

# **EDUCATION & CHILDREN SCRUTINY COMMITTEE**

## **21<sup>st</sup> NOVEMBER 2016**

**Present:** Councillor J.E. Williams (Chair)

**Councillors:** C.A. Campbell, J.M. Charles, I.W. Davies, W.G. Hopkins, P. Hughes-Griffiths, A. James, J.D. James, M.J.A. Lewis

**Councillor I.J. Jackson – Substitute for Councillor D.W.H. Richards**

**Mrs. V. Kenny – Roman Catholic Church Representative**

**Mrs. E. Heyes – Parent Governor Member (Llanelli Area)**

**Mrs. K. Hill – Parent Governor Member (Dinefwr Area)**

**Mrs. A. Pickles – Parent Governor Member (Carmarthen Area)**

**Mrs. J. Voyle Williams – Church in Wales Representative**

**Also in attendance:**

**Councillor G.O. Jones – Executive Board Member for Education & Children**

**Also present as observers:**

**Councillor G. Thomas**

**Councillor W.T. Evans**

**The following officers were in attendance:**

Mr. R. Sully – Director of Education & Children's Services

Mr. A. Rees – Head of Learner Programmes

Mr. S. Smith – Head of Children's Services

Mr. D. Astins – Strategic Development Manager

Mr. S. Davies – School Modernisation Manager

Ms. S. Nolan – Group Accountant

Ms. R. Williams – Additional Needs Provision Manager

Miss. S. Griffiths – Graduate Trainee Project Officer (MEP)

Mr. M. Hughes – Democratic Services Officer

**Venue:** County Hall Chamber, Carmarthen (2:00 – 4:35pm)

### **1. APOLOGIES FOR ABSENCE AND OTHER MATTERS**

Apologies for absence were received from Councillors P.E.M. Jones, D.W.H. Richards and J. Williams.

The Chair welcomed Mrs. Jean Voyle Williams to her first meeting as the new Church in Wales Representative on the Committee. He informed the Committee that Mrs. Voyle Williams had replaced Canon Bryan Witt who had recently decided

to retire from his role on the Committee. The Chair advised members that he would write a letter to Canon Witt thanking him for his contribution to the work of the Committee over many years.

The Chair also welcomed Councillor A. James to his first meeting as he had replaced the late T. Theophilus as a member on the Committee.

The Chair also reminded attendees that the filming or recording of proceedings was not permitted in any of the County Council's scrutiny committee meetings.

## 2. DECLARATIONS OF PERSONAL INTEREST

Councillor	Minute Item(s)	Nature of Interest
Mrs. E. Heyes	Item 5	She is a parent governor on the Federated Llangennech School Governing Body.
Mrs. K. Hill	Item 6	She is an independent Special Educational Needs advisor.
Councillor W.G. Hopkins	Item 5	He is a governor on the Federated Llangennech School Governing Body. He informed the Committee that the Local Authority's Monitoring Officer had confirmed that he was permitted to take part and vote during consideration of this item.

## 3. DECLARATIONS OF PROHIBITED PARTY WHIPS

There were no declarations of party whips.

## 4. PUBLIC QUESTIONS

The following questions were received and presented at the meeting. The Chair informed the Committee that apologies had been received from Mrs. Michaela Beddows, Mrs. Sheena Lewis and Mr. Darren Seward. Following their requests, he would read out their questions in their absence.

### 4.1. QUESTION BY MS. NIKKI LLOYD

The School Standards and Organisation (Wales) Act 2013, places a statutory duty on local authorities to assess the demand for Welsh-medium education in their area through their Welsh in Education Strategic Plans (WESPs). The Welsh Government's Welsh-medium Education Strategy required local authorities to submit Welsh in Education Strategic Plans

(WESPs), to measure demand for Welsh-medium education and outline their targets to the Welsh Government. When looking at the current position within the Llangennech Schools there are currently 121 children from outside of catchment coming into Llangennech School and at the same time 111 Children leave the village to seek education. The demand for Welsh Medium in Llangennech is clearly being fabricated by these movements and not from demand within the village itself. Has a WESP assessment been done for Llangennech to measure the demand and if so, where is the demand for Welsh Medium in Llangennech?

*Response by Councillor J.E. Williams, Chair of the E&C Scrutiny Committee*

*The Chair stated that Part 4 of the School Standards and Organisation (Wales) Act 2013 required local authorities to prepare a Welsh in Education Strategic Plan setting out how they would carry out their education functions with a view to improving the planning of the provision of education through the medium of Welsh and improving the standards of Welsh-medium education and the teaching of Welsh.*

*Section 86 of the Act provided that the Welsh Ministers might require a local authority, in accordance with regulations, to carry out an assessment of the demand among parents in its area for Welsh-medium education for their children. The Welsh in Education Strategic Plans and Assessing Demand for Welsh Medium Education (Wales) Regulations 2013 set out how a local authority should go about conducting a Welsh-medium education assessment, should this be required by Welsh Ministers.*

*To date, Welsh Ministers had not required Carmarthenshire County Council to undertake a Welsh-medium education assessment and that the County's Welsh in Education Strategic Plan had been formally approved by the Welsh Government.*

*He added that the progressive increase in the number of pupils attending the Welsh stream and the decrease in the number of pupils attending the English stream in the Llangennech schools over recent years, clearly showed that there was an increasing demand for Welsh-medium education in the area.*

#### **4.2. QUESTION BY MR. STEVE HATTO**

The School Organisation code states: Where a new school, increase in capacity or age range expansion is proposed;

- that there is evidence of current or future need/demand in the area for additional places, with reference to the school or proposed school's language category, designated religious character, and the gender intake (i.e. co-educational/single sex);
- The demand for additional provision of any type in an area should be assessed (WE CONSIDER THIS TO BE THE Llangennech catchment area) and evidenced (In the case of Welsh medium provision this would include an assessment of the demand for Welsh Medium education

conducted in accordance with any regulations made under section 86 of the 2013 Act).

- whether proposals will improve access for disabled pupils in accordance with requirements under the Equality Act 2010.

According to information provided via Freedom of information by the School a pilot was carried out to look into Welsh immersion in the reception classes. However, we are still yet to see the results from this pilot. At the time of the pilot only parents who attended the meeting (LESS THAN A DOZEN WITHOUT THE REST OF THE PARENTS BEING AWARE) were told about it and no letters were issued. The evidence found from this pilot should have been collated and presented with the proposal. The only time we were told about the pilot was when we requested it through FOI and it has never been made public. The evidence and results have not been presented with the proposal or whether they have an impact on the need for change. Can you confirm why this assessment has not been done along with the community assessment that the Authority has refused to undertake?

*Response by Councillor J.E. Williams, Chair of the E&C Scrutiny Committee*

*The Chair stated that the consultation document had been prepared and the consultation process conducted in compliance with the statutory School Organisation Code and that the school had reacted to the dramatic change in the choice of language stream that parents were opting for. Following this, the number of pupils opting to attend through the Welsh stream had been increasing and were significantly higher than the number of pupils attending through the English stream.*

#### **4.3. QUESTION BY MRS. MICHAELA BEDDOWS**

In a previous Scrutiny Committee meeting Mr Sully stated that his intention is to change all Dual Stream Schools to Welsh Medium and All English Medium to Dual Stream and so on... This will eventually eradicate all English medium Schools in Carmarthenshire. Can you confirm if this is the Authorities long term Education plan?

*Response by Councillor J.E. Williams, Chair of the E&C Scrutiny Committee*

*The Chair stated that Carmarthenshire County Council had a statutory responsibility under Part 4 of the School Standards and Organisation (Wales) Act 2013 to prepare a Welsh in Education Strategic Plan for its area, with the explicit aim of improving planning of the provision of education through the medium of Welsh, for improving the standards of that education and of the teaching of Welsh. This Plan required all primary schools in Carmarthenshire, including English-medium schools, to move along the language continuum, progressively expanding the proportion of education that was delivered through the medium of Welsh, with a view to ensuring that in time, all children leaving primary school would be fully bilingual.*

#### 4.4. QUESTION BY MRS. SHEENA LEWIS

We find that we must now ask this question for the third as we believe you have yet to give a clear response. When we first asked this question, there were 1710 empty seats in the Welsh medium Schools in Carmarthenshire. The reply from you and Mr Jones were exactly the same. You both stated you had filled 3500 seats in Welsh medium schools. That was not the question we asked. So again, we ask you. How many empty seats are there in Welsh Medium Schools in Carmarthenshire and don't you think it would be more beneficial to fill those seats before you create anymore?

*Response by Councillor J.E. Williams, Chair of the E&C Scrutiny Committee*

*The Chair stated that based on the Planning of School Places return for 2016, there were 1,514 surplus places in the County's Welsh-medium primary schools. The Welsh Government expected local authorities to endeavour to manage surplus school places within a tolerance of 10% overall across all schools, accepting that figures at individual schools would vary as a consequence of a number of factors. The School Organisation Code noted that "some spare places were necessary to enable schools to cope with fluctuations in numbers of pupils." The Welsh Government regarded a single school as having excess surplus places if it had more than 25% of its places empty.*

*The Chair acknowledged that a number of the County's Welsh-medium schools had surplus places but that these schools were predominantly in rural areas where there had been a decline in the number of young families and the number of children. This situation was not an indicator of a decline in the demand for Welsh-medium education but an indicator of the demographic changes facing many rural communities, with a generally ageing population. However, through its Modernising Education Programme, the County Council had removed approximately 3,150 surplus places from its primary schools over the past 15 years, predominantly in rural areas and that this demonstrated the Council was effective in managing surplus places.*

#### 4.5. QUESTION BY MRS. JULIA REES

There are only 3 Observation/Assessment units in Carmarthenshire. These are units where children with speech and learning difficulties are placed when it is decided by Carmarthenshire county council's education psychologists that they require assessment so that their additional needs can be catered for in school. Some children move from here into special schools, while others are released into mainstream school with support. At present all three of Carmarthenshire's assessment units educate via English medium. It was stated by Mr Sully that the aim of Carmarthenshire county council is to discontinue the provision of English medium education by 2022 and that Llangennech school is merely on this path of change. I am a parent of a child who was enrolled and accepted into the Welsh medium stream at Llangennech school, but on the say of Carmarthenshire county council specialists was placed for assessment at a unit which educated via

English medium. This then prevented him being placed back into Welsh medium education upon his release into mainstream education as he could only speak English. How can Carmarthenshire County Council discontinue English medium education in Llangennech thus barring my child to be returned to education in his community school with the longer term possibility of then moving, with support into the Welsh stream of his local school, when it cannot support Welsh speaking pupils with learning difficulties to integrate into their chosen communities?

*Response by Councillor J.E. Williams, Chair of the E&C Scrutiny Committee*

*The Chair stated that Carmarthenshire County Council's policy was that all its schools should be inclusive, with children with additional learning needs being educated in a mainstream setting alongside their peers, wherever possible. In the vast majority of cases this was achieved, with all children benefitting. Whilst the system was designed to meet the needs of learners through an universal and inclusive approach, for a small number of children with significant and complex additional needs, this is not always possible and specialised provision offered a more appropriate learning setting.*

*In order to make sure that the needs of all learners were met, the school system in Carmarthenshire included a range of provision for children with additional needs. A specialised school or unit offered education to children with the most profound or complex needs where a mainstream setting was either not suitable for the children's needs, or where parents preferred an alternative setting. Selected secondary and primary schools across the County included specialised units for children with particular needs, such as autism, sensory impairment or speech and language delay. The Department for Education & Children provided specific additional support in schools wherever practicable so that as many children as possible remained in their local school. Whilst the Council's preference was to meet the needs of all children in a mainstream setting wherever possible, this was not always practicable.*

*All pupils with additional learning needs had specific individual plans based on their circumstances and a tailored support programme was provided according to need. Generally, an additional learning need was not a barrier to learning two languages. It was important to assess and monitor progress in each or all of the languages that a child was using or learning, including sign and visually supported communication systems required for some pupils, particularly as the stronger developed language could be used to support and build learning through a lesser developed language medium. Staff were required to differentiate the curriculum and make reasonable adjustments to the language of instruction and response in order to accommodate additional needs and ensure access to the curriculum and learning progress. At times it might be appropriate to target additional support in one language for a period in order to consolidate and accelerate learning (e.g. in literacy).*

*He added that there would be rare instances, however, where a child might be diagnosed with a condition that was not conducive to a fully bilingual education. In these circumstances, a package of support was identified by*

*professional practitioners and discussed with parents. Arrangements were made for the child to attend an appropriate school where their needs could be met. It might be the case that on a small number of occasions the needs of an individual child could not be met at the local school as, notwithstanding the Council's commitment to inclusive education, it was simply not practicable to meet all needs at every school. In the last five years the Educational and Child Psychology Service had been involved in only one or two cases each year where a move of school has been advised. To place this into context, the County's school system served around 27,000 pupils in total and so the frequency of pupil movement for additional learning needs, was very low indeed.*

*It was the Council's experience that the vast majority of pupils with a wide range of additional learning needs and abilities were successful in the County's schools, irrespective of the language of instruction but the Council did acknowledge that there would be a very few children whose needs could not be met other than through provision at a specialist unit.*

*For the Llangennech proposal, the support provided to children currently in the schools with additional needs, would continue through the medium in which they currently received their education. Should the proposal be implemented, all future pupils would receive this support mainly through the medium of Welsh, with appropriate adjustments being made to meet pupils' individual additional needs.*

#### **4.6. QUESTION BY MRS. KAREN HUGHES**

During previous meetings, we have been repeatedly told it is not the Authorities intention for any child to leave Llangennech School and due to this a transport or community assessment was not required. However, recent evidence shows that in addition to the 91 that have already sought English medium other than in Llangennech a further 20 plus pupils have been removed or not started at the school in relation to the implications, if the proposal goes ahead and this number will continue rising. The only English medium school that could accommodate these pupils is Hendy School but this does not have a safe route to school. Following this information, we believe under the School Organisation Code 2013 a community and transport assessment needs to be carried out before any decision can be made. Considering this information, Are you now going to carry out a community and transport assessment?

*Response by Councillor J.E. Williams, Chair of the E&C Scrutiny Committee*

*The Chair stated that based on the Pupil Level Annual School Census data for 2016, 96 children living within the catchment area of Llangennech attended other schools. Of these, 16 children attended Welsh-medium schools, 7 attended dual-stream schools and 73 attended English-medium schools. 3 of these children attended faith-based schools. However, the movement of pupils between school catchment areas was a common circumstance across the County in both urban and rural areas.*

*The Local Authority was aware of some pupils who had changed schools that might have been as a result of this proposal. However, parents had a right to state a preference for different schools. For the academic year 2016/17, 31 applicants declined their place at Llangennech Infant School. However, 27 of these applications were from outside of the catchment area. Of the 4 applications from within catchment, 2 applicants accepted a place at other schools for other reasons and 2 applicants did not provide a reason for declining. Of the 31 pupils that declined a place at Llangennech Infant School, 12 pupils had stated a preference for Welsh-medium education, 4 pupils had stated a preference for English-medium education and 15 pupils did not state a language preference when completing their application form.*

*For the 2015/16 academic year, 16 pupils had declined their place at Llangennech Infant School. However, 10 of these applications were from outside of the catchment area. Of the 6 applications from within the catchment area, 1 accepted a place at a Welsh-medium school and one pupil moved to live elsewhere. Of the 16 pupils that declined a place at Llangennech Infant School, 10 pupils had stated a preference for Welsh-medium education, 2 pupils had stated a preference for English-medium education and 4 pupils did not state a language preference when completing their application form.*

*He added that the consultation document had been prepared and the consultation process conducted in compliance with the requirements of the School Organisation Code and the County Council's proposal was for children from Llangennech to attend the local school. If the proposal was implemented, children residing within the Llangennech school catchment area who attend Llangennech School, would benefit from the Local Authority's Admissions Policy and Transport to School Policy, which took full account of safety considerations. However, should parents decide to place their children in alternative schools where places were available, they would do so taking into consideration all the factors that applied, including the transport implications.*

#### **4.7. QUESTION BY MR. DEAN BOLGIANI**

We have previously been advised that the nearest English medium Schools Bryn and Bynea were not oversubscribed. However, recent information obtained under the Freedom of Information Act 2000 states that both Schools have already refused places. We were advised the reason for refusal is always the same they only refuse admission if the year group is already full or oversubscribed. It was expressly stated in the response that you have never refused an application for any other reason other than over capacity. The issue of providing alternative provision for English Medium education for families from Llangennech was also raised by ESTYN as part of their response to the initial consultation. Can you now please clarify where are you going to cater for pupils who seek English medium Education if it is removed from Llangennech?

*Response by Councillor J.E. Williams, Chair of the E&C Scrutiny Committee*



*The Chair stated that the County Council was not proposing alternatives to Llangennech School for local children. It was the Local Authority's desire that all current pupils remained at the school and that in the future, local children attend their village school, receiving education principally through the medium of Welsh, with English being taught as a subject in Key Stage 2 and used as a medium for instruction in some other lessons, in the later years of the school.*

*The County Council was obliged to facilitate parental preference only where this was consistent with the effective delivery of education and the efficient use of resources. No parent had a right to demand a place at any particular school for their child (or children) and school places were allocated on the basis of the Council's published Admissions Policy. This policy favoured children attending their local or designated school. Children were admitted to a school other than their designated school upon application by parents when places were available and subject to the over-subscription criteria set out in the published Admissions Policy.*

#### **4.8. QUESTION BY MR. DARREN SEWARD**

As part of the statutory notice you state that you are prepared to pay transport costs for pupils from outside of the catchment to attend Llangennech. You have made it clear that you are refusing to pay for pupils seeking English medium education outside of Llangennech. In these days of equal opportunity for all irrespective of sex, race, colour or creed how can you justify such a blatant discriminatory move?

*Response by Councillor J.E. Williams, Chair of the E&C Scrutiny Committee*

*The Chair stated that this proposal did not seek to discriminate against any members of the community in any way. Transport was provided to all pupils in accordance with the Authority's Home to School Transport Policy. He added that should any parents elect to place their children in alternative schools, they did so having considered all the implications, including the transport implications. If any parents elected to place their children in an alternative school that was neither the designated or nearest school, these parents assumed full responsibility for transporting their children to that school.*

#### **4.9. QUESTION BY MR. ROBERT WILLOCK**

I would like to point out that in the Llanelli Star dated 14th October 2016 Mr Dole stated "We will always consult the public" How is it that no one consulted the public within the Llangennech area, neither had the Authority consulted with one of its major education partners Bryngwyn School, in the change of language of Llangennech School. This only became apparent when it was leaked in the local paper. Now we have hard evidence of over 750 objections from the community within Llangennech supporting our position of keeping the dual stream option for the school. With this level of objection against the proposal are you now going to listen to the Public of Llangennech?

*Response by Councillor J.E. Williams, Chair of the E&C Scrutiny Committee*

*The Chair responded by stating that the consultation process has been conducted in compliance with the statutory School Organisation Code. Key stakeholders, including Bryngwyn School, were informed of the consultation period via e-mail at the beginning of the consultation period, in line with the requirements of the School Organisation Code. He added that the decision on whether or not to proceed with the proposal would, by virtue of the law, have to be made on the grounds of whether it was in the best interests of learners. It was, therefore, the educational merits that would have to be the determining factor in decision making, rather than the number of responses received in favour or against the proposal.*

#### **4.10. QUESTION BY MRS. JACQUELINE SEWARD**

It really saddens us to see how much our once close knit community has been divided by this proposal being pushed by a minority from the village. We have spent nearly a year engaging with community, taking the time to knock doors and listening to what people want. From the last exercise we have had proof of 750 people against the proposal and need to make you aware that those in support who we spoke to on the doorstep were very few and we encouraged them to let their views to be known. We have always been in support of our children being taught Welsh at the school but are against the total immersion, no parental choice option being peddled under this proposal.

We are aware that a large amount of support letters for the change have been gathered from outside of the village and we have requested an FOI request for a breakdown on postcodes as to where the support and objections have been gathered so it will show where exactly this support has been collected. This evidence is an important factor to enable members to make a decision.

Surely, to decide what is best for the residents of our community it's the people of Llangennech that should have a say. Even without questioning the generated location of the support letters there are still a majority in favour of keeping the dual stream at the school. Unfortunately the results speak for themselves and this has split the village therefore the logical solution would be to keep Welsh and English streams in the school and cater for all. Do you therefore agree that this be best dealt with by delaying this decision until after the May 2017 election, a delay of only 6 months to the whole process, to gauge exactly what the village want which is the way it should have been done rather than letting people from outside the village decide on the fate of our community?

*Response by Councillor J.E. Williams, Chair of the E&C Scrutiny Committee*

*The Chair stated that the process for any proposal had to be conducted in compliance with the statutory School Organisation Code. The School Organisation Code stated that: "under section 53 of the 2013 Act, determination by the proposer must be made within 16 weeks (112 days) of*

*the end of the objection period. Where the proposer fails to determine the proposal within the period of 16 weeks it is taken to have withdrawn the proposal and it is required to republish the proposals if it wishes to proceed.” Again, he added that the decision on whether or not to proceed with the proposal would, by virtue of the law, have to be made on the grounds of whether it was in the best interests of learners. It was, therefore, the educational merits that would have to be the determining factor in decision making, rather than the number of responses received in favour or against the proposal.*

The Chair thanked the representatives of the Dual Stream Committee for their questions and contribution at the meeting and stated that members of the Committee appreciated their concerns and would take their views into account during consideration of the next item.

**5. MODERNISING EDUCATION PROGRAMME - PROPOSAL TO DISCONTINUE LLANGENNECH INFANT SCHOOL AND LLANGENNECH JUNIOR SCHOOL AND ESTABLISH LLANGENNECH COMMUNITY PRIMARY SCHOOL**

*Mrs. E. Heyes had earlier declared a personal interest in this item and left the meeting during its consideration and determination.*

*Councillor W.G. Hopkins had earlier declared that he is a governor on the Federated Llangennech School Governing Body and that the Local Authority’s Monitoring Officer had confirmed that he was permitted to take part and vote during consideration and determination of this item.*

The Committee considered a proposal to discontinue Llangennech Infant and Junior Schools and establish Llangennech Community Primary School in their place and the submissions received in response to the proposal to issue a Statutory Notice. The submissions received during the most recent consultation period, as set out in the consultation report, were included within the Objection Report.

The Director of Education & Children’s Services outlined the background to the proposal, the policy context and the content and layout of the report being presented to the Committee. He noted that a considerable response (1,418 responses) had been received, however, as the educational merits were the most important and determining factors in this matter, officers remained of the view that there were no changes required to the proposal following the latest stage of the process.

The following comments were made during consideration of the proposal:

The detailed report was welcomed and that it was stated that the Council was simply implementing that which the Welsh Government required of it. Disappointment was expressed that English-medium schools were not encouraging pupils to become bilingual and that the introduction of Welsh-medium provision was the only way in which the Council could ensure that all pupils were fully bilingual in both Welsh and English.

Reference was made to the significant amount of research, conducted in Wales and internationally, which supported the conclusion that dual-stream or English-medium schools did not create fully bilingual pupils and that full immersion in a Welsh-medium setting was the only way ahead, especially if the County was to address the significant decline in the number of Welsh speakers, as evidenced by the last Census of 2011. Reference was also made to the Welsh Government's research that had shown that the performance and educational attainment of pupils in Welsh-medium only settings was not affected or hindered, as some suggested. It was felt that the failure to be bilingual was the real cause of division in communities. It was also noted that the Welsh Government had recently outlined its aim of creating 1 million Welsh speakers in Wales and it was clear that education would have to play a significant part in realising its ambition.

Whilst the importance of increasing Welsh speakers and encouraging the use of the language was acknowledged. It was suggested that the objectors' concerns should not be ignored. It was suggested that they had valid points and that not all their questions had been answered fully. It was essential that in order to be open and transparent, all the information needed to be provided in order to ensure that proposals such as this had everyone on board before moving ahead. The Director of Education & Children acknowledged the frustration with the process but noted that any concerns should be directed to the Welsh Government. The Local Authority was simply complying with the requirements handed down by the Government in Cardiff. He also stressed that the Authority had gone well beyond that which was expected of it during the consultation process in seeking to engage with all stakeholders.

Reference was made to the consultation process and a view expressed that this had all been conducted correctly in accordance with the legislative requirements. However, if the proposal was implemented, it was certain that pupils from non-Welsh speaking homes would not simply be thrown in at the deep end but would be supported in every way possible in regards to their language skills. The Director of Education & Children noted that 50% of pupils in the Welsh-stream at Llangennech performed exceptionally well and that parents need not be concerned. The County's schools were very good in nurturing and developing the Welsh language skills of pupils' from non-Welsh speaking backgrounds.

The Committee **RESOLVED**:

- 5.1 That the report be received.
- 5.2 That being satisfied that there were no other related proposals; that the statutory proposal had been consulted upon and published in accordance with the School Organisation Code and contained all the relevant information and, having considered the consultation document and consultation report, the objections and any responses to the notice supporting the proposal in the objection report, it be recommended to the Executive Board that the proposal, as laid out in the Statutory Notice, be implemented.

*The Committee's meeting was adjourned for 10 minutes following consideration of this item so that visitors could leave the Chamber.*

## 6. REFORMING THE PROVISION OF SUPPORT FOR LEARNERS WITH ADDITIONAL LEARNING NEEDS

*Mrs. K. Hill had earlier declared that she is an independent Special Educational Needs advisor.*

The Committee received a presentation outlining the transformation of additional learning needs support in Wales and the current position in Carmarthenshire. The Committee was informed that the Welsh Government was introducing a new Bill to reform the support system for children and young people with additional learning needs (ALN). The Welsh Government and ALN practitioners deemed the reform necessary and long overdue as:

- The current assessment process was inefficient, bureaucratic and costly and based on a model introduced more than 30 years ago
- The current system was not sufficiently child-centred or user-friendly
- Needs were being identified late and interventions were not sufficiently timely and effective
- In 2015, only 23% of learners with SEN achieved the Level 2 inclusive threshold compared to 58% of all pupils

It was expected that Additional Learning Needs and Education Tribunal (Wales) Bill would be published in December 2016. The Bill would create the legislative framework to improve the planning and delivery of additional learning provision, through a person-centred approach to identifying needs early, putting in place effective support and monitoring and adapting interventions to ensure the delivery of the desired outcomes. The Additional Learning Needs Code would then provide the statutory guidance underpinning the Bill, including mandatory requirements. Members noted that two key changes would be:

- The extension of the age range from 0-18 to 0-25 – All children and young people would have the same rights to receive the provision they required and this would assist in improving transition between school and post-16 education.
- A single statutory plan – Individual Development Plans (IDP) would replace the variety of statutory and non-statutory plans for learners in schools and full-time education.

The Committee was updated on the approach being undertaken by the Local Authority in readiness of having to implement the new legislation, namely through workforce development, implementation / transition support, awareness-raising and supporting policy.

The following issues were discussed during consideration of this item:

It was asked whether officers envisaged a cost saving to the Authority in the long term due to the simplifying and streamlining of the assessment process and whether fewer or more staff would be required. The Additional Needs Provision Manager acknowledged that the workforce would need to be reviewed and it was probable that some staff would be redeployed to work in different areas of responsibility (e.g. away from the current assessment process) and that capacity would need to be built up in other areas (e.g. for work with young people in the 18-

25 age category). She noted that there were many unknowns and until the programme started, it would be difficult to be specific about the potential impact.

In response to a further question on potential savings to the service due to the reduction in the number of assessments undertaken, the Additional Needs Provision Manager confirmed that any savings made would be re-directed into other services. The main savings envisaged would be around staff time. One example would be the educational psychologists who, instead of spending time in conducting unnecessary assessments, could be better deployed out in schools and building capacity amongst staff.

Reference was made to the significant drop in the academic attainment of pupils with additional learning needs, especially between key stages 3 and 4 and it was asked why this had taken so long to identify and address. The Additional Needs Provision Manager noted that the data quoted in the presentation were all-Wales figures and that historically, the focus for 'special educational needs' had been on cognitive impairments (low ability) and this had fostered low expectations and aspirations of pupils in this category. Officers felt that the introduction of the new Bill was very timely and would raise aspirations and expectations for all pupils as many had needs which would not necessarily impair their abilities to achieve educationally (e.g. behavioural, emotional needs).

In response to a query regarding the role of parents and their rights in requesting assessments for their children, the Additional Needs Provision Manager confirmed that parents already had a significant role to play in the existing as well as the new process and that they would still be within their rights to request that their child be formally assessed. However, it was envisaged that as the planning process began earlier in schools, any issues would be identified and that parents could be signposted to the relevant agencies at a much earlier stage.

Whilst the forthcoming changes were to be welcomed, it was asked whether there would be financial implications for the Authority in having to implement these changes. The Additional Needs Provision Manager stated that authorities would have to wait and see until the details and guidance were published in due course. However, the Welsh Government had set aside funding for an innovation grant which would be available to assist local authorities to implement and transfer to the new arrangements.

It was asked whether the training provided for school staff would be sufficient. The Additional Needs Provision Manager reassured the Committee that much work had already been undertaken in planning for the new arrangements in addition to the existing support provided for schools (e.g. Special Educational Needs Co-ordinator Forum, all-school training sessions). The Inclusion Service operated a 'coaching model' which provided assistance to school staff and this would continue in the future. However, she added that head teachers had been aware of these proposed changes for a long time and that there was a responsibility on school leaders to plan ahead and arrange the training necessary for their staff members.

Whilst the presentation was welcomed, concern was expressed that the current process of allocating funding was haphazard and it was asked whether a pilot project had been or would be conducted to test the new arrangements. The Additional Needs Provision Manager confirmed that Carmarthenshire County Council had been part of a pilot project that had been undertaken a few years ago

with Glan-y-Môr Secondary School and its respective feeder schools. Personal development plans were piloted and all the County's schools were invited to view the good practice. Again, she reminded the Committee that school leaders and the Special Educational Needs Co-ordinators had a duty to provide training in their respective schools.

**UNANIMOUSLY RESOLVED** that the update be received.

## **7. REVENUE & CAPITAL BUDGET MONITORING REPORT 2016/17**

The Committee considered the Revenue and Capital Budget Monitoring Reports relating to the 2016/17 financial year as at 31st August 2016 for the Education & Children Department. It was advised that this latest revenue budget forecast showed a significant overspend of £1,550,000 for the year end. The capital budget showed a forecasted net spend of £13,322,000 compared with a working net budget of £19,607,000 giving a £-6,285,000 variance. Members were advised that the capital variance would be slipped into future years, as the funding would be required to ensure that the various schemes were completed.

The following issues were raised during consideration of the report:

It was asked whether the current overspend would be written off through the use of reserves. The Group Accountant confirmed that this would be the case but in doing so, there would be an impact on future budgets. The Director of Education & Children reminded the Committee that until this year, departmental reserves had been utilised to manage financial volatility. However, these were fully utilised last year and yet the underlying pressures on services had not relented. One significant cost was out of the Authority's control, namely school redundancies and early voluntary retirement arrangements.

Concern was expressed at the continued delay in progressing a new primary school for Ammanford and it was asked whether there was a pecking order as other projects appeared to have jumped the queue. It was also asked what role if any, the Ammanford Task Force had in the planning for a new school. The Director of Education & Children reminded the Committee that it had previously endorsed the Modernising Education Programme Biennial Review earlier that year and confirmed that whilst there was a priority list (Band A, B etc.), it was required to be flexible due to the demographic changes often experienced within the County. He confirmed that work on a new school for Ammanford had commenced over four years ago but since this time, the numbers of children in the town had increased significantly and there was now not enough funding to accommodate the changes to the overall project. Another complication was the lack of suitable land and although one piece of land had since been identified, a further £8m would be required to fund the project. He also reassured the Committee that the Modernising Education Programme Team was liaising closely with the Town's Task Force on this matter.

In response to a query about the Carmarthen West Phase 1 project, the Director for Education & Children informed the Committee that this was linked to the large residential development on the western edge of Carmarthen. Due to the number of proposed houses, a new primary school would be required and initial projections were for a two form entry school for approximately 400 pupils.





However, the current plan was to develop a school in two stages as flexibility was required in relation to the progress of the overall development. He confirmed that the funding referred to in the report was for the development / design stage of the school project.

**UNANIMOUSLY RESOLVED** that the report be received.

**8. HALF-YEARLY COMPLAINTS AND COMPLIMENTS REPORT – 1<sup>ST</sup> APRIL TO 30<sup>TH</sup> SEPTEMBER 2016**

The Committee considered a report which provided members with statistics and analysis on complaints, compliments and enquiries received and dealt with during April to September 2016/17.

**UNANIMOUSLY RESOLVED** that the report be received.

**9. FORTHCOMING ITEMS**

**RESOLVED** that the items to be considered at the next scheduled meeting on Thursday 22nd December 2016, be noted.

**10. EDUCATION & CHILDREN SCRUTINY COMMITTEE ACTIONS AND REFERRALS UPDATE**

The Committee considered an update detailing progress in relation to actions, requests or referrals emerging from previous scrutiny meetings.

Reference was made to the Committee's request that the Welsh Government be requested to simplify the process required for changing school language categories. The Committee was informed that Alun Davies AM (Welsh Government Minister for Lifelong Learning and the Welsh Language) had attended a recent meeting of the County's Strategic Welsh Language Forum, where certain members of the Committee had voiced their concerns to him directly. The Committee was informed that he had been sympathetic to members' concerns and had informed the Forum that the Welsh Language Measure needed to be changed and that consultation on this matter would take place in Spring 2017.

The Executive Board Member for Education & Children also informed the Committee that both he and the Director of Education & Children had recently met with Kirsty Williams AM (Welsh Government Cabinet Secretary for Education) during which they had also raised the Committee's concerns on this same issue. She had also agreed to look into this matter in more detail.

**UNANIMOUSLY RESOLVED** that the actions and referrals update be received.

**11. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE COMMITTEE HELD ON THE 22<sup>ND</sup> SEPTEMBER 2016**

**UNANIMOUSLY RESOLVED** that the minutes of the meeting held on Thursday 22nd September 2016, be signed as a correct record.

Prior to closing the meeting, the Chair noted that this would be Mr. Rob Sully's last meeting as the Director of Education & Children as he would be retiring in December. The Chair and members of the Committee thanked Mr. Sully for his excellent service on behalf of the Council and his diligent work as Director over the years and thanked him for his willingness to meet with members and to listen to their concerns. On behalf of the Committee, the Chair wished him a long and happy retirement.

\_\_\_\_\_  
**CHAIR**

\_\_\_\_\_  
**DATE**