BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO CABINET

1 SEPTEMBER 2015

REPORT OF THE DIRECTOR OF EDUCATION AND TRANSFORMATION

PROVISION FOR PUPILS WITH ADDITIONAL LEARNING NEEDS (ALN): PROPOSAL FOR CHANGES TO PENCOED PRIMARY SCHOOL MLD LEARNING RESOURCE CENTRES – OBJECTIONS REPORT

1. Purpose of Report

The purpose of this report is to inform Cabinet of the outcome of the consultation on the proposal to close one moderate learning difficulties (MLD) Learning Resource Centre at Pencoed Primary School and of the intention to carry out a period of monitoring which will consider the uptake of placements for September 2016.

2. Connection to Corporate Improvement Plan / Other Corporate Priorities

2.1 This proposal is related to the Corporate Plan (2013-2017) and Corporate Improvement Priority two:

- Working together to raise ambitions and drive up educational achievement

3. Background

3.1 This proposal is also related to the Educational Inclusion Policy which was agreed by Cabinet in March 2009. Within that policy it states the desire for all our schools and education providers to be inclusive; learning communities that value diversity and that can accommodate as wide a range of needs as possible. It also states the belief that the needs of the overwhelming majority of school-age learners can and should be accommodated in local schools that are properly equipped and fit for purpose and that reflect the diverse strengths of the communities they serve.

3.2 In December 2011, Cabinet received an update on the review of support and provision for the inclusion of children and young people with additional learning needs (ALN).

3.3 There has been a successful approach by the Inclusion Service in training staff within schools to support pupils with moderate learning difficulties. Staff now feel better equipped to identify needs at an earlier stage and support pupils with moderate learning difficulties through a differentiated curriculum in mainstream classes.

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.

4. Current situation / proposal

4.1 In order to progress the proposal to close one moderate learning difficulties (MLD) Learning Resource Centre at Pencoed Primary School, consultation exercises were carried out between 9th February and 25th March 2015 with staff, governors, parents and pupils of Pencoed Primary School and also the wider community. This was carried out in accordance with the Statutory School Organisation Code which requires the Authority to publish a consultation report summarising any issues raised by consultees and the Authority's response as well as setting out Estyn's view of the overall merit of the proposal. The Authority's Consultation Report is at Appendix 1.

A copy of the consultation document was also made available during this time on the Council's website:

http://www1.bridgend.gov.uk/services/consultation/hub/aln-at-pencoed-primary-consultation.aspx

http://www1.bridgend.gov.uk/cy/gwasanaethau/ymgynghori/hub/ysgol-gynradd-y-pencoed.aspx

4.2 Following the consultation, it is proposed to abandon the proposal to close the moderate learning difficulties (MLD) Learning Resource Centre for 1st September 2015 at Pencoed Primary School. Given the views expressed during the consultation, it is proposed that the school continues to be funded for a further academic year offering 30 MLD pupil places. The funding will be closely monitored throughout the academic year and will be reviewed in the summer term. If after the period of monitoring it is considered that the class should close, then , the process to close the class will then restart.

SUMMARY RESPONSES TO CONSULTATION

4.3 The attached Consultation Report sets out in detail a summary of the issues raised by consultees and the Authority's responses to these.

The View of Estyn, Her Majesty's Inspectors of Education and Training in Wales

4.4 Estyn has considered the educational aspects of the proposal. (See Appendix 1v)

It is Estyn's opinion that it is not possible to ascertain whether the proposal is likely to at least maintain the current standards of education for the pupils directly affected by the closure of a Learning Resource Class for moderate learning difficulties (MLD) at Pencoed Primary School**.** There remain a number of unanswered questions. The impact of the closure on the outcomes of the pupils directly affected by the closure has not been fully evaluated moreover; the proposal does not outline the realignment of provision for pupils with additional learning needs well enough.

4.5 In response to Estyn's comments the Local Authority would like to outline that there are currently 15 surplus MLD places at Pencoed Primary School and there were three quarters surplus MLD places during 2013-2014. The teacher pupil ratio would

be 1:15 which is the same teacher pupil ratio at all other MLD Learning Resource Centres in BCBC. Currently at Pencoed LRC the ratio is 2 teachers to 15 pupils.

The View of the Overview and Scrutiny Committee

4.6 Cabinet is asked to revisit the consultation outcome report with particular regard to Estyn's response to the proposal. It is recommended that a full investigation into the Estyn response is carried out to ensure that all their queries regarding the proposal are addressed. Following this, it is also recommended that a further response is received from Estyn prior to a final decision being determined.

4.7 Estyn's role in the process is to look at the arguments put forward and the evidence collected and consider whether there are gaps in the evidence or a lack of detail. They want to ensure that all options are considered. Their role is to highlight these points so that the Local Authority can collect more information and evidence to provide a fuller picture for the stakeholders. Estyn has no further role following this. Estyn will therefore not provide any further feedback.

4.8 Concerns were expressed by the Committee in relation to the Consultation process and the responses provided within the Consultation report. Members queried whether the Consultation had correctly followed the School Organisation Statutory Code which sets out the Principles for Consultation including a list of those who must be consulted with. It is therefore recommended that Cabinet ensure that the correct process under the Statutory Code has been followed and provide evidence as such in the Outcome of Consultation Report. This should incorporate details of all responses, including those who did not respond, as well as key information such as the statement given by the Chair of Governors; in order to ensure that a robust, informed decision can be made.

4.9 Bridgend Local Authority has followed the School Organisation Statutory Code.
The Local Authority has collected responses from individuals as part of the process including a statement from the Chair of Governors. This statement is as follows:

Pencoed Primary School class closure.

The governors of PPS are very concerned and disappointed that BCBC would be considering closing one MLD units. The school is proud of the work carried out deveopling and helping children with learning needs but also some these children have medical needs. The standards set by these classes are extremely high which is reflected in the Estyn report.

Sometimes, children come in these classes for a short time to allow them to develop and improve and then return to a main stream class. These teachers we have are dedicated working extremely hard to achieve these stands. These stands, equip children to improve their live skills especially to integrate into society. As the only school to have these special learning resource bases in the cluster careful consideration should be given. Resent changes in thresholds of put some children into main stream education. We are concerned that these may struggle and need special support in the class room.

To integrate these children into one class may prove difficult to teach to a high standard, as these pupils will have a large age range and complex needs could be extremely difficult.

We are also concerned that the first report presented to Cabinet members contained did not contain the latest up to date information. We would like to make sure that the report presented to cabinet is correct.

At present there are 2 KS2 learning resource bases at the school. One class has 6 pupils with additional learning needs (ages 7-9) and the other has 9 pupils (9 -11).

We are aware of the finical pressures the Council are understand what is required.

4.10 The Committee also expressed concerns over the Equality Impact Assessment and the United Nations Convention on the Rights of the Child. In relation to the former, it was reported that Estyn may not have received the full EIA and thus it is recommended that they are provided with this as part of the Directorate's response to their queries. In relation to the latter, Members noted that Article 29, of the UNCRC, which states that the education of the child shall be directed to 'The development of the child's personality, talents and mental and physical abilities to their fullest potential', has not been addressed in terms of impact or potential impact, despite its relevance to the decision. The Committee therefore recommends that the EIA be revisited to ensure all aspects of potential impact are dealt with.

4.11 The Initial Equality Impact Assessment has been completed. A full Equality Impact Assessment could not be completed until after the Objections Report had been submitted to the full Cabinet. Therefore the Local Authority could only submit the initial Equality Impact Assessment to Estyn. Estyn will not have a further part to play in the consultation process (see response to Recommendation 4.6).

4.12 The Committee expressed concern that there appeared to be conflicting evidence from that presented in the consultation outcome report and that provided by Officers in the meeting. For example, the evidence gathered from the consultation with parents and staff suggests that schools are experiencing difficulties in securing visits from the Educational Psychologist, thus suggesting that there could be more pupils who are in need of a diagnosis of MLD. Likewise, the responses from parents and staff state that the MLD criteria has changed and therefore pupils can no longer access the class and its provision which Officers responded in the report stating that the criteria are often reviewed and was revisited a couple of years ago. However, this conflicted with information during discussions with Officers whereby it was stated that the criteria has not changed.

The Committee therefore recommend that:

a) The evidence from the consultation responses be explored further with the view to clarify such points in order to inform the decision of Cabinet and to provide clarification for the school; its staff and parents;

b) Officers seek to find out whether other schools with Learning Resource Centres are also experiencing issues with securing EP visits in order to confirm whether there are potentially more pupils with MLD than are currently recorded.

4.13 There were 16+ contacts from the Educational Psychology Service (EPS) for the 2014-15 academic year (one further visit cancelled as parents withdrew from the ASD assessment process). This far exceeds the school's 6 visit allocation (which is the maximum allocation and the same as secondary schools receive). The school has received an extended planning visit, plus 12 full-time equivalent visits. The EPS has contingency visit allocation per cluster for exceptional cases when their allocated visits have been used up. Pencoed's visits far exceed what other schools receive. The Link Educational Psychologist has been involved with around 20 pupils this academic year to date.

2014/15	12 visits to date
2013/14	10 visits
2012/13	14 visits (further additional visits given due to Well-being role of link EP)
2011/12	10.5 visits

It is the school's responsibility to prioritise pupils/cases for consultation with the EPS.

Schools often have lists of pupils they are concerned about or they perceive need to be seen by the EPS. Often, a consultation with the EPS can help signpost and help the schools prioritise who needs involvement with the EPS. Schools vary in their management of the pupils in their care. Some schools therefore require greater support to manage their pupils. Resources have to be allocated fairly so that there is equity to all the schools within Bridgend. Whilst most schools would like additional visits, they are accepting of the need to prioritise the most complex pupils and many are looking at Traded Services to buy additional input.

It is not correct that there are pupils whose needs have not been identified or may require a Learning Resource Centre but are waiting for assessments. The process is robust. All pupils identified by schools can be put forward for placement and between

their application (Oct 31st) and placement decision (Jan 31st) assessment information is gathered by the EPS and/or Learning and Cognition Team. Therefore, every pupil who has been identified by the school and put forward for consideration for LRC placement is considered and assessed to see if they meet the criteria of experiencing moderate learning difficulties.

Moderate learning difficulties (MLD) is a fixed cognitive state and does not and has not changed. However, under the new structure, procedures have been strengthened to ensure that the provisions are strictly monitored to ensure that only those meeting the clear criteria are allocated places. Further, this is to prevent legal action taken against the Local Authority if pupils are placed in the Learning Resource Centre by the Local Authority or by the school who do not have MLD and are labelled as such**.**

4.14 The Committee expressed concern over the reported indication of a decline in numbers of pupils in the Resource Centre being based on two years' data, given that the five years data reported at the meeting showed more of a fluctuation in numbers. The Committee therefore recommend that the five year data be incorporated into the proposal in order to provide a greater understanding of the situation.

4.15 The following data represents the numbers of pupils within Pencoed MLD Learning Resource Centre over the last five years:

2011: 14
1012: 17.5
2013: 14
2014: 14
2015: 14

5. Effect upon Policy Framework and Procedure Rules

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

6. Equality Impact Assessment

6.1 An initial Equality Impact Assessment was undertaken. The full Equality Impact Assessment can be found in Appendix (1vii). The full EIA holistically evaluates the pupils affected by the introduction of the proposal.

7. Financial Implications

7.1 The decision not to close the Learning Resource Centre will have no financial implications as the cost of the provision is already factored in to the Individual School Budget (ISB) formula.

8. Recommendations

8.1 Cabinet is recommended to:

- Note the outcome of the consultation
- Approve the attached Consultation Report for publication

- Abandon the proposal to close the moderate learning difficulties (MLD) Learning Resource Centre for 1st September 2015 at Pencoed Primary School to enable a monitoring period to take place.

Deborah McMillan
Director of Education and Transformation

Contact Officer: **Michelle Hatcher**

Telephone: (01656) 645258

E-mail: michelle.hatcher@bridgend.gov.uk

Postal Address Civic Offices
Angel Street
Bridgend
CF31 4WB

Background documents

Learning Communities: including all our learners - Educational Inclusion Strategy (report to Cabinet; March 2009).

Education Inclusion Programme: Reviewing and developing support and provision for the inclusion of children and young people with additional learning needs (ALN) (report to Cabinet; December 2011).

APPENDIX 1

BRIDGEND COUNTY BOROUGH COUNCIL

CONSULTATION REPORT

REPORT OF THE DIRECTOR OF EDUCATION AND TRANSFORMATION

PROVISION FOR PUPILS WITH ADDITIONAL LEARNING NEEDS (ALN): OUTCOME OF CONSULTATIONS ON PROPOSAL FOR CHANGES TO PENCOED PRIMARY SCHOOL

1. Purpose of report

1.1 This report is to inform the outcome of the consultation on the proposals to cease one moderate learning difficulties (MLD) learning resource centre provision at Pencoed Primary School.

2. Connection to Corporate Plan / Other Corporate Priorities

2.1 These proposals are related to the Corporate Plan (2013-2017) and the Education Inclusion Programme and, in particular, in the Corporate Plan Improvement priority two;

- Working together to raise ambitions and drive up educational achievement

2.2. In order to achieve improvement priority two, to work together to raise ambitions and drive up educational achievement, we must work with our partners to support pupils with additional learning needs to drive up educational attainment for all learners in the County Borough. 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 additional learning needs. We will know that we are collectively succeeding when pupils with additional learning needs are receiving the support they need.

3. Background

3.1 These proposals are also related to the Educational Inclusion Policy which was agreed by the Council's Cabinet in March 2009. Within that policy it states the desire for all our schools and education providers to be inclusive – learning communities that value diversity and that can accommodate as wide a range of needs as possible. It also states the belief that the needs of the overwhelming majority of school-age learners can and should be accommodated in local schools that are properly equipped and fit for purpose, and that reflect the diverse strengths of the communities they serve.

3.2 In December 2011, Cabinet received an update on the review of support and provision for the inclusion of children and young people with additional learning needs (ALN).

3.3 In October 2013, Cabinet received a report seeking approval to consult formally with the parents, staff, and governing bodies of Blaengarw and Plasnewydd primary schools and other interested parties to close the learning resource centres for pupils with moderate learning difficulties. The consultation papers outlined the proposal to realign services in order to meet the demand of the increasing number of pupils being diagnosed with autistic spectrum disorders within the local authority demonstrating the increase in demand on SEN provision.

3.4 There has been a successful approach by the Inclusion Service in training staff in schools to support pupils with moderate learning difficulties. Staff are far better equipped to identify needs at an earlier stage and support pupils with moderate learning difficulties through a differentiated curriculum in mainstream classes. There is provision within the County Borough for those pupils with moderate learning difficulties who would not be able to access mainstream classes.

3.5 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.

4. Current situation

4.1 In order to progress the proposal to cease one moderate learning difficulties (MLD) learning resource centre at Pencoed Primary School, consultation exercises were carried out between 9 February to 25 March 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:

http://www1.bridgend.gov.uk/services/consultation/hub/aln-at-pencoed-primary-consultation.aspx

http://www1.bridgend.gov.uk/cy/gwasanaethau/ymgynghori/hub/ysgol-gynradd-y-pencoed.aspx

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 Authority is required to publish a consultation report summarising any issues raised by consultees and the 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 proposal 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 responses to consultation

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 BCBC representatives on 26 February to discuss the proposal. (Full details can be found in Appendix i).

The Local Authority response is as follows:

5.3 The School Council asked questions around staffing. It was explained that one teacher in other MLD Learning Resource Centres across BCBC manage the age range of 7-11.

5.4 It was emphasised during the meeting that the pupils who are currently in the Learning Resource Centre would not be affected as there are enough places for them. It was noted that there are other MLD Learning Resource Centres in the East locality.

Parent Consultation

5.5 A consultation meeting was held for parents and interested parties to discuss the proposal with BCBC representatives at Pencoed Primary School on 26 February 2015. (Full details can be found in Appendix ii)

The Local Authority response is as follows:

5.6 Parents raised concerns regarding the MLD criteria. It was stated that the Criteria are set by Education Psychology Service (EPS) and that criteria are regularly reviewed.

5.7 Questions were raised regarding the comparison of results of Pencoed MLD Learning Resource Centre to other MLD Learning Resource Centres in BCBC. It was explained that a child's individual progress is monitored closely by Inclusion staff.

School Staff Consultation

5.8 A consultation meeting was held with Pencoed Primary School staff on 26 February 2015. (Full details can be found in Appendix iii)

The Local Authority response is as follows:

5.9 Procedures were explained by HR regarding implications for the two MLD teachers.

5.10 Concerns were raised regarding the closure of one class. It was emphasised that the Local Authority is funding surplus places.

Governing Body Consultation

5.11 A consultation meeting was held with Pencoed Primary School on 26 February 2015 (Full details can be found in Appendix iv)

The Local Authority response is as follows:

5.12 Governors raised the question as to whether the Local Authority knew that the model of the other MLD Learning Resource Centres was a successful model. It was emphasised that the Learning Resource Centres are closely monitored.

5.13 It was explained that the proposal was not a money saving exercise.

Summary of Written Presentations

5.14 104 items of direct correspondence were received during the consultation period. The details of these can be found in Appendix (vi)

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 it is not possible to ascertain whether the proposal is likely to at least maintain the current standards of education for the pupils directly affected by the closure of a learning resource class for moderate learning difficulties at Pencoed Primary School**.** There remain a number of unanswered questions: the impact of the closure on the outcomes of the pupils directly affected by the closure has not been fully evaluated, moreover the proposal does not outline the need to realign its provision for pupils with additional learning needs well enough.

6.3 In response to Estyn's comments the Local Authority would like to outline that there are currently 15 surplus places at Pencoed Primary school and there were three quarters surplus places during 2013-2014. The teacher pupil ratio

would be 1:15 which occurs in all other MLD learning resource centres in BCBC with also an age range of Year 3 pupils to Year 6 pupils. A proportion of the pupils who are currently MLD in the Learning Resource Centres at Pencoed; Litchard and Llangewydd will transition to Secondary School in September 2015. Some other pupils may exit the provision with staff using the exit criteria, the individual needs of the pupils will be taken into account.

Impact Assessments

7. Community Impact Assessment

There is no significant negative impact on the community.

8. Equality Impact Assessment.

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

9. Financial Implications

9.1 There are projected full year savings of £45,000 from the closure of one MLD Learning Resource Centre at Pencoed Primary School.

9.2 Savings will be re-allocated within the Primary Schools ISB (Individual Schools Budget) to fund continuing Learning Resource Centre provision within other primary schools in Bridgend and the Bridgend Local Management of Schools Scheme will need to be updated.

10. Statutory Process in Determining Proposals

10.1 Provisional Timetable:

28 April 2015	Report to Cabinet on the outcomes of the consultation.
11 May 2015	Publish Consultation Report on BCBC website, hard copies of the report will be available on request.
18 May 2015	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.
14 June 2015	End of Public Notice period. If there are no objections, Cabinet can immediately decide

	whether to proceed or not. If there are any objections, an objections report will be forwarded to Cabinet for their consideration and determination on and subsequently published.
1 September 2015	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
Postal Address:	Inclusion Service Bridgend County Borough Council Civic Offices Angel Street Bridgend CF31 4AR

Consultation Meeting with School Council
Re. Proposal to change the provision for pupils with additional learning needs (ALN) at Pencoed Primary School
26 February 2015 - 2.30pm

Present: Group Manager - Inclusion Service
Team Manager ALN
Class Teacher
Members of School Council (Year 3-Year 6)

MH introduced the consultation session and set out the purpose of the meeting, nature and process of the consultation and outlined the proposal. A consultation document was given to the pupils.

Questions/Issues	**Answer/Comments**
Have you thought about the effects on the pupils in the learning resource centre?	Yes. MH explained that pupils wouldn't be affected as there are enough places for pupils within the school and that there are currently 15 vacant spaces.
The school caters for pupils with ALN. How will one teacher manage pupils from 7-11 (15 pupils)?	Classes across Bridgend have 15 pupils and other teachers manage this number of pupils across this age range.
What happens to the teacher who loses her job?	This will be picked up in a staff meeting.
Would there be an extra support member of staff in the class?	No, we wouldn't put in any extra support. Extra support is only in class if it is attached to a particular pupil.
How does the council benefit from the closure?	It is based on the needs of the children. If it is empty, we are funding 15 places that are empty. It is always about meeting the needs of the pupils and the LA has to meet different needs across the LA.
What about the future of the pupils?	It won't affect the pupils who are currently in the class.
What happens if the number of ALN pupils	The class was half empty last year and

goes up?	completely empty this year. There are other MLD learning resource centres in the East locality.
How would you feel if it was your child/grandchild?	Needs are met and no pupil currently in the learning resource centre will be affected by the proposal.
How will the pupils mix with children of the same age in the mainstream classes as all do different topic work?	Integration sessions have to be organised by the school.
How would you feel if you were a Year 3 child working with a Year 6 child?	The school will manage this as this is the model for all other MLD learning resource centres in Bridgend.

APPENDIX (ii)

Consultation Meeting with Parents and Interested Parties Re. Proposal to change the provision for pupils with additional learning needs (ALN) at Pencoed Primary School 26 February 2015 - 5.30pm

Present: Group Manager - Inclusion Service
Team Manager, ALN
Deputy Headteacher
Parents

MH introduced the consultation session and set out the purpose of the meeting, nature and process of the consultation and outlined the proposal.

Questions/Issues	**Answer/Comments**
The MLD criteria have changed so pupils can't access class. Pupils are put into mainstream with another 30 odd children. A mainstream class teacher can't cope with 30 pupils plus additional with disabilities. These children in mainstream class will struggle.	
What are the criteria? When was it changed?	The criteria are often reviewed. Can only comment that it has changed but before MH in post. MH aware of changes that took place.
The existing criteria mean that children are being missed. It is not acceptable. Are the criteria impacting on children here and those coming through? If importing children from other areas into Pencoed, will Pencoed pupils be moved to other learning resource centres?	The EPS now sits within the Inclusion Team. MH has asked for all criteria to be looked at plus exit criteria. EPs have set the criteria and comments will be fed back. Pencoed pupils will remain in Pencoed learning resource centre but the learning resource centre will also take other pupils from the locality.
Parents put pupils forward for learning resource centre but criteria is very hazy and failing pupils. More pupils in playgroup who are complex but not getting into	This is the model across Bridgend. This is the model that the other MLD learning resource centres operate

classes. How do you feel that 7 year olds cope with 11year olds?	
Don't you feel that you're defeating the object by closing classes when there are so many children with SEN needing help?	Last year one MLD class at Pencoed Primary School was three quarters empty and this year the class is empty – can't predict how many pupils need provision.
Have you looked at the results from Pencoed to other MLD learning resource centres?	We monitor progress of the individual child. Can't compare learning resource centres as a child's progress is individual. Children are making progress which is closely monitored by Inclusion staff. Pupils in the MLD Pencoed are split across 2 classes.
What LSOs are going to be in the class?	There is one teacher for 15 pupils. This is the model across Bridgend
What additional support is put in classes if a child is put in mainstream? If this goes ahead, how will it be monitored and how is this fed back to parents?	We monitor learning resource centres through specialist teams. The proposed closure is based on resources. All pupils' needs are considered.
MLD diagnosis based on EP but can't get EP visits so failing pupils.	Will take back information to the Lead Educational Psychologist. Traded Services is available to schools
ASD is on the increase – what provisions are going to be in place?	We are considering this at the moment. Proposals to put in ASD provision are in place. Have to take many factors into consideration with regards to opening provision.
Concerned about our children being put into a taxi and transported elsewhere – our child will be a stranger to his locality. Inclusion is local children walking to their local school and playing in local park.	Not every school has a learning resource centre. Pencoed has MLD learning resource centres for the locality.

APPENDIX (iii)

Consultation Meeting with School Staff
Re. Proposal to change the provision for pupils with additional learning needs (ALN) at Pencoed Primary School
26 February 2015 - 3.30pm

Present: Group Manager - Inclusion Service
Team Manager, ALN
HR Advisor
Headteacher, Deputy Headteacher & 21 staff
2 Union Representatives

MH introduced the consultation session and set out the purpose of the meeting, nature and process of the consultation and outlined the proposal. The document can be found on BCBC intranet.

Questions/Issues	**Answer/Comments**
The timeframe proposed if agreed will have implications for the two staff concerned who are employed in the MLD class. How will this be managed by the Local Authority?	If the proposal is agreed, HR will work with the school and the Inclusion service. Vacancies will be frozen if staff are at risk of redundancy so that redeployment can be considered. HR will ensure that consultation will take place and all statutory notice given as well as redeployment to an alternative role.
When will decisions be made? That is very close to the end of term.	June.
Who will make the decisions on the teacher?	There is a process to be followed. Once we have had confirmation, we will look at the time frame for meeting the needs of staff. We have to give due notice to members of staff. That member of staff could be back in school in September whilst redeployment is looked at.
Need to move with speed and make arrangements for alternative employment, as soon as possible.	HR works well with Inclusion Service/ School/Unions. TD will make sure that there are regular meetings with the 2 members of staff. When timings aren't ideal, HR will advise of timings – HR is mindful of timings.

	There are vacancies coming up in the Inclusion Service. HR advice to hold those vacancies same as vacancies in schools.
It is a stressful time. School is losing a very successful provision which has been in the school for many years. Estyn – strong practice.	Need to meet needs of pupils in the authority.
Withdrawal of support for vulnerable group of learners to give to a different group of learners. MLD pupils shouldn't lose out.	We are funding one empty class. Could have closed class last year but we funded empty places.
Don't have EP visits to get diagnosis of MLD. 2 reviewed IEPS –Goal posts are very high to get support for pupils.	Criteria are set by EPS. Criteria revisited a couple of years ago. If pupils meet criteria they will go into class.
Lengthy process. Can't make an application for MLD places without the pupil getting a diagnosis of MLD.	
Meeting with parents – parents need support and this can be lengthy.	
Class teacher spoke of a pupil who accesses class unofficially who would find it difficult to manage in mainstream. The pupil's brother had a place and was more able (previous years).	
MLD classes give pupils a chance to succeed. They improve their self-esteem/ behavior/literacy. The school sees pupils making progress in specialist provision.	No-one currently in classes is being affected. At present although 2 classes with 2 teachers it is the equivalent of 1 class with 2 teachers – this is being rectified.
Having to have 1 class Year 3-Year 6 would be difficult for the class teacher	This is how it is run across the borough.
Are the LA finding that as the criteria have changed, behavior issues and exclusions are going up. If the criteria weren't changed, both classes would be full.	Criteria are set by EPS. Criteria revisited a couple of years ago. If pupils meet criteria they will go into class.
School would like to know about the criteria. It has a group of pupils who struggle and who access unofficially and make good progress.	Some schools don't have an MLD learning resource centre to use unofficially.
LSOs needed to do different interventions and this interrupts class. Self-esteem is	

affected. NUT Union Rep – talked of 2 MLD classes reduced to 1 in another school. The school had to set up an unofficial MLD resource. This ended up with higher behaviour problems within that school The data for the school is affected by pupils in the learning resource centres but they want the learning resource centres to stay as they care about these pupils.	
Will other MLD classes close as less pupils identified because of change in criteria. .	No. No further plans to close MLD learning resource centres. Other classes in Bridgend are currently full
Is there intention to close both classes in the long-term? Deputy Headteacher would like criteria noted.	No, this is not a cost saving exercise. The funds will be redistributed to meet other pupils' needs within the Borough.
Pupils in observation classes can be put forward for Heronsbridge. Where are those children going to go? If they go into a Year 3-Year 6 class, how is that going to work?	Every pupil is treated on an individual basis.
Are there frustrations across LA about the lack of visits from EPS? Don't always see EPS – allocated visits. Teacher decisions should be considered alongside EPS.	This has never been presented to MH in ALNCo meetings. Individual concerns come forward.
Can you predict the number of pupils coming into the provision next year and the year after?	We can't predict who will come into locality Some Local Authorities have no learning resource centres. There are criteria set and some pupils benefit from these placements and the LA values these provisions.

A mainstream teacher couldn’t meet the needs of pupils coming into mainstream. They would need specialist training.

.

APPENDIX (iv)

Consultation Meeting with School Governors
Re. Proposal to change the provision for pupils with additional learning needs (ALN) at Pencoed Primary School
26 February 2015 - 4.30pm

Present: Group Manager - Inclusion Service
Team Manager, ALN
HR Advisor
Headteacher
7 School Governors

MH introduced the consultation session and set out the purpose of the meeting, nature and process of the consultation and outlined the proposal.

Questions/Issues	**Answer/Comments**
The chair of Governors made a Statement. Concerned about closure.	
What is the age range in the current class?	Currently there are two classes. 3-4 class and 5-6 class. The proposal is one class with years 3-6 with 15 places which is a successful model in the other learning resource centres in the Borough.
How does the service know it is a successful model?	The learning resource centres are closely monitored.
How much money is being saved?	This is not a money saving exercise. More and more MLD pupils are accessing mainstream. Classes are not just for Pencoed but for the whole locality.
Do you think that is acceptable that pupils may have to travel out of the locality to	The current data is not showing this situation occurring and the MLD provision is remaining in the school and is still available to pupils who meet the criteria.

have MLD needs met if the proposal is agreed?	Learning resource placements are advised by Eps.
How often are the criteria reviewed? Are schools aware of the criteria? HT has raised concerns regarding criteria and for Inclusion service to provide the MLD criteria.	MH has looked at entry and exit criteria since restructure of the Inclusion Service. EPS now sits within the Inclusion Service. Criteria for MLD have been set at the existing level for a few years.
Does the SENCo provide advice and help review the criteria? Is there a plan to put SENCo on panel?	The EPs set the criteria. MH works with ALNCos and Headteachers. Task & Finish Group looked at observation classes and MH will be taking recommendations to Headteachers in the summer term.
Are governors able to see the report before submission to cabinet?	MH will need to seek advice on the procedure.

APPENDIX (v)

Estyn response to the proposal to change the provision for pupils with additional learning needs (ALN) at Pencoed Primary School

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 Consortium which deliver school improvement services to the schools within the proposal.

Introduction
This consultation proposal is from Bridgend County Borough Council.
The proposal is to close the moderate learning difficulties learning resource class for 15 pupils with Moderate Learning Difficulties (MLD) at Pencoed Primary School with effect from 1st September 2015.

Summary/ Conclusion
It is Estyn's opinion that it is not possible to ascertain whether the proposal is likely to at least maintain the current standards of education for the pupils directly affected by the closure of a learning resource class for moderate learning difficulties at Pencoed Primary School**.**

There remain a number of unanswered questions: the impact of the closure on the outcomes of the pupils directly affected by the closure has not been fully evaluated, moreover the proposal does not outline the need to realign its provision for pupils with additional learning needs well enough.

Description and benefits
The proposer's rationale for the closure of the MLD class is not supported well enough. Its aim is to allow Bridgend County Borough Council to meet a growth in the incidence of pupils with autistic spectrum disorders (ASD) including the need for specialist provision for high-functioning pupils with autistic spectrum disorders at Key Stage 2, 3 and 4. It asserts that this can be achieved due to the reduction in numbers of pupils requiring specialist provision for moderate learning difficulties. Evidence of the change in the profile of pupils' needs in the area is not provided

within the proposal. Therefore the proposer does not make its case for a realignment of additional learning needs' provision well enough. As the case for realignment is not corroborated in the report, it also follows that the proposer does not make the case for its second stated objective effectively, this is to ensure that all pupils can access quality learning opportunities, regardless of which school they attend.

The stated benefit of the closure of the class is that there are currently two MLD learning resource classes at Pencoed Primary School with places for 15 pupils each. However only 15 pupils attend the provision currently, therefore if one class were to close, this would leave sufficient space in one class to meet the needs of all current students at Pencoed Primary School with moderate learning difficulties. On this basis the proposer identifies correctly that, if the proposal were to go ahead, this would lead to a cost saving of around £45,000 per year and reduce surplus places.

The proposer recognises appropriately that closing the MLD class at Pencoed Primary School would allow the county to use available resources effectively. One MLD class will remain at the school which has sufficient places and appropriate staffing levels for all pupils with MLD currently on roll at the school.

Bridgend County Borough Council identifies correctly the risk that this proposal may cause anxiety for pupils and their parents or carers where they are happy with the current arrangements and have formed strong working relationships to their teacher. Whilst it does not propose any actions to mitigate this risk, the proposer asserts effectively that the specialist teachers should possess the necessary expertise to aid the transition to a different class teacher.

The council recognises appropriately that an increase in teacher pupil ratio in the remaining MLD class could potentially lead to a fall in the attainment of all pupils enrolled on that class. The proposer provides an appropriate response to this concern in that the teacher pupil ratio in other MLD classes is 15 to 1. However the proposal does not contain any information on the outcomes of pupils in the learning resource centre to support the opinion that standards will be maintained.

The council identifies correctly that there is also the risk that there may not be sufficient places for MLD pupils in the future. To manage this risk it proposes to use historical data to estimate future enrolment figures as well as the number of parents who have stated an interest in enrolling a new pupil with MLD a year before the place is required and adapt provision accordingly. However, this data has not been presented and it follows that the proposal does not provide sufficient evidence to show a sustained decline in the need for specialist provision for pupils with MLD.

The council identifies two other primary schools in the vicinity, Litchard Primary School and Llangewydd Primary School that have MLD classes. Neither of these schools have surplus places. Consequently, these are discounted appropriately as Pencoed Primary has 2 such classes and 15 surplus places.

The proposal asserts successfully that the proposal will have no impact on travel arrangement as the pupils who currently access the MLD learning resource centre will continue to do so in the same way. The proposal shows effectively that this proposal would remove 15 surplus places for pupils with MLD at Pencoed Primary School.

However the council's projection is that pupil numbers will increase significantly at both Litchard Primary School and Llangewydd Primary School by 2019. The proposer states that neither of these schools have surplus places. However it does not provide any information on the numbers or ages of the pupils in the MLD classes in any of the schools. Therefore without this information and any calculations on projected future demand for specialist MLD provision it is not possible to establish with any certainty that the closure of one of the MLD classes at Pencoed Primary will allow sufficient access in the area to pupils who require this provision in the future. Also it does not consider the impact of the closure of the MLD class on either of the alternative schools.

Pencoed Primary School is an English medium school therefore there is no impact of the proposal on Welsh medium provision within the local authority.

Educational aspects of the proposal
The proposer fairly records the school's progress against targets in its statement for action regarding performance in literacy in the Foundation Phase, of more able and talented pupils in mathematics, and improving attendance. However the information provided on the attainment of pupils in the core indicators at both Foundation Phase and key stage two is based on the previous year's benchmark data, and paints an overly positive view of the school's current performance in many aspects.

In the Foundation Phase, it asserts that performance in outcomes at 5+ has risen in all core areas into the second benchmark quarter when compared with similar schools based on free school meals eligibility. This is true of the Foundation Phase indicator, literacy and mathematical development. However this is not accurate for personal and social development which is currently in the 3rd benchmark quarter when compared with similar schools.

At key stage 2, the proposer states that the number of pupils that achieve level 4+ has risen in all core areas to move into FSM benchmark quarter 1 in English and the core subject indicator. However whilst performance in these indicators has improved, it is in benchmark quarter 3 when compared to similar schools. Similarly, it's assertion that performance in mathematics and science is close to benchmark quarter 1 is erroneous. Performance in mathematics at level 4+, whilst showing improvements, remains in benchmark quarter 4. Level 4+ performances in science has also improved and moved from benchmark quarter 4 to 3.

With regard to performance at level 5+, the council's evaluation is more accurate in part. The performance at level 5+ in English and science has fallen and both remain in benchmark quarter 3. Whilst level 5+ performance has risen in mathematics, it is now in benchmark quarter 2 not 1.

The proposal asserts that pupils with additional learning needs, including those with moderate learning difficulties make good progress, however the proposal does not contain any performance data specific to these pupils. Whilst the proposer does provide helpful breakdowns of percentages of all pupils who make two or more or three or more levels of progress and this progress looks favourable, it does not break this data down further to provide a detailed picture of the performance of pupils in the 2 MLD classes or information on the progress made by these pupils towards their targets from their starting points. Therefore it is not possible to assess the possible impact of the closure on the performance of these pupils with sufficient accuracy. In addition the council does not state the position of the performance of all of the school's pupils, including those with additional learning needs, against other schools in its family, locally or nationally. This comparison is less favourable.

When looking at the outcomes of all pupils in key stage 2, whilst level 5+ performance in mathematics is above the average for schools in the family, the local authority and nationally, performance at level 4+ and 5+ in English and science and level 4+ performance in mathematics is currently below the averages for schools in the family, the local authority and nationally. Therefore the council's presentation of the school's performance is unbalanced and does not support its educational case sufficiently well.The proposer's estimates of the school's position within benchmarking quarters of the performance of pupils in key stage cannot be corroborated as the previous year's benchmarking boundaries have been used.

The proposer makes an appropriate case that teaching, care support and guidance, learning experiences and the environment at the school provide a firm basis for ensuring all pupils have good learning experiences. This supports the conclusion that all pupils, including those with ALN are supported well and that the school is an inclusive environment.

The proposer provides a useful outline of the strengths of the leadership in achieving targeted improvements, the engagement of the governing body in evaluating and supporting the school as a critical friend, and the involvement of staff at all levels in setting challenging targets. In particular, the proposer identifies credibly that partnerships with parents or carers, the local authority's children's services and other agencies have a positive impact on learning experiences, standards and wellbeing.

However the proposer has not provided the school's current categorisation, therefore it is not possible to form a clear judgement on the council's opinion of the outcomes, provision and leadership of the school. The proposal also only contains the summary from the school's most recent inspection report on current performance and prospects for improvement in an appendix to the main proposal. It does not use the findings from the inspection report well enough to support its opinion, in particular, of the leadership and provision at the school.

Given the overly positive view of the performance of the school provided in the report, and the lack of performance information specific to the pupils in the learning resource base, the proposer has not made a sufficiently strong case for the impact of the proposals on outcomes of the pupils affected by the closure.

The proposer asserts credibly that the closure of one MLD class at the school will have no impact on the ability to deliver the full curriculum as the remaining class will be appropriately staffed to support all pupils with MLD in the school.

The council has carried out an initial equality impact assessment and identifies number of relevant risks. These include the impact of the closure on future need for the service 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. However this work has not been presented and therefore the current initial equality assessment does not assess the impact of the current proposal on vulnerable groups sufficiently well, nor does it identify any actions to mitigate perceived risks. The proposer plans to use the outcome of the consultation to monitor the impact of the policy.

The council asserts credibly in the proposal and the initial equality impact assessment that the staff of the resource base are suitably qualified to accommodate the learning of the pupils attending the class, and their different requirements. The council therefore asserts effectively that the disruption to pupils is minimized.

APPENDIX (vi)

Consultation report on the proposal to change the provision for pupils with additional learning needs (ALN) at Pencoed Primary School.

Introduction.

The consultation was to invite views on the proposal to cease one moderate learning difficulties learning resource class for 15 pupils with Moderate Learning Difficulties (MLD) at Pencoed Primary School The current MLD provision at Pencoed Primary School comprising of two learning resource centres for 30 pupils with MLD. The proposal would be to reduce the provision to one class of 15 pupils. Currently, there are 15 pupils taught by two MLD teachers in Pencoed Primary School. If the proposals are supported they would come into effect on 1 September 2015.

Consultation.

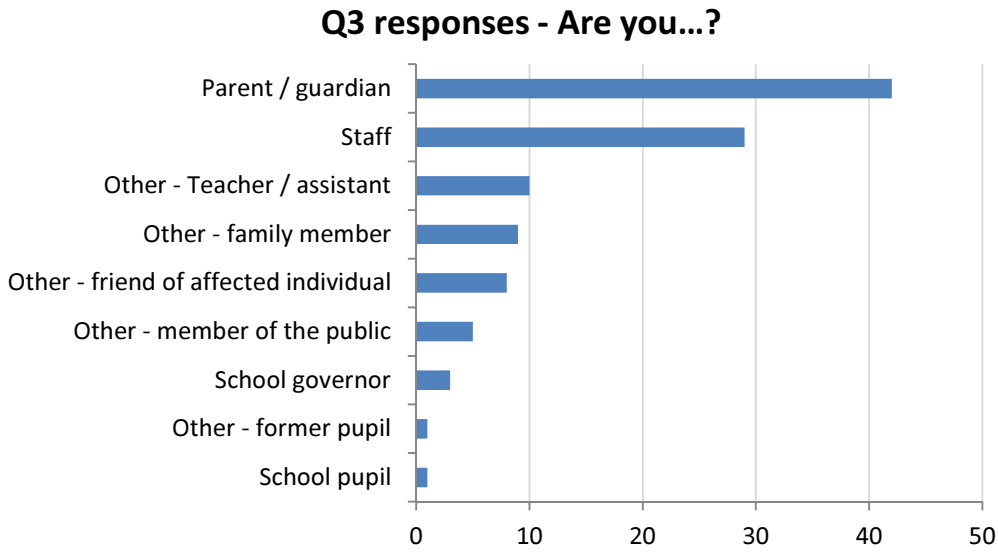
The consultation was made available online through www.bridgend.gov.uk/consultation including a link to an online survey. The consultation was promoted using the guidance provided in the School Organisation Code. Alternative formats were also available upon request (for instance – large print).

Responses.

In total there were 104 responses received online, all through the medium of English. The opening two questions asked for the respondent's first name and surname these have not been made available due to the data protection act.

Question three – Are you…?

Question three asked who the respondent was and gave several options. From the selection available 35 respondents selected 'other'. Once selected a qualitative space box appears. These qualitative responses were collated to produce the table below.



Question four – Do you have any comments / suggestions / requests / questions?

From the raw data received. Key questions and topics that have arisen are highlighted below:

- Respondents are concerned the children's confidence will be affected and that they would be better supported in smaller groups

  A. The pupils who are currently in the learning resource centre will still be able to access the class. The decision to integrate pupils into mainstream will be made on an individual basis.

- A selection of respondents believed that the provision was to be closed entirely – not one of the two classes.

  A. The proposal is for one MLD class for 15 places to be closed. During 2013-2014 three quarters of the places were vacant and currently there are 15 vacant places.

- Clarity on plans for SEN provision if the number of those requiring the service increases.

  A. Currently there are 15 vacant places at Pencoed Primary School. If the proposal is approved there would be three MLD learning resource centres in the East locality. Some pupils will transition to their local Secondary school in September and also other pupils may integrate into mainstream classes using the exit criteria.

- 'Surplus' places are because the eligibility criteria to receive the support have increased significantly.

  A. The MLD range is fixed. The essential criteria of experiencing MLD must be met. Schools discuss pupils requiring a specialist placement with their link Educational Psychologist. Those pupils being referred must already be on School Action Plus.

- A selection of respondents raised concerns about the teacher pupil ratio.

  A. The teacher pupil ratio would be 15:1 which is the same ratio for all other learning resource centres in BCBC.

- Training for mainstream staff.

  A. The Inclusion Service provides training and issues a training directory to schools on a termly basis. Further MLD training for school staff could be provided by the Inclusion service.

APPENDIX (vii)

Full Equality Impact Assessment

Name of project, policy, function, service or proposal being assessed:	Proposal to change the provision for pupils with additional learning needs (ALN) at Pencoed Primary School
Date assessment completed	2 April 2015

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 January 2015. The recommendation from the EIA Screening was that a Full Equality Impact Assessment would be required.

In order to meet the growth in the incidence of pupils with autistic spectrum disorders (ASD) including the need for specialist provision for high-functioning pupils with autistic spectrum disorders at Key Stage 2, 3 and 4, it is proposed that there is realignment of services due to the reducing numbers of pupils requiring moderate learning difficulties (MLD) specialist provision. The consultation is to invite your views on the proposal to cease one moderate learning difficulties learning resource class for 15 pupils with Moderate Learning Difficulties at Pencoed Primary School.

A consultation exercise lasting from 9 February 2015 until 24 March 2015 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 2015.

1. Consultation

		Action Points
Who do you need to consult with (which equality groups)?	Within each of the protected characteristic groups the council will need to consult with: Head Teacher, Teachers, Governing Body, Parents, carers and guardians of children and the general public.	The consultation tools and mechanisms to be used should include: Focussed 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, Bridgemembers, schools texting service, Local Service

		Board, citizens panel
How will you ensure your consultation is inclusive?	The council is mindful that as wide a range of consultation and engagement 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. 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.	
What consultation was carried out? Consider any consultation activity	Interested / impacted parties were invited to consider the proposal and submit views	

already carried out, which may not have been specifically about equality but may have information you can use	as to whether or not they supported the proposal to close one moderate learning difficulties class at Pencoed Primary School with effect from 1 September 2015 via consultation meetings held 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.	

Record of consultation with people from equality groups

Group or persons consulted	Date, venue and number of people	Feedback, areas of concern raised	Action Points
Members of School Council of Pencoed Primary School	**26 February 2015. 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 staff (1 meetings)	26 February 2015. 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 2015. 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 2015. 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	Please see tables within this Full EIA.

		council.	

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.

Gender	**Impact or potential impact**	**Actions to mitigate**
Identify the impact/potential impact on women and men.	None	Neither men nor women will be disproportionately negatively affected by this proposal.
Disability	**Impact or potential impact**	**Actions to mitigate**
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).	Disabled children could be negatively impacted by the proposal.	Additional Learning Needs Education (ALN) services will be protected, however will be delivered differently. There is an informed expectation that ALN pupils currently at Pencoed Primary school will continue to receive ALN services and will maximise their potential.
Race	**Impact or potential impact**	**Actions to mitigate**
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

Religion and belief	**Impact or potential impact**	**Actions to mitigate**
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**
Sexual Orientation	**Impact or potential impact**	**Actions to mitigate**
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**
Age	**Impact or potential impact**	**Actions to mitigate**
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**
Pregnancy & Maternity	**Impact or potential impact**	**Actions to mitigate**
	There will be no impact on Pregnancy and Maternity as a result of this proposal if it is approved.	**None**
Transgender	**Impact or potential impact**	**Actions to mitigate**
	There will be no impact on Transgender people as a result of this proposal if it is approved.	**None**
Marriage and Civil Partnership	**Impact or potential impact**	**Actions to mitigate**
	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 childrens' 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**
In terms of this policy, the relevant articles to be considered are articles 3, 12, 28 and 30. **Article 3:** The council works towards what is best for each child. There is no impact of this policy on article 3. **Article 12**: 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. **Article 28:** Children in Bridgend County Borough Council have a right to an education. The methods of discipline in our schools respect childrens' human rights and dignity. There is, therefore, no impact on article 28. **Article 30**: 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.	In September 2006, the authority adopted a policy document which set out five key principles to inform the organisation and modernisation of our schools: ▶ Commitment to high standards and excellence in provision; ▶ Equality of opportunity, so that all pupils can access quality learning opportunities, regardless of which school they attend; ▶ Inclusive schools, which cater for the learning needs of all their pupils; ▶ Community focused schools, where the school actively engages with its local community; ▶ Value for money. The proposals relate, in particular, to principle two and three. The Education Inclusion Strategy was agreed by the council's Cabinet in March 2009.

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 it's 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.

3. Action Plan

Action	**Lead Person**	**Target for completion**	**Resources needed**	**Service Development plan for this action**
Continue to review and monitor MLD places available	Group Manager Inclusion. Lead Educational Psychologist. Team Manager ALN	Reviewed annually.	Staff time.	Yes.
Continue to track and monitor individual pupil progress within the MLD learning resource centres.	Group Manager Inclusion. Team Manager ALN. Cognition and Learning Specialist Teachers.	Termly data tracking. Annual review.	Staff time.	Yes.
Provide relevant training for the MLD teacher at Pencoed Primary school.	Team Manager ALN. Cognition and Learning Teachers	Ongoing from September 2015.	Staff time.	Yes.

Please outline the name of the independent person (someone other the person undertaking the EIA) countersigning this EIA below:
Paul Williams, Equality and Engagement Officer.

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

Signed:  **Date:** **2nd April 2015**

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 Paul Williams, Equalities and Engagement Officer