

# BRIDGEND COUNTY BOROUGH COUNCIL

## REPORT TO CABINET

19 FEBRUARY 2019

### REPORT BY THE CORPORATE DIRECTOR OF EDUCATION AND FAMILY SUPPORT

#### PROVISION FOR PUPILS WITH ADDITIONAL LEARNING NEEDS (ALN) - CHANGES TO BETWS 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 proposal to cease the local authority (LA) nurture provision at Betws Primary School

#### 2. Connection to Corporate Improvement Objectives/other corporate priorities

2.1 The report links to the following improvement priorities in the Corporate Plan:

- **Supporting a successful economy** - we will take steps to make the county a good place to do business, for people to live, work, study and visit, and to ensure that our schools are focused on raising the skills, qualifications and ambitions of all people in the county.
- **Helping people to be more self-reliant** – we will take early steps to reduce or prevent people from becoming vulnerable or dependent on the Council and its services.
- **Smarter use of resources** – ensuring that all its resources (financial, physical, human and technological) are used as effectively and efficiently as possible and support the development of resources throughout the community that can help deliver the Council's priorities.

#### 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 Welsh Government has approved the introduction of foundation phase provision at The Bridge Alternative Provision (The Bridge).

3.3 Bridgend County Borough Council supports the principles that, when possible, children should be educated in a mainstream school environment and as near to their home as possible.

#### 4. Current situation/proposal

4.1 In order to progress a proposal to cease the local authority nurture provision at Betws Primary School, consultation exercises were carried out between 20 November and 31 December 2018 with staff, governors, parents and pupils of Betws 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 Council is required to publish a consultation report summarising any issues raised by consultees and the Council'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 local 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. Effect upon policy framework and procedure rules**

- 5.1 There is no effect upon the policy frameworks or procedure rules.

## **6. Equality Impact Assessment**

- 6.1 The Council has a duty to consult and fully consider the implications of any proposal on all members of the local community who may be affected unfairly as a result of the proposal being carried out.
- 6.2 An initial Equality Impact Assessment (EIA) was undertaken. The full EIA can be found in Appendix (xi). The full EIA holistically evaluates the pupils affected by the introduction of the proposal.
- 6.3 A Community Impact Assessment has been carried out and there is no negative impact on the community.

## **7. Well-being of Future Generations (Wales) Act 2015 Assessment**

- 7.1 A Well-being of Future Generations (Wales) Act 2015 assessment has been completed and is detailed in Appendix (vii). A summary of the implications from the assessment relating to the five ways of working is as follows:
- 7.2 **Long-term** - affords pupils an opportunity to attend foundation phase provision and an opportunity to reintegrate into their mainstream school as near to their home as possible.

- 7.3 **Prevention** - enables pupils to be educated as part of the graduated response as stipulated in the ALN Code of Practice and ultimately preventing being placed out-of-authority.
- 7.4 **Integration** – the introduction of foundation phase at The Bridge is key in ensuring that pupils are able to access alternative provision at an early stage in order to reintegrate successfully back into their mainstream school where appropriate. There are also efficiencies related to this proposal as the cost of an out-of-authority place far outweighs the cost of establishing foundation phase provision locally in an alternative setting.
- 7.5 **Collaboration** - There is excellent collaboration between The Bridge and mainstream schools. The Bridge and the pupils' mainstream schools work closely to ensure that the individual needs of the pupils are met and progress is monitored.
- 7.6 **Involvement** – A range of key stakeholders are involved in a pupil's placement at The Bridge in order to ensure that individual progress is made.

## **8. Financial implications**

- 8.1 There are projected full-year savings of £51,378 from the closure of the LA nurture provision at Betws Primary School. This will be re-allocated within the primary schools' Individual Schools Budget (ISB).
- 8.2 As a result of the closure, the funding of the senior support officer (SSO) at Betws Primary School Nurture Provision will be used to support the finance required for the introduction of foundation phase at The Bridge. There are no redundancy costs associated with this proposal.

## **9. Recommendation**

9.1. Cabinet is recommended to:

- note the outcome of the consultation with interested parties as detailed in the attached Consultation Report (refer to Appendix 1);
- approve the attached Consultation Report for publication; and
- authorise the publication of a Statutory Public Notice on the proposal.

**Lindsay Harvey**  
**Corporate Director (Education and Family Support)**

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**BRIDGEND COUNTY BOROUGH COUNCIL**

**CONSULTATION REPORT**

**19 FEBRUARY 2019**

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

**PROVISION FOR PUPILS WITH ADDITIONAL LEARNING NEEDS (ALN) -  
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- 4.1 In order to progress a proposal to cease the local authority nurture provision at Betws Primary School, consultation exercises were carried out between 20 November and 31 December 2018 with staff, governors, parents and pupils of Betws Primary School and also the wider community in accordance with the Statutory School Organisation Code.

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- 4.2 The consultation document invited views and opinions to be submitted in respect of the proposal.
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- 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 Betws Primary School Council met with Bridgend County Borough Council (BCBC) representatives on 20 November 2018 to discuss the proposal (full details can be found at Appendix (i)).

- 5.3 Pupils raised a question regarding what will happen to the teachers at Betws Primary School.
- 5.4 Pupils also asked what support the pupils would receive at The Bridge.
- 5.5 Further questions were asked specifically about the facilities at The Bridge.
- 5.6 Pupils enquired about the use of the nurture classroom at Betws Primary School in the future.

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

- 5.7 It was noted with the pupils that conversations will be held with teachers during the consultation process.
- 5.8 The pupils would receive excellent support at The Bridge tailored to the individual's needs.
- 5.9 It was explained that there would be the same access to PE facilities and ICT at The Bridge and therefore the same opportunities would continue at The Bridge. There would also be access to the Foundation Phase outdoor area.
- 5.10 It was highlighted that the future use of the classroom at Betws Primary School will be for the school to determine.

**Parent consultation**

- 5.11 A consultation meeting was held for parents and interested parties to discuss the proposal with BCBC representatives at Betws Primary School on 20 November 2018 (full details can be found at Appendix (ii)).
- 5.12 Parents asked if The Bridge is a provision for the whole local authority.
- 5.13 Parents also enquired if pupils would have assembly time at The Bridge.

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

- 5.14 It was explained that the provision would be for the local authority as a whole and that there would also be a specialist central team who would train and provide support and advice to schools with regards to nurturing children in their local schools.
- 5.15 An explanation was given with regards to how The Bridge runs like a school which includes assembly time.

**School staff consultation**

- 5.16 A consultation meeting was held with Betws Primary School staff on 20 November 2018 (full details can be found at Appendix (iii))
- 5.17 Staff raised questions with regards to the provision for younger children at The Bridge.
- 5.18 Further questions were asked in relation to the timing of the class closure and what will happen if the class doesn't close.
- 5.19 Staff asked when the new pupils would be placed in the new provision.
- 5.20 It was enquired as to whether there would be training for staff in schools to nurture children in their local schools

The local authority response is as follows:

- 5.21 It was explained that there is currently provision for primary age children at The Bridge and the new class will be in addition. Foundation Phase provision is being considered by the local authority.
- 5.22 It was highlighted that the proposed closure is 1 April 2019 and if the decision is not to close the class then further consideration would be given at that time.
- 5.23 It was noted that all children are assessed and discussed in the access to education panel and that children are placed in the provision to best meet their needs. The pupils will transition to The Bridge in a phased approach and not all at the same time.
- 5.24 An explanation was given with regards to the specialist central team will continue to support schools with advice and guidance.

### **Governing body consultation**

- 5.25 A consultation meeting was held with Betws Primary School Governors on 20 November 2018 (full details can be found at Appendix (iv)).
- 5.26 The governors asked questions regarding the length of time that pupils need to settle into a class.
- 5.27 Further questions were raised regarding the new pupils coming in during the transition period and the effect that this could have with Estyn's return to the school.

The local authority response is as follows:

- 5.28 It was explained that there are various nurture models and that assessment for the correct provision and transition are important factors in order to support individual



pupils' needs. There is no set length of time that pupils take to settle into a class that depends upon the individual's needs.

- 5.29 The local authority reassured governors that each child would be assessed during the transition period and will either remain in their home school with support, remain in nurture at Betws Primary School or return to their home school.

## **Summary of written presentations**

- 5.30 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 proposer has provided appropriate information explaining the logic behind this proposal.
- 6.3 Estyn is of the opinion that the proposal is likely to maintain or improve the current standards, in terms of education, provision, and leadership and management
- 6.4 Estyn acknowledges that the rationale for this proposal is methodical and the considerations have been identified clearly. The evidence is based on facts and valid considerations. The proposer has identified the expected advantages and disadvantages in comparison with the status quo.
- 6.5 Estyn comments that the proposer has considered other options, which include continuing with the current provision at the school and supporting pupils in mainstream schools and for them not to have access to an appropriate small class environment. The likely consequence of both alternatives is that the pupils' needs would not be met in the most appropriate way.
- 6.6 Estyn notes that the pupils would be in a group of twelve at The Bridge rather than in a group of eight. Estyn states that the proposer does not give full consideration to the fact that this could mean that pupils are given fewer opportunities to learn directly with a specialist teacher in a one-to-one situation or in smaller groups.
- 6.7 The local authority's response to Estyn's comment is that in addition to pupils being educated in a larger classroom that can accommodate twelve pupils, there is additional break-out space. In addition, there will be opportunities for one-to-one interventions in order to meet the individual needs of the children.
- 6.8 Estyn states that the proposer considers briefly the anticipated effect should a child move to The Bridge from the nurture provision at Betws Primary School and that this provision would be new to the pupil. However, not enough details about the transfer process and distance of travel are outlined in the proposal.

- 6.9 The local authority's response to Estyn's comment is that the local authority recognises the importance of transition arrangements for any pupil. Meetings will be held with pupils, parents and school staff to decide upon the most appropriate transition plan for each individual child which will include conversations regarding travel and the appropriate distance for a child to travel and the most appropriate mode of transport.
- 6.10 Estyn acknowledges that it is unlikely that this proposal would have any detrimental effect on Betws Primary School's ability to provide the full curriculum in all key stages of education.
- 6.11 Estyn raises the question that there are also no details about any proposed costs that would be associated with this proposal.
- 6.12 The local authority's response to Estyn's comment is that the financial implications are highlighted in the finance section of the Cabinet Report and full consideration has been given to any financial implications.
- 6.13 Estyn acknowledges that the proposer has given appropriate consideration to the proposal's effect on outcomes, provision, and leadership and management. The proposer identifies that most pupils make good progress and achieve appropriately.
- 6.14 Estyn notes that this proposal has given purposeful consideration to the most recent Estyn inspection reports.
- 6.15 Estyn highlights that one of the recommendations for The Bridge is to 'ensure that pupils from Welsh medium schools can continue their learning through the medium of Welsh'.
- 6.16 The local authority's response to Estyn's comment is that work has been undertaken with The Bridge who have employed staff in order to meet the needs of Welsh speakers.
- 6.17 The proposer has not identified the current category of the two schools.
- 6.18 The local authority's response to Estyn's comment is when Estyn revisited The Bridge in November 2018, it was removed from Estyn monitoring with no further follow-up visits required. Betws Primary School is awaiting a follow-up visit from Estyn following their inspection in November 2017.

## **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 There are projected full-year savings of £51,378 from the closure of the LA nurture provision at Betws Primary School. This will be re-allocated within the primary schools' Individual Schools Budget (ISB).
- 8.2 As a result of the closure, the funding of the senior support officer (SSO) at Betws Primary School nurture provision will be used to support the finance required for the introduction of foundation phase at The Bridge.

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

### **9.1 Provisional timetable:**

19 February 2019	Report to Cabinet on the outcomes of the consultation.
27 February 2019	Publish Consultation Report on BCBC website, hard copies of the report will be available on request.
4 March 2019	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.
1 April 2019	End of Public Notice period.
May 2019	Cabinet will consider any objections and make decision based on all the information available.
June 2019	Potential Implementation

Hard copies of this report are available on request.

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**Consultation Meeting with  
 School Council  
 Re. Proposal to cease the local  
 authority (LA) nurture provision at  
 Betws Primary School**

**20 November 2018 – 2.45pm**

**Present:** Michelle Hatcher - Group Manager, Inclusion and School Improvement  
 Mr Howe- class teacher  
 7 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**

What will happen to the teachers?

We will have more conversations with them during this process.

How will the children get support?

The access to education panel will meet to agree and decisions made. The future for these children would be in The Bridge.

What will happen to the nurture classroom?

The school will make a decision and determine its future use for the school.

Will the children fit in the same at The Bridge?

Yes the provision and the staff are excellent. There are additional rooms that the children can go into.

How many teachers will be in the classroom at The Bridge?

There will be one teacher to teach twelve pupils with support staff.

How will children travel?

The same transport would be provided as it is to Betws nurture class.

What are the outside facilities?

The foundation phase classroom will open up onto the courtyard and grass area. There will be space for the children that they will need.

Will they have the same access to sports?	There is PE on the curriculum.
Will the foundation phase have the same access at key stage 2?	Yes they will.
Will the children have the same access to computers?	Yes they will.
Are there more classrooms in The Bridge?	Yes there are.
Will the children be sad and shy to move?	They will receive the support that they need to transition.
Will they have support?	Yes they will have the support that they need at The Bridge.

**Consultation Meeting with  
 Parents  
 Re. Proposal to cease the local  
 authority (LA) nurture provision at  
 Betws Primary School  
 20 November 2018 - 5.30pm**

**Present:** Michelle Hatcher - Group Manager, Inclusion and School Improvement  
 Alison Gwyther – Principal Advisor Employee Relations – Schools  
 2 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**

Will The Bridge provide a provision for the whole authority?

Will they have assembly in the Bridge?

**Answer/Comments**

Yes, and the central specialist team will train, support and advice schools on nurturing pupils locally. The school will be able to utilise the staff and room for pupils in Betws.

Yes, The Bridge is run like a school and pupils will not have a shock when they reintegrate back into their school.

**Consultation Meeting with Staff**  
**Re. Proposal to cease the local authority (LA) nurture provision at Betws Primary School**  
**20 November 2018 - 3.40pm**

**Present:** Michelle Hatcher - Group Manager, Inclusion and School Improvement  
 Alison Gwyther – Principal Advisor Employee Relations – Schools  
 Liz Pearce- Head of School Betws Primary School  
 8 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**

Is there a class in the Bridge for junior age pupils?

Yes, there is one there currently and the new class for year 1 and 2 will be additional.

Is there provision for nursery and reception aged pupils?

This provision is being looked at in the Council as a whole.

When will the class close?

This is a proposal and if agreed will close in April 2019.

If the class is not closed, what will happen?

The provision would be looked at that time.

Will there be new pupils being placed here?

All pupils are assessed and discussed in the Access to Education panel and pupils will be placed in the best provision to meet their needs. Yes this may happen.

Pupils are usually in the class for 3 terms, is the placement of new pupils in a class that is closing, good for the pupils?

The panel will have all the information about the pupil and the unit and they will make an informed decision based on the needs of the pupil.

Comment. Once the class has been closed the school will have an additional classroom to use for the pupils of Betws.

Is there going to be training for staff in schools to nurture pupils in their local school?

Comment: When children arrive in the class they can be very disruptive and there is no quiet area to take them to. It takes time to settle them in to class, they disrupt the other children in the school however in the long run the disruption at the beginning you reap rewards in the future and worth the disruption. However if they are only in the school for a term that does not benefit the pupil or the other pupils in the school.

Additional resource has been given to the school to ensure a smooth transition, additional teacher / LSO to increase the staff: pupil ratio.

Will there be provision that falls between the provision in the Bridge for high tariff pupils and school based nurturing?

Yes the specialist team will come out to schools and deliver training, support and advice. The central specialist team will help build capacity in schools.

There will be a training plan developed to build capacity in schools to nurture at an early age to prevent more difficult cases later. We are relooking at behaviour champions



**Consultation Meeting with  
 School Governors  
 Re. Proposal to cease the local  
 authority (LA) nurture provision at  
 Betws Primary School**

**20 November 2018 - 4.30pm**

**Present:** Michelle Hatcher - Group Manager, Inclusion and School Improvement  
 Alison Gwyther – Principal Advisor Employee Relations – Schools  
 Liz Pearce- Head of School Betws Primary School  
 Terri Emmanuel- Executive Headteacher Betws Primary School  
 Victoria Cox-Wall- Teacher in Charge The Bridge  
 4 Governors.

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**

Apologies were given for a late notice another meeting can be arranged if needed.  
 Concerns were raised that pupils need 4 terms to settle in a class and the pupils are not ready to move.

Concerns about new pupils coming to the class in the transition period and worried this will affect their Estyn inspection in a negative way

There was only one room given to the class in the new build, which was not adequate for the pupils, any difficult behaviours would have to be dealt with in

**Answer/Comments**

There are a lot of nurture models and these have been looked at. Each pupil will be assessed and provision will be needs led. The transition is being discussed at length between the Bridge and the school to ensure all pupils have the correct provision.

The class in The Bridge is not open as yet. All pupils will be assessed and ratified by the Access to Education panel and allocated the most appropriate provision to meet the needs of the pupils. The Bridge is working hard with the school to ensure a smooth transition.

The Bridge has a breakout area for pupils when required to come out of the class for quiet time.

the corridor and disrupt the school.

Comment: Worried Estyn is coming into the school and we do not want high tariff pupils in the school as it brings the school down.

Can you come back to the school after the consultation has been completed to inform us before the report goes to Cabinet?

Comment: Feel that people are being dumped in Betws and this is causing issues in the village. There needs to be a balance, it is very important. The inspectors came to the school as we were moving from one building to another and we didn't realise that we had an influence on the timing of the inspection. We feel misled.

It is important to have good interim arrangements and glad the Bridge and the school are discussing the matter. We do not want new pupils going into the nurture class causing disruption and an increase in exclusions as this reflects badly on the school and brings the performance of the school down.

High tariff pupils will not be put in Betws if they are not suited for this provision. There is no change to the provision the school is giving the pupils in the class.

We will check the process to see if this is possible.

**Estyn response to the proposal by Bridgend Council to cease the alternative provision for foundation phase pupils Betws Primary School and transfer it to the The Bridge Alternative Provision Pupil Referral Unit (The Bridge).**

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.

Introduction. This proposal is submitted by Bridgend Council to cease the alternative provision for foundation phase pupils Betws Primary School and transfer it to the The Bridge Alternative Provision Pupil Referral Unit (The Bridge).

**Summary/Conclusion**

The proposer has provided appropriate information explaining the logic behind this proposal. It proposes for foundation phase pupils to have access to specialist provision that will lead inevitably to key stages 2 to 4 on the same site, namely The Bridge. However, the aim is to reintegrate pupils, as far as possible, back into mainstream schools as near as possible to their home.

Estyn is of the opinion that the proposal is likely to maintain or improve the current standards, in terms of education, provision, and leadership and management. Description and benefits. The rationale for this proposal is methodical and the considerations have been identified clearly. The evidence is based on facts and valid considerations. The proposer has identified the expected advantages and disadvantages in comparison with the status quo. The advantages outline that pupils would have access to individual, small group and whole class experiences, as appropriate, on a continuum of specialist provision. They would also have access to a wide range of specialist provision and de-escalation spaces at The Bridge. However, these pupils would be in a group of twelve rather than eight. The proposer does not give full consideration to the fact that this could mean that pupils are given fewer opportunities to learn directly with a specialist teacher in a one-to-one situation or in smaller groups. The proposer has considered other options, which include continuing with the current provision at the school and supporting pupils in mainstream schools and for them not to have access to an appropriate small class environment. The likely consequence of both alternatives is that the pupils' needs would not be met in the most appropriate way. The proposer claims that foundation phase provision at The Bridge would give pupils an opportunity to reintegrate into their mainstream schools as soon as

possible. The proposer considers briefly the anticipated effect should a child move to The Bridge from the nurture provision at Betws Primary School and that this provision would be new to the pupil. However, not enough details about the transfer process are outlined in the proposal. In addition, there are no details about the distance that pupils would have to travel and the way in which this could disrupt pupils' educational experience. There are also no details about any proposed costs that would be associated with this proposal. The proposal would not affect the permanent numbers at Betws Primary School as only a maximum of eight pupils receive alternative provision at any given time. The total number of mainstream pupils is stable. It is unlikely that this proposal would have any detrimental effect on Betws Primary School's ability to provide the full curriculum in all key stages of education. In addition, an empty classroom would be available to the school for staff to use for their own internal interventions. The proposal outlines the way in which line management duties for the foundation phase department would be carried out by senior members of staff within The Bridge. However, no details have been provided about the way in which this proposal would affect the jobs of staff at the alternative provision at Betws Primary School.

It appears that this proposal would achieve £51,378 in full year savings. This total would be reallocated within the Individual Schools Budget (ISB) for primary schools. Educational aspects of the proposal. The proposer has given appropriate consideration to the proposal's effect on outcomes, provision, and leadership and management. The proposer identifies that most pupils make good progress and achieve appropriately. Their behaviour and commitment to learning are good, and they are beginning to succeed in making decisions about their own learning. It appears that staff at the alternative provision plan interesting experiences to meet most pupils' educational needs. These experiences include developing literacy and numeracy skills, as appropriate. However, information and communication technology (ICT) skills have not been developed to the same standard. It is reasonable to believe that the headteacher, in charge of the school and spending part of the week on site, leads staff effectively. Leaders have a better understanding of their roles recently, following a challenging period. The proposer acknowledges that closing the alternative provision at Betws Primary School will cause some disruption and uncertainty for pupils, but it is not clear how any possible disruption to learners will be reduced. This proposal has given purposeful consideration to the most recent Estyn inspection reports. The outcomes of the inspection reports for both schools are of the same quality, with a judgement of 'adequate and needs improvement' being awarded for inspection areas one, three and five, and 'good' being awarded for inspection areas two and four. However, one of the recommendations for The Bridge is to 'ensure that pupils from Welsh medium schools can continue their learning through the medium of Welsh'. No details have been included in this proposal about the way in which the school is responding to this recommendation. The proposer has not identified the current category of the two schools. In addition, it has not analysed the data of these specific pupils at the end of the foundation phase in comparison with pupils who are educated in a similar provision. No information has been included about the opinions of the local authority and the consortium of the schools.

**Full Equality Impact Assessment**

<b>Name of project, policy, function, service or proposal being assessed:</b>	
<b>Date assessment completed</b>	02 January 2019

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 28 September 2018. The recommendation from the EIA Screening was that a Full Equality Impact Assessment would be required.

A consultation exercise lasting between 20 November and the 31 December 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 April 2019.

**1. Consultation**

		<b>Action Points</b>
<b>Who do you need to consult with (which equality groups)?</b>	<p>Within each of the protected characteristic groups the council will need to consult with:</p> <p>Headteacher, teachers, governing body, parents, carers and guardians of children and the general public.</p>	<p>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</p>
<b>How will you ensure your consultation is inclusive?</b>	<p>The council is mindful that as wide a range of consultation and engagement activities and tools need to be deployed in</p>	

	<p>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</b></p>	<p>Interested / impacted parties were invited to consider the proposal and submit views as to whether or not they supported the</p>	

<b>have been specifically about equality but may have information you can use</b>	proposal to cease the local authority (LA) nurture provision at Betws Primary School via consultation meetings held on 20 November 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 Betws Primary School	20 November 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.
Betws Primary School staff	20 November 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 Betws Primary School	20 November 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 Betws Primary School	20 November 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.
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## 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	None	Disabled people will not be negatively impacted by this proposal.



a range of impairments, e.g. physical, sensory impairments, learning disabilities, long-term illness).		
<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	None

	approved.	
<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.

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

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**

<b>Action</b>	<b>Lead Person</b>	<b>Target for completion</b>	<b>Resources needed</b>	<b>Service Development plan for this action</b>
Monitoring of the EIA	Group Manager Inclusion and School Improvement	January 2019	Time	Inclusion- the development of The Bridge and behavior emotional and social development (BESD).

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

Emma Bandon, Communication, Marketing and Engagement Manager

**Signed: Michelle Hatcher**

**Date: 02 January 2019**

#### **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 Bandon, Communication, Marketing and Engagement Manager](#)



**Appendix (vii)**

**WELL-BEING OF FUTURE GENERATIONS (WALES) ACT 2015 ASSESSMENT**

<b>Project Description (key aims):</b>	
The proposal to cease the local authority (LA) nurture provision at Betws Primary School	
<b>Section 1 Complete the table below to assess how well you have applied the 5 ways of working.</b>	
<b>Long-term</b>	<b>1. How does your project / activity balance short-term need with the long-term and planning for the future?</b>
(The importance of balancing short term needs with the need to safeguard the ability to also meet long term needs)	Affords pupils an opportunity to attend foundation phase provision and an opportunity to reintegrate into their mainstream school with support from The Bridge staff as near to their home as possible.
<b>Prevention</b>	<b>2. How does your project / activity put resources into preventing problems occurring or getting worse?</b>
(How acting to prevent problems occurring or getting worse may help public bodies meet their objectives)	Enables pupils to be educated as part of the graduated response as stipulated in the ALN Code of Practice and ultimately preventing being placed out-of-authority.

<p><b>Integration</b></p> <p>(Considering how the public body's well-being objectives may impact upon each of the wellbeing goals, on their objectives, or on the objectives of other public bodies)</p>	<p><b>3. How does your project / activity deliver economic, social, environmental &amp; cultural outcomes together?</b></p> <p>The introduction of foundation phase at The Bridge is key in ensuring that pupils are able to access alternative, specialist provision at an early stage in order to reintegrate successfully back into their mainstream school where appropriate. There are also efficiencies related to this proposal as the cost of an out-of-authority place far outweighs the cost of establishing foundation phase provision locally in an alternative setting.</p>
<p><b>Collaboration</b></p> <p>(Acting in collaboration with any other person (or different parts of the body itself) that could help the body meet its well-being objectives)</p>	<p><b>4. How does your project / activity involve working together with partners (internal and external) to deliver well-being objectives?</b></p> <p>There is excellent collaboration between The Bridge and mainstream schools. The Bridge and the pupils' mainstream schools work closely to ensure that the individual needs of the pupils are met and progress is monitored.</p>
<p><b>Involvement</b></p> <p>(The importance of involving people with an interest in achieving the well-being goals, and ensuring that those</p>	<p><b>5. How does your project / activity involve stakeholders with an interest in achieving the well-being goals? How do those stakeholders reflect the diversity of the area?</b></p> <p>A range of key stakeholders are involved in a pupil's placement at The Bridge in order to ensure that individual progress is made</p>

people reflect the diversity of the area which the body serves)	
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**Section 2 Assess how well your project / activity will result in multiple benefits for our communities and contribute to the national well-being goals (use Appendix 1 to help you).**

Description of the Well-being goals	How will your project / activity deliver benefits to our communities under the national well-being goals?	Is there any way to maximise the benefits or minimise any negative impacts to our communities (and the contribution to the national well-being goals)?
<p><b>A prosperous Wales</b>            An innovative, productive and low carbon society which recognises the limits of the global environment and therefore uses resources efficiently and proportionately (including acting on climate change); and which develops a skilled and well-educated population in an economy which generates wealth and provides employment opportunities, allowing people to take advantage of the wealth generated through securing decent work.</p>	<p>The foundation phase at The Bridge affords the opportunity for pupils to gain necessary skills at an early stage. Progress in literacy and numeracy is very strong at key stage 2.</p>	<p>The impact on local communities will be monitored</p>
<p><b>A resilient Wales</b>            A nation which maintains and enhances a biodiverse natural environment with healthy functioning ecosystems that support social, economic and ecological resilience and the capacity to adapt to change (for example climate change).</p>	<p>The foundation phase at The Bridge will be an extension of the specialist provision.</p>	<p>The impact on local communities will be monitored</p>

<p><b>A healthier Wales</b> A society in which people's physical and mental well-being is maximised and in which choices and behaviours that benefit future health are understood.</p>	<p>The foundation phase at The Bridge will be an extension of the specialist provision.</p>	<p>The impact on local communities will be monitored</p>
<p><b>A more equal Wales</b> A society that enables people to fulfil their potential no matter what their background or circumstances (including their socio economic background and circumstances).</p>	<p>The individual needs of the pupils will be met at The Bridge</p>	<p>The impact on local communities will be monitored</p>
<p><b>A Wales of cohesive communities</b> Attractive, viable, safe and well-connected communities.</p>	<p>The pupils will be integrated into The Bridge community or reintegrated back into their local communities.</p>	<p>The impact on local communities will be monitored</p>
<p><b>A Wales of vibrant culture and thriving Welsh language</b> A society that promotes and protects culture, heritage and the Welsh language, and which encourages people to participate in the arts, and sports and recreation.</p>	<p>The foundation phase at The Bridge will afford the pupils the experience of heritage and culture.</p>	<p>The impact on local communities will be monitored</p>
<p><b>A globally responsible Wales</b> A nation which, when doing anything to improve the economic, social, environmental and cultural well-being of Wales, takes account of whether doing such a thing may make a positive contribution to global well-being.</p>	<p>The foundation phase at The Bridge affords the opportunity for pupils to thrive locally and beyond.</p>	<p>The impact on local communities will be monitored</p>

**Section 3 Will your project / activity affect people or groups of people with protected characteristics? Explain what will be done to maximise any positive impacts or minimise any negative impacts**

Protected characteristics	Will your project / activity have any positive impacts on those with a protected characteristic?	Will your project / activity have any negative impacts on those with a protected characteristic?	Is there any way to maximise any positive impacts or minimise any negative impacts?
Age:	Yes	No	The development of the foundation phase provision at The Bridge will be monitored
Gender reassignment:	No	No	The development of the foundation phase provision at The Bridge will be monitored
Marriage or civil partnership:	No	No	The development of the foundation phase provision at The Bridge will be monitored
Pregnancy or maternity:	No	No	The development of the foundation phase provision at The Bridge will be monitored
Race:	No	No	The development of the foundation phase provision at The Bridge will be monitored
Religion or Belief:	No	No	The development of the foundation phase provision at The Bridge will be monitored

Race:	No	No	The development of the foundation phase provision at The Bridge will be monitored
Sex:	No	No	The development of the foundation phase provision at The Bridge will be monitored
Welsh Language:	Yes	No	The development of the foundation phase provision at The Bridge will be monitored

<b>Section 4</b>	<b>Identify decision meeting for Project/activity e.g. Cabinet, Council or delegated decision taken by Executive Members and/or Chief Officers</b>
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Cabinet

**Compiling Officers Name:**

Michelle Hatcher

**Compiling Officers Job Title:**

Group Manager Inclusion and School Improvement

**Date completed:**

02 January 2019