poverty can seriously limit the life chances of children.
- The closure of a library or cultural building would not be in the ‘best interests’ of children as it could limit their access to play, culture and heritage’ (Article 31).

Please detail below the assessment / judgement of the impact of this policy on children aged 0 – 18. Where there is an impact on “Best interests” and “Survival and development”, please outline mitigation and any further steps to be considered. The 42 rights are detailed below.

**Article 1:** Everyone under 18 years of age has all the rights in this Convention.

**Article 2:** The Convention applies to everyone whatever their race, religion, abilities, whatever they think or say and whatever type of family they come from.

**Article 3:** All organisations concerned with children should work towards what is best for each child.

**Article 4:** We should make these rights available to children.

**Article 5:** We should respect the rights and responsibilities of families to direct and guide their children so that they learn to use their rights properly.

**Article 6:** All children have the right of life. We should ensure that children survive and develop healthily.

**Article 7:** All children have the right to a legally registered name, a nationality and the right to know and, as far as possible, to be cared for by their parents.

**Article 8:** We should respect children's right to a name, a nationality and family ties.

**Article 9:** Children should not be separated from their parents unless it is for their own good, for example if a parent is mistreating or neglecting a child. Children whose parents have separated have the right to stay in contact with both parents, unless this might hurt the child.

**Article 10:** Families who live in different countries should be allowed to move between those countries so that parents and children can stay in contact

**Article 11:** We should take steps to stop children being taken out of their own country illegally.

**Article 12:** Children have the right to say what they think, when adults are making decisions that affect them, and to have their opinions taken into account.

**Article 13:** Children have the right to get and to share information as long as the information is not damaging to them or to others.

**Article 14:** Children have the right to think and believe what they want and to practise their religion, as long as they are not stopping other people from enjoying their rights.

**Article 15:** Children have the right to meet together and to join groups/ organisations, as long as this does not stop other people from enjoying their rights.

**Article 16:** Children have a right to privacy. The law should protect them from attacks against their way of life, their families and their homes.

**Article 17:** Children have the right to reliable information from the mass media.

**Article 18:** Both parents share responsibility for bringing up their children. We should help parents by providing services to support them.

**Article 19:** We should ensure that children are cared for, and protect them from violence, abuse and neglect by anyone who looks after them.

**Article 20:** Children who cannot be looked after by their own family must be looked after properly, by people who respect their religion, culture and language

**Article 21:** When children are adopted the first concern must be what is best for them.

**Article 22:** Children who come into a country as refugees should have the same rights as children born in that country.

**Article 23:** Children who have any kind of disability should have special care and support so that they can lead full and independent lives.

**Article 24:** Children have the right to good quality health care and to clean water, nutritious food and a clean environment so that they will stay healthy.

**Article 25:** Children who are looked after by their local authority rather than their parents should have their situation reviewed regularly.

**Article 26:** We should provide extra money for the children of families in need.

**Article 27:** Children have a right to a standard of living that meets their physical and mental needs. We should help families who cannot afford this.

**Article 28:** Children have a right to an education. Discipline in schools should respect children's human dignity.

**Article 29:** Education should develop each child's personality and talents to the full.

**Article 30:** Children have a right to learn and use the language and customs of their families.

**Article 31:** All children have a right to relax and play, and to join in a wide range of activities.

**Article 32:** We should protect children from work that is dangerous or might harm their health or their education.

**Article 33:** We should provide ways of protecting children from dangerous drugs.

**Article 34:** We should protect children from sexual abuse.

**Article 35:** We should make sure that children are not abducted or sold.

**Article 36:** Children should be protected from any activities that could harm their development.

**Article 37:** Children who break the law should not be treated cruelly.

**Article 38:** Governments should not allow children under 15 to join the army.

**Article 39:** Children who have been neglected or abused should receive special help to restore their self - respect.

**Article 40:** Children who are accused of breaking the law should receive legal help. Prison sentences should only be used for the most serious offences.

**Article 41:** If the laws of a particular country protect children better than the articles of the Convention, then those laws should stay.

**Article 42:** We should make the Convention known to all parents and children.

<b>Impact or potential impact on children aged 0 – 18</b>	<b>Actions to mitigate</b>
In terms of this policy, the relevant articles to be considered are articles 3, 12, 28 and 30. <b>Article 3:</b> The council works towards what is best for each child. There is no impact of this policy on article 3.	The Corporate Improvement Plan. These proposals are related to the Corporate Plan (2016-2020) and the Education Inclusion Programme and, in particular, in



<p><b>Article 12:</b> Children have been given the opportunity to say what they think as they have been included in the consultation and engagement programme. Their views and opinions have been taken into account. There is, therefore, no impact on article 12.</p> <p><b>Article 28:</b> Children in Bridgend County Borough Council have a right to an education. The methods of discipline in our schools respect children’s human rights and dignity. There is, therefore, no impact on article 28.</p> <p><b>Article 30:</b> Children in Bridgend are supported and encouraged to learn and use the language and customs of their families. There is, therefore, no impact on article 30.</p>	<p>the Corporate Plan Improvement priority one</p> <ul style="list-style-type: none"> <li>• Supporting a successful economy.</li> </ul> <p>2.2 In order to achieve this improvement priority, it is important to work with our partners to support pupils with additional learning needs (ALN). The focus needs to be upon raising their skills, ambition and qualifications, and support them to take advantage of opportunities to succeed. This will improve the future prospects for our children and young people. We have already contributed to this priority by improving the provision in mainstream schools for pupils with ALN.</p>
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The council is mindful that a further period of time is required to enable a full and meaningful assessment of the impact of this proposal to be made. The council will need to address a number of questions:

- the impact of the closure on the outcomes of the pupils directly affected by the closure,
- a clearer understanding (based on further evaluation and assessment) of the realignment of the council’s provision for pupils with additional learning needs.

The council has already carried out an Initial Screening Equality Impact Assessment and this identified a number of potential risks which have been addressed in this Full Equality Impact Assessment. These risks include the impact of the closure on future service need and the possible impact of increased class sizes. It recognises appropriately that a full assessment of the impact on attainment levels needs to be included together with more information on ages and levels of disability of the pupils in receipt of the service.

This Full Equality Impact Assessment is considered to be a live document and its fluidity will be reflected in the ongoing assessment of the impact on Children with Additional Learning Needs of the policy.

**The full EIA holistically evaluates the pupils affected by the introduction of the proposal.**

**Please outline how and when this EIA will be monitored in future and when a review will take place:**

### 3. Action Plan

Action	Lead Person	Target for completion	Resources needed	Service Development plan for this action
Monitoring of the EIA	Group Manager Inclusion and School Improvement	January 2019	Time	Inclusion- establishing ASD LRCs

**Please outline the name of the independent person (someone other the person undertaking the EIA) countersigning this EIA below:**

Emma Blandon, Communication, Marketing and Engagement Manager

**Signed: Michelle Hatcher                      Date: 4 March 2018**

#### **4. Publication of your results and feedback to consultation groups**

It is important that the results of this impact assessment are published in a user friendly accessible format.

It is also important that you feedback to your consultation groups with the actions that you are taking to address their concerns and to mitigate against any potential adverse impact.

Please send completed EIA form to [Emma Blandon, Communication, Marketing and Engagement Manager](#)