

MINUTES OF A SPECIAL MEETING OF THE CABINET HELD IN COMMITTEE ROOMS 1/2/3,  
CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON TUESDAY, 19 MAY 2015 AT  
11.15AM

Present

Councillor MEJ Nott OBE – Leader and Chairperson

M Gregory	HJ David
H J Townsend	PJ White
H M Williams	CE Smith

Officers:

Darren Mepham	Chief Executive
Deborah McMillan	Corporate Director - Education & Transformation
Mark Shephard	Corporate Director - Communities
Michelle Hatcher	Group Manager - Inclusion
Kelly Watson	Group Manager Legal and Democratic Services
Mark Galvin	Senior Democratic Services Officer – Committees

699 APOLOGIES FOR ABSENCE

Apologies for absence were received from the following Officers:-

N Young – Recuperating  
P A Jolley – Holiday  
S Cooper - Holiday

700 DECLARATIONS OF INTEREST

Councillor M Gregory declared a personal interest in Agenda item 3. in that he was a School Governor at Pencoed Primary School.

701 CALL-IN OF CABINET DECISION: PROVISION FOR PUPILS WITH ADDITIONAL  
LEARNING NEEDS (ALN): OUTCOME OF CONSULTATIONS ON PROPOSALS FOR  
CHANGES TO PENCOED PRIMARY SCHOOL

The Chairperson of the Children and Young People Overview and Scrutiny Committee presented a report on behalf of the Committee, the purpose of which, was to present Cabinet with its comments and recommendations from their meeting held on 11<sup>th</sup> May 2015, as a result of three Members of the Committee calling-in a decision of the Executive in relation to the proposal for changes to Pencoed Primary School, made at a meeting of Cabinet on 28<sup>th</sup> April 2015

He referred to certain background information contained in the report, and added that after the Members agreed to call-in the decision at its May meeting, discussions with Officers were held in respect of the proposal.

The Chairperson of the Children and Young People Overview and Scrutiny Committee then referred to paragraph 8 of the report, and the conclusions and recommendations made by the Committee at its meeting in May, which formed the basis of the call-in, upon which he expanded for the benefit of those present.

On behalf of the Committee, he therefore asked Cabinet to defer the decision that it previously made, until the receipt of further information was received in respect of the proposal, as highlighted as part of the call-in.

The Leader invited the Corporate Director – Education and Transformation to comment upon the report.

She advised that there was a considerable amount of information contained in the report that needed to be responded to, and though she was unable to cover all that today, this would be incorporated in a future report to Cabinet.

The Corporate Director – Education and Transformation stated that it was important to emphasise, that no decision had yet been taken regarding the possible closure of one of the two MLD (Moderate Learning Difficulties) units at the school that served pupils with Additional Learning Needs (ALN).

She explained that presently the Authority were at the stage of serving Statutory Public Notice on the proposal for which there was a 28 day period for the receipt of any objections or representations. If any such representations or objections were received within this period, then these would form the basis of an Objections report to Cabinet. If however none were received, an alternative report would be submitted to Cabinet requesting a decision as to the way forward in respect of the proposal.

She confirmed that Officers had been researching data in terms of the amount of MLD units that were required in schools across the County Borough, in order to adequately support pupils with (ALN). This had revealed that previously in 2010 there had been a total of 143 MLD places across all schools. In 2015 however, this had reduced to 115.

Furthermore, in Pencoed Primary School in 2010 there had been 25 pupils with ALN that required supporting through an MLD unit, whereas in 2015 this number had reduced to 14.

Therefore, this data had confirmed that there was sufficient evidence to suggest that maintaining 2 MLD units at the school was no longer necessary. If a decision was subsequently taken by Cabinet to close 1 class at the school, the other class that remained there could adequately support the 15 pupils with ALN at the school.

The Corporate Director – Education and Transformation added, that it was predicted that the number of places at the school to support the pupils with ALN, would be as follows for the next 3 years:-

2016 – 14 places  
2017 – 14 places  
2018 – 16 places

One unit at the school would therefore be adequate not just for the current year, but for the next 3 years following that.

She explained that in terms of support given to ALN pupils at schools by Education Psychologists (EP), each secondary school has an average of 6 visits during the space of 12 months. However, Pencoed Primary school had received 12 such visits this year, included extended planning visits, in order to look at group as well as individual support mechanisms. The Children and Young People Overview and Scrutiny Committee had contested however as part of the call-in, that schools including Pencoed Primary school are not receiving sufficient visits from EP's.

This number of visits had totaled more than last year and looking back, more than the year of 2010/11.

One of the conclusions formed by the Children and Young People O&SC was that not enough persons, stakeholders, bodies and other relevant consultees had been consulted upon as part of the Consultation Report, a process that was required to be followed in accordance with the guidance of the Statutory School Organisation Code . However, the Consultation Report indicated that all those that required consulting on the proposal had been consulted upon, including 3 Responsible Governing Bodies, 24 members of staff and 77 parents or guardians.

In terms of feedback on this, there had been a total of 3 responses, 1 from Estyn, 1 from Pencoed Town Council and 1 from Pencoed Primary School.

The above process that had been followed, as well as information collated in respect of data researched on the anticipated demand in future years for support to be provided for pupils with ALN at the school, suggested that the process that had been followed with regard to the consultation process had been robust.

The Deputy Leader added that the Consultation Report had been 66 pages long, which suggested that the process that was followed was thorough and robust, as the Corporate Director – Education and Transformation had confirmed.

He added that the process followed at Pencoed Primary school with a view to possibly closing an ALN class there, had been followed previously in respect of Plasnewydd and Blaengarw Primary Schools. These proposals had previously been reported and considered by Cabinet in the same way, and the Committee had not had any objection to these, notwithstanding that they had been made for the same reason as was proposed in Pencoed Primary school.

He added that though it was difficult to predict with any certainty, future support requirements at the school for pupils with ALN had been mapped in Years 3, 4 and 5 at the Learning Resource Centres (LRC) at the school. Also, whilst there will be infant pupils requiring a place in future years there were a significant number of pupils in Year 6 in the LRCs , . These pupils would be further educated at a Comprehensive school(s) from September 2015, which would in turn reduce the current number of pupils at the school with ALN by a total of 6. Some other pupils may exit the provision with staff using the exit criteria, the individual needs of the pupils would be taken into account.

Every year a projection was made on the number of pupils who required support for ALN, not just for the next year but also a year beyond that, in order to effectively monitor future levels of support that would need to be provided at the school.

The Deputy Leader further added that currently there were two MLD units at the school one of which was presently empty. If a decision was made to close one of these units, this would result in a projected saving of £45k.

He advised Members that there had been a steady decline in the number of pupils with MLD within schools across the County Borough requiring support in LRCs, and this would be the subject of a future report to Cabinet. If this trend continued, and it was predicted that it may, then there would not be a need for the continued level of support presently being provided for pupils with ALN in the future.

There were empty places in Learning Resource Centre's within schools across the County Borough he explained, and this was an issue that needed to be considered, as

savings from the closure of units could be re-invested into other areas of support provided for young people, such as for example in areas of Access and Inclusion.

The Deputy Leader confirmed that if a decision was subsequently made following the Statutory Notice period to close an MLD unit at Pencoed Primary School, the saving from this would be re-invested in other Learning Resource Centre's where extra investment may be required. He reiterated comments made earlier in the debate, namely that the School had received twice as many visits by EP's than other Primary Schools within Bridgend, and even more than some of our Secondary Schools.

The Cabinet Member – Communities added that there was a need to integrate more pupils with MLD into mainstream classes in mainstream schools with additional support as this would benefit not only the young person in question, but also their family.

He noted that Recommendation 3. in Paragraph 8 of the report stated that Estyn may have not received the full Equality Impact Assessment (EIA) as part of the Directorates response to Estyn's queries in relation to the proposal. He sought confirmation on whether or not this was the case.

The Corporate Director – Education and Transformation explained that one of the issues that had come out of the Judicial Review in respect of Bettws Primary School, was that a full EIA could not be produced until the end of the Consultation period regarding the proposal, though in this instance an initial EIA was undertaken as was a Community Impact assessment (CIA).

The Group Manager – Inclusion added that a full EIA had been included in the Consultation Report that had been published.

She added that criteria in terms of support of pupils with ALN through support mechanisms such as MLD units was fixed by statute, and the Authority were fully compliant with that, as well as ensuring that children who entered into support avenues that were available for ALN actually required these. Strict entry and exit criteria were followed and applied in Learning Resource Centre's, though in future exit criteria would be more closely examined, as this would in turn allow, easier access into mainstream schools.

RESOLVED:

- (1) That Cabinet noted the report.
- (2) That Cabinet further noted that the publication of a Statutory Public Notice had now commenced in respect of the proposal for changes to Pencoed Primary School and that there was a 28 day period within which representations or objections could be received to such proposal.
- (3) Should any objections or representations be received within the prescribed period, then an Objections report outlining these will be submitted to Cabinet at its meeting on 14 July 2015. Should no such objections/representations be received, Cabinet be requested to consider the way forward in respect of the above proposal.
- (4) That the recommendations made by the Children and Young People O&SC in respect of the call-in of the previous decision of Cabinet on this matter, be responded to in full within the above report.