



CABINET

***Following Cabinet Scrutiny Committee on
WEDNESDAY, 18 JANUARY 2017***

COUNCIL CHAMBER - PORT TALBOT CIVIC CENTRE

Part 1

1. To receive any declarations of interest from Members
2. To receive the Report of the Head of Transformation re Strategic School Improvement Programme- Proposal to establish a Secondary Education Nuture Centre at Cefn Saeson Comprehensive School (*Pages 3 - 38*)
3. To receive the Report of the Head of Planning re Fees and Charges (*Pages 39 - 44*)
4. Any urgent items (whether public or exempt) at the discretion of the Chairman pursuant to Statutory Instrument 2001 No.2290 (as amended)

S.Phillips
Chief Executive

Civic Centre
Port Talbot

Thursday, 12 January 2017

Cabinet Members:

Cllrs. A.H.Thomas, P.A.Rees, M.L.James, E.V.Latham, Mrs.S.Miller,
P.D.Richards, J.Rogers, A.J.Taylor and A.N.Woolcock

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

CABINET

18th January 2017

**REPORT OF HEAD OF TRANSFORMATION
ANDREW THOMAS**

MATTER FOR DECISION

WARDS AFFECTED: All

**STRATEGIC SCHOOL IMPROVEMENT PROGRAMME -
PROPOSAL TO ESTABLISH A SECONDARY
EDUCATION NURTURE CENTRE AT CEFN SAESON
COMPREHENSIVE SCHOOL**

Purpose of report

1. To obtain Cabinet approval to publish a proposal to establish a Secondary Education Nurture Centre (SENC) at Cefn Saeson Comprehensive School

Executive summary

2. The Council is responsible for ensuring suitable provision is made for pupils with special educational needs/additional learning needs.
3. The proposal seeks to establish a nurture centre for the assessment of pupils externalising their needs and who are finding difficulty in maintaining their mainstream school placements.
4. The proposal will complement the specialist assessment provision available at Ysgol Hendrefelin by contributing to the delivery of a more flexible approach to providing for the special educational needs/additional learning needs of pupils.

5. Consultation has been undertaken and issues raised are fully addressed in the consultation response and in the body of this report.
6. It is the opinion of officers that there is nothing to suggest the proposal should be reconsidered. As such, Cabinet approval is sought to publish a proposal to this effect, with the intended date of implementation of 27th February 2017.

Background

7. The Council is responsible for promoting high educational standards and for delivering efficient primary and secondary education. Having the right schools in the right place and ensuring that they are fit for the 21st century learner is the challenge facing the Council. Achieving this will involve reviewing the number and type of schools the Council has in its area and assessing whether or not best use is being made of resources and facilities. This will include ensuring suitable provision and support for those pupils with additional learning needs.
8. Implementing the Strategic School Improvement Programme (SSIP) involves reviewing existing provision and determining the number and type of schools needed to deliver education effectively and efficiently across the County Borough. It will most likely lead to substantial change involving opening new schools, closing existing schools, merging or amalgamating schools, federating schools and promoting new initiatives that support collaborative working between schools. It will also involve re-organising education provision to ensure pupils gain access to and benefit from the specialist support, skills and expertise available within the County Borough.
9. The Council has decided to review its provision on the basis of:
 - educational standards
 - the need for places and the accessibility of schools
 - the quality and suitability of school accommodation
 - effective financial management
10. The Council provides for the pupils of Neath Port Talbot who require specialist support for their educational needs at two

community special schools and at learning support/ inclusion centres attached to community primary/secondary schools.

11. Cefn Saeson Comprehensive school, Cimla, Neath, is a maintained community school for boys and girls age 11-16. As at January 2017 the school had 658 pupils on roll. With a capacity to accommodate 924 pupils the school has significant surplus places. In addition, the school currently hosts a small learning support provision for pupils with visual impairment.

The Proposal

12. It is proposed to establish a Secondary Education Nurture Centre (SENC) for the assessment of pupils externalising their needs and whose mainstream school placements are proving problematic.
13. The SENC will provide a period of assessment for up to 16 secondary age pupils. Specialist staff will identify barriers to learning, create bespoke packages of support and plan for successful reintegration into mainstream school settings.
14. It will be managed by the school and be under the school's governance. However, it will be a provision recognised by the Council as reserved for pupils with ALN/SEN and although it is in a mainstream school the pupils who are admitted to the SENC are in addition to the admission number of the school. Admission to the SENC will be via a special admission panel of the Council and all placement decisions will be predicated on the expectation of pupils securing a successful return to their base school.

Consultation

9. This school organisation proposal is being brought forward under the Council's Strategic School Improvement Programme. Formal consultation is required in line with the Welsh Government's School Organisation Code, July 2013, which specifies the procedures to be followed, including the content of the consultation document and those to be consulted.
10. Cabinet at their meeting of 26th October 2016 approved consultation on this proposal, which commenced on 31st October 2016 with comments invited until 12th January 2017. For Members' consideration, a consultation report summarising the

comments of consultees together with responses to those issues is attached to this report as appendix A.

11. Members are reminded that comments should be conscientiously considered in an open minded approach, alongside the case put forward for implementation of the proposal. In this respect there is an expectation that Members will have read and given due regard to the proposal as consulted upon and the comments received together with officer comments.
12. Consultation meetings have been held with Governors and pupils of Cefn Saeson. The process for gathering pupil views followed the guidance issued by Welsh Government on consultation with children and young people, taking into account the United Nations Convention on the rights of the child(UNCRC) in particular article 12: 'Your right to say what you think should happen and be listened to' and Article 13: 'Your right to have information'.
13. Responses received at the meetings were positive and favourable to the proposal, with respondents raising issues that focussed principally on the provision available and how inclusion could be effectively managed to benefit both pupils attending the SENc and pupils at Cefn Saeson.
14. The range of matters that concerned stakeholders are set out in the consultation report together with officer responses.
15. Two written responses were received, one from Estyn and the other from an individual respondent. Issues raised are addressed in the consultation report, attached as appendix A.
16. Written consultation responses are available for Member perusal in the Members' rooms at Port Talbot and Neath Civic Centres.
15. It is the opinion of officers that there are no significant issues arising from the consultation that suggests the proposal should be reconsidered. A Secondary Education Nurture Centre (SENC) at Cefn Saeson Comprehensive School should be established in the spring term 2017.

Estyn response

It is Estyn's opinion that the proposal is likely to at least maintain the current standards of education in the area. Fuller commentary is set out in the consultation report (appendix A)

Financial impact

16. The school will receive additional funding to manage the SENC for up to 16 pupils.
17. Meeting the special needs education of pupils in local settings, i.e. within the County Borough, avoids having to secure expensive out-of-county provision. The cost of providing education outside the County Borough for pupils with specialist needs is high, and can amount to circa. £80k per pupil per year. This annually presents a significant demand on the Council's education budget.
18. The SENC will be resourced by two specialist teachers and two teaching assistants with the appropriate skills set to support the assessment process. The staffing costs amount to circa. £180k.
19. Self-contained accommodation will be developed in surplus accommodation at the school. There will be a one-off capital cost for the refurbishment/conversion work.
20. The proposal does not anticipate significant additional cost burden resulting from increased transport costs as this will be readily offset against potential home education/out-of-county placement expenses consequent upon the status quo position.
21. There are no capital receipts or recurrent costs savings directly related to this proposal other than savings from potential home education/out-of-county placement costs.

Equality impact assessment

22. An equality impact assessment has been carried out and found that there is no adverse effect on any particular group and the process has checks and monitoring in place to ensure that any unmet need is identified and any potential adverse effect is fully evaluated and impact mitigated.
23. The proposal does not intend to make any change to the school category as a mainstream English-medium secondary school. The proposal seeks to establish a Secondary Education Nurture Centre

(SENC) for the assessment of pupils aged 11-16 who are displaying externalised needs and who are finding difficulty in maintaining their mainstream school placement.

24. The proposal will have a positive effect on the staffing complement of the school as an increase in pupil numbers by the establishment of a Secondary Education Nurture Centre will require additional members of staff with specialist skills to support pupils at the SENC.
25. The full equality impact assessment is attached to this report as appendix B.

Impact on pupils and parents

26. The proposed new provision will increase the opportunity for pupils to access specialist staff in order to have their needs assessed and to acquire the skills and understanding to manage their individual needs.
27. The SENC will provide for secondary age pupils from across the County Borough.
28. Pupils will be dually registered, remaining on roll at their base school to where they will return under a planned re-integration programme.

Workforce impacts

29. The position of staff currently employed at the school will not be adversely affected by this proposal. In fact, the increased number of pupils secures staff employment by creating additional employment opportunities by way of an increased staffing complement.
30. Additional 4 staff posts have been identified for the SENC. These will comprise 2 x teachers with specialist knowledge and skills and 2 x teaching assistants. The skills and expertise that these additional staff members will bring to the SENC will be available to be utilised for the benefit of the wider, mainstream school community.

Legal impacts

31. The proposal will establish ALN/SEN provision in a mainstream school where the pupils admitted are in addition to the admission

number for the school and where the provision is recognised by the Council as reserved for pupils with ALN/SEN. As such, this constitutes a regulated alteration requiring the statutory publication of the proposal. The School Standards & Organisation (Wales) Act 2013 (the Act) provides the legislative framework by which the Council may implement a proposal. The Welsh Government's School Organisation Code, July 2013, made under Sections 38 and 39 of the Act, imposes on the Council requirements and guidelines on matters relating to school organisation. The Council's procedures are in line with legislative requirements.

32. Pupil travel arrangements will be in line with the requirements of the Learner Travel (Wales) Measure 2008; the Learner Travel Statutory Provision and Operational Guidance 2014; and the Council's Home to School Travel Policy.
33. Revenue funding will be in line with the requirements of the School Standards and Framework Act 1998; the School Funding (Wales) Regulations 2010; and the Council's approved formula for funding schools
34. The management of staff affected by the proposal will follow the relevant school policy and procedure requirements.
35. The legislation referred to above is available using the electronic link in the section on background papers, below.

Risk management

36. A risk assessment has been carried out under the Council's Risk Management Policy 2015.
37. Potential risk areas in implementing the proposal include:
 - educational outcomes for pupils are not improved
 - integration at SENC is unsuccessful
 - re-integration to base school is unsuccessful
38. Failing to implement the proposal will result in a range of teaching/learning and financial benefits not being fully realised, particularly in relation to:
 - opportunities for a pupils to access specialist staff and support

- more pupils being educated in mainstream schools
 - more efficient and effective use of resources, and savings from economies of scale
 - host school indirectly benefits from specialist staff on site
 - staff with greater opportunity for curriculum development and career opportunities through broader experience and enhanced continuing professional development options
39. Given that the proposal builds on the experience, skills and expertise that currently exist at a school; the specialist support at the SENC and the application of specific 'entry' and 'exit' criteria, the potential effects of identified risks will be mitigated by implementation of the proposal.
40. The full risk assessment is attached to this report as Appendix C.

Impact on community usage

41. The proposal should have no adverse impact on community usage as there is no closure or reduction in community facilities involved with this proposal. The SENC will occupy accommodation surplus to the school's requirements and will be a self-contained provision within the school having no impact on the school's operation regarding community usage.

Welsh Language Impact assessment

42. Cefn Saeson Comprehensive is categorised as an English-medium school where Welsh is taught as a second language in accordance with the National Curriculum. Provision at the SENC will reflect provision at the school. The Council is satisfied that the provision for Welsh language education at the SENC will be comparable with the provision currently offered at the pupils' base English-medium school. The SENC will accommodate those pupils who speak Welsh as their first language or whose base school is a Welsh-medium school as there will be available Welsh speaking members of staff.

Recommendation

Having given due regard to the impact assessments in relation to equality, risk, community usage and Welsh language, it is recommended that, in line with Section 48 of the School Standards and Organisation (Wales) Act 2013, Members approve the statutory publication of a proposal to establish a Secondary Education Nurture Centre at Cefn Saeson Comprehensive School.

43. The proposed date of implementation to be 27th February 2017.
44. Notice of the proposal to be published on 19th January 2017, allowing 28 days for receipt of objections.

Reasons for proposed decision

45. This decision is necessary to comply with the formal publication requirements imposed on the Council by the School Organisation Code and associated legislation. A draft statutory notice is attached as appendix D. Implementation of the proposal will enable the Council to promote high educational standards and the fulfilment of every child's potential. It will also enable the council to meet its duty to secure efficient education in its area.

Implementation of the decision

46. The decision is proposed for immediate implementation.

Appendices

- Appendix A: Consultation report
- Appendix B: Equality impact assessment
- Appendix C: Risk assessment
- Appendix D: Draft Statutory Notice

List of background papers

- a. Cabinet Report: October 2016
<https://democracy.npt.gov.uk/documents/s24990/SENC%20Cabinet%20report%20261016.pdf>
- b. Consultation Document
<https://www.npt.gov.uk/pdf/CONSULTATIONDOCUMENTCefnSaesonSENC.pdf>
- c. Cabinet report: July 2016
<https://democracy.npt.gov.uk/documents/s23235/A%20Cabinet%20report%20200716%203.pdf>
- d. Children, Young People and Education Cabinet Board report: December 2015
<https://democracy.npt.gov.uk/documents/s18823/CYPEB%20EOTAS%20Dec%202015.pdf>
- e. Home to School Travel Policy: 2014
http://www.npt.gov.uk/pdf/Home_to_school_transport_policy_2014.pdf

- f. Learner Travel (Wales) Measure: 2008 & the Learner Travel Statutory Provision and Operational Guidance: 2014.
http://www.legislation.gov.uk/mwa/2008/2/pdfs/mwa_20080002_en.pdf
<http://gov.wales/docs/det/publications/140616-ltog-en.pdf>
- g. Welsh Government - School Organisation Code: July 2013
<http://gov.wales/docs/dcells/publications/130719-school-organisation-codes-en.pdf>
- h. School Standards & Organisation (Wales) Act 2013
http://www.legislation.gov.uk/anaw/2013/1/pdfs/anaw_20130001_en.pdf
- i. Strategic School Improvement Programme Principles Paper: September 2008
[https://democracy.npt.gov.uk/Data/Cabinet/20080924/Agenda/\\$CAB-240908-REP-EL-KN.doc.pdf](https://democracy.npt.gov.uk/Data/Cabinet/20080924/Agenda/$CAB-240908-REP-EL-KN.doc.pdf)
- j. Estyn
<https://www.estyn.gov.wales/inspection/search>

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CONSULTATION REPORT

Responses from consultation on the proposal to establish a Secondary Education Nurture Centre (SENC) at Cefn Saeson Comprehensive School

Introduction

The Council has consulted with interested parties on its proposal to establish a Secondary Education Nurture Centre (SENC) at Cefn Saeson Comprehensive School. The consultation period ran initially from 31st October 2016 until 11th December 2016 and was extended to 12th January 2017 for receipt of parental responses. A list of consultees is included below. The consultation document was made available electronically to consultees and was also available on the Council's website.

If implemented, this proposal will take effect on 27th February 2017.

Legislative Process

The consultation document invited views and opinions to be submitted in respect of the proposal. Under the Welsh Government Statutory Code for School Organisation the Council is required to publish a consultation report summarising any issues raised by consultees, the Council's response to those issues and Estyn's view of the overall merit of the proposal.

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

If objections are received, an objection report will be published summarising the objections and the Council's response to those objections. The Council's Cabinet will need to consider the proposal in light of objections received when making its decision on whether the proposal is to be implemented.

Consultation Responses

- Consultation meetings

Consultation meetings were held with Governors and pupils of Cefn Saeson. Notes from these meetings, including officer responses are shown below.

- Written responses

Two written responses were received. The responses were submitted by Estyn and an individual respondent. Issues raised and officer responses are shown below.

The view of Estyn, her Majesty's Inspectors of Education and Training in Wales

Summary/ Conclusion

The proposer has clearly outlined the benefits of establishing a secondary education nurture centre at Cefn Saeson comprehensive school.

It is Estyn's opinion that the proposal is likely to at least maintain the current standards of education in the area.

Description and benefits

The proposer has provided a clear rationale for the proposal. It intends that the SENEC will provide a period of assessment for pupils at the secondary phase of education to identify barriers to learning, create bespoke packages of support and plan for successful reintegration into mainstream school.

The proposer clearly outlines the expected benefits of the proposal. These include pupils benefitting from being taught by specialist staff, easing the current pressure to address demand for places for pupils with more complex needs, avoiding costly out of county placements and allowing opportunities for young people to access learning within their local community.

The proposer has carried out a valid risk assessment which has identified three risks associated with the proposal. However, the planned action to mitigate against these risks are not detailed enough.

The proposer has considered suitable alternative options and provided seemingly valid reasons as to why these have been discounted and the preferred option chosen. These include maintaining the status quo and providing a nurture centre at a different location within the county borough.

The proposer has suitably considered the impact of the proposal on learner travel arrangements. It intends to assess pupil travel needs in line with the council's home to school travel policy. This means that secondary age pupils living three miles or more from the SENEC will be considered for assistance with travel costs. The proposer has appropriately considered how surplus places will be affected. The SENEC will be housed in surplus accommodation at the school and projected numbers are unlikely to impact significantly on the surplus accommodation. In addition, pupils attending the SENEC will remain on roll at their base school. This means that there is likely to be very limited impact on surplus places at the school.

The proposer has taken sufficient account of the impact of the proposal on Welsh medium provision. In its equality impact assessment report, the proposer asserts that the SENC will be able to accommodate those pupils who speak Welsh as their first language as there will be available Welsh speaking members of staff.

Educational aspects of the proposal

The proposer has suitably considered the impact of the proposals on the quality of the outcomes, provision and leadership and management. However, the data used does not include 2016 results. At key stage 3, for the core subject indicator, the school performed below the local authority and Wales averages in 2016. Its performance was in the bottom 25% of similar schools based on entitlement to free school meals. At key stage 4, for the core subject indicator and the level 2 inclusive indicator for 2016, the school performed better than the local authority and Wales averages. Its performance in both these indicators was in the top 25% of similar schools based on entitlement to free school meals. The school has been placed in the yellow colour coded support category.

The proposer has also appropriately considered the most recent Estyn inspection outcomes for the school, however, the proposer has not provided the local consortium's view on leadership and management at the school.

The proposer reasonably asserts that a nurture unit based at the school will facilitate pupils being placed back into their own school or an appropriate educational setting.

The proposer has undertaken an equality impact assessment which appropriately considers each of the protected characteristics including disability. It has also considered the financial impact and asserts that the school will receive additional funding for up to 16 pupils in order to manage the SENC.

The proposer has not referred to any potential disruption to learners in its proposal.

NPTCBC's response to Estyn's comment:

A full risk assessment has been completed and was included as Appendix B in the Cabinet report of 26th October 2016 and as an electronic link in the consultation document. The identified overall risks have been classed as mainly low or medium and actions have been identified to mitigate them in every case. Most of these are shown in the list of disbenefits in not implementing the proposal. Detailed planning at this stage is difficult and may prove to be unnecessary, and it is expected that more specific actions will be planned and actioned as other risks associated with the proposal become clearer.

At the time of writing the consultation document, the 2016 core data had not been released and as such it was felt to be more accurate to use data up to 2015.

Also at this time ERW officers had not completed their 2016 Autumn Core Visit and so any information which could be provided on leadership and management would not have been current, and could have caused confusion. The outcome of categorisation is awaiting verification; however ERW officers have noted that the leadership at the school is effective and that leaders and staff work very successfully with schools and other partners to enhance significantly their own and others' capacity to bring about improvement. It is expected that the school will be in the Green category of support for this academic year.

It is not anticipated that any learners at the school will be disrupted as a result of this proposal. However should any disruption occur then action would be taken to address any identified concerns at that time.

The view of the individual respondent

Issues raised by the respondent, who in part commented as a parent, were mainly concerned with

- understanding the nature and function of the SENC
- potential disruption to Cefn Saeson pupils caused by establishing the provision
- concerns that the decision to establish the SENC has already been made
- notification of the consultation period and details of meetings held with stakeholders

NPTCBC Response

- The establishment of a SENC has been identified as an essential provision within a new delivery model of a continuum of support for pupils with Social and Emotional Behavioural Difficulties (SEBD).

The Council has identified, as a priority, the need to establish a consistent approach in all schools to improve provision for aspects of wellbeing and behaviour in order to reduce the number and length of exclusions and reliance on home tuition. The new wellbeing and behaviour continuum will ensure that schools and the Council work in partnership to focus on prevention and early intervention in order to meet the needs of vulnerable children and young people and to ensure the best possible outcomes.

The SENC will provide a period of assessment for pupils at the secondary phase of education to identify barriers to learning, create bespoke packages of support

and plan for successful reintegration into mainstream school. Pupils will benefit from being taught by specialist staff, highly experienced in working with pupils with more complex needs, whilst mainstream schools will also gain further capacity to plan and provide for pupils presenting with these needs.

The provision will alleviate the current pressure to address demand for places for pupils with more complex needs, avoiding costly out of county placements and allowing opportunities for young people to access learning within their local community.

Protocols have been developed to ensure that pupils remain on roll and retain contact with their base school; a key principle of a pupil's placement. However, it is likely to be the case that a small number of children may require transition to another specialist provision within the LA. The assessment period will ensure appropriate placement where needs can be best met.

The proposal seeks to complement the type of specialist support already available at Ysgol Hendrefelin's assessment facility for secondary age pupils. Ysgol Hedrefelin is a special school located at Bryncoch, Neath.

- As previously noted spare accommodation has been identified within the school which can be used for the SENC with some refurbishment/conversion work needed to ensure that the centre can be self-contained. Pupils will have all necessary facilities available within the SENC, avoiding the need for pupils to access other areas of the school and ensuring any potential disruption to main stream classes is avoided. The building work will be completed with the minimum of disruption to the school and will be carefully managed to ensure that pupils and staff are not adversely affected while work is taking place.
- It is not the case that the decision to open the SENC has already been made. The Council has consulted with interested parties on the proposal and all responses to the consultation will be considered when making its decision. Information on issues raised and officer responses are included in this report.
- To ensure parents of pupils at the school had sufficient opportunity to respond the deadline for written comments from parents was extended to January 12th. Meetings were held with those stakeholders most affected by the proposal and notes of the meetings are included in this report.

Summary of issues raised during the consultation meetings:

Notes of a Meeting with Governors of Cefn Saeson Comprehensive School

Information regarding the proposal was presented to Governors and questions and comments were invited.

Comments and Issues raised:

Governors noted that Cefn Saeson is an inclusive, nurturing school and that it is pleasing that the local authority recognise this and are considering establishing the provision at this school.

Governors were unanimously supportive of the proposal, and were keen to understand the following points

- Where will pupils go after attending the SENC?
- What would happen if Ysgol Hendrefelin was full?
- What will the entry and exit criteria be? *
- Will there be a cost to the school?
- Will management of the SENC create extra workload for the leadership team, particularly the head teacher?
- What integration would take place?

NPTCBC's Response:

- While attending the SENC it is expected that pupils will have their individual learning needs assessed, and support will be planned and provided for them with the intention of them returning to their mainstream school. It is important that pupils remain on roll and keep in contact with their base school; however some pupils may require a move to a different mainstream school when they are ready to leave the SENC, or to another specialist provision in Neath Port Talbot where appropriate
When pupils are deemed ready to leave the SENC the move back to their school or to another provision will be carefully planned and managed. It is likely that there will be a period when pupils attend at both places making sure that the move out of the SENC is supported to ensure it is successful.
- If Ysgol Hendrefelin was full and unable to take any of these pupils additional placements will be put in place.
- The process to determine entry and exit criteria is underway, but is not yet finalised.
- There will be no cost to the school. The school will receive additional funding to manage the SENC for up to 16 pupils. Self-contained accommodation will be

developed in surplus accommodation at the school for which a one-off capital cost for the refurbishment/conversion work has been allocated.

- Additional staff posts have been identified for the SENC. The governing body and the school leadership at Cefn Saeson Comprehensive School will have overall responsibility for the day to day management of the SENC, including the specialist staff who will become part of the school's staffing complement. Cefn Saeson is already a well-managed school with an experienced leadership team, who feel confident that appropriate appointments to the additional posts required for the SENC will ensure that any extra management responsibility will not adversely affect the overall running of the school as a whole or the work load of senior staff.
- As previously noted spare accommodation has been identified within the school which can be used for the SENC with some refurbishment/conversion work needed to ensure that the centre can be self-contained. Pupils will have all necessary facilities available within the SENC, avoiding the need for pupils to access other areas of the school and ensuring any potential disruption to main stream classes is avoided. However there may be some circumstances where it would be appropriate for individual SENC pupils to integrate with mainstream Cefn Saeson pupils, for example, to access certain areas of the curriculum or to use specialist resources, but this would be carefully assessed and managed on an individual and supervised basis.

Meeting with Cefn Saeson School Council representatives

Points raised:

- How will pupils attending the SENC travel to school?
- Will start/end times be the same as the Cefn Saeson pupils?
- Will the position of the SENC in the building cause disturbance to pupils in nearby lessons?
- Where will SENC pupils have lunch?
- Will pupils be allowed to smoke?
- How do pupils get a place in the SENC?
- How will pupils be reintegrated back into school – will this be in our school or the school they used to be in? What happens when pupils are ready to go back?
- Will it be possible for pupils to 'run away' from the SENC?
- What arrangements will be made for pupils who 'bounce off' each other?
- Where will these pupils sit their exams/GCSEs? How will they be taught the full range of subjects? If pupils excel in certain subjects could they attend those lessons as a way of easing them back in? More able and talented children in this school have opportunities to develop their abilities

- Will they be allowed to integrate with pupils here – attend trips and take part in sports activities? This would be good for their self-esteem and help them make progress? Will they be rewarded for behaving well?
- Will they be monitored when they return to mainstream? Is there a chance they will fall back into old patterns of behaviour when they are back in their original school and continue to make poor choices?

NPTCBC's Response:

- Pupils attending the SENC will have their individual travel needs assessed in line with the Council's Home to School Travel policy, before a decision is made on how they will get to Cefn Saeson. It is very unlikely that pupils would be expected to travel on the same bus as mainstream pupils, as start and finish times may be different.
- Spare accommodation has been identified within the school which can be used for the SENC with some refurbishment/conversion work needed to ensure that the centre can be self-contained. Pupils will be able to eat within the SENC, and will also have all other necessary facilities. This should avoid any disruption to other pupils in the school. Pupils will not be allowed to smoke on school premises.
- Admission to the SENC will be via a special admission panel of the Council. While attending the SENC it is expected that pupils will have their individual learning needs assessed, and support will be planned and provided for them with the intention of them returning to their mainstream school. It is important that pupils remain on roll and keep in contact with their base school; however some pupils may require a move to a different mainstream school when they are ready to leave the SENC, or to another specialist provision in Neath Port Talbot. There may be some circumstances where SENC pupils could integrate with mainstream Cefn Saeson pupils, for example to access certain areas of the curriculum or to use specialist resources, however this would be carefully assessed and managed on an individual basis.
- When pupils are deemed ready to leave the SENC the move back to their school or to another provision will be carefully planned and managed. It is likely that there will be a period when pupils attend at both places making sure that the move out of the SENC is supported to ensure it is successful.
- It would not be acceptable for pupils to 'run away' from the SENC, and it is not expected that this would be something that pupils would necessarily want to do, as the facilities and the staff who would be working there should be providing help and support to pupils to prevent situations arising where this could happen. Pupils would not be allowed to leave the SENC without the permission of the staff working there, and then only for very specific reasons and under supervision.

- When a new pupil is admitted to the SENC it will be necessary to take into account the pupils who are already attending there and what likely impact a new pupil is going to have. The provision will be able to be flexible enough to ensure that pupils who are not a good influence on each other will not have to attend at the same time, avoiding situations where individual pupils react to each other in a negative way.
- Any SENC pupils who have been entered for GCSEs will sit these exams in their base school. If pupils enjoy and excel at a subject then there may be opportunities for them to continue their studies at their base school or to join certain lessons at Cefn Saeson if this is deemed to be appropriate. Every pupil will be assessed on an individual basis and their needs considered alongside those of the mainstream pupils, either at their base school or in Cefn Saeson, before a decision is made.
- Rewarding positive behaviour could be part of an overall pupil management plan for certain SENC pupils and it is good to know that Cefn Saeson pupils welcome SENC pupils into their school community in this way. Good role models are vital for all pupils and it is to be hoped that SENC pupils will be able to access activities where appropriate with careful management and support.
- Pupils will be closely monitored when they return to their mainstream school and support will be made available for them to ensure that they are able to settle back successfully and that they make good choices for their future.

List of Consultees:

Cefn Saeson Comprehensive School Pupils
Parents/Carers/Guardians
School Staff
Governing Body
Wider School Community

All other NPT schools

Bordering Authority - Swansea / Bridgend / Carmarthenshire / Powys / RCT

Diocese - Diocese of Menevia, Swansea
CIW - Diocesan of Llandaff, Vale of Glamorgan

Trade Unions - Regional Organisers for: 3 x Non-teaching & 6 x Teaching

NAASH (Secondary Schools Forum)
LLAN (Primary Schools Forum)

MP (for Aberafan) – Stephen Kinnock
MP (for Neath) – Christina Rees

AM (for Aberafan) – David Rees
AM (for Neath) - Jeremy Miles

Regional AMs (South Wales West) -
Suzy Davies/Bethan Jenkins/Caroline Jones/Dai Lloyd

NPT Elected Members

Neath Town Council

WG Schools Management Division

Estyn

Regional Education Consortium (ERW)

NPTCBC Integrated Transport Unit

Police & Crime Commissioner

Children & Young Person Partnership
(including Early Years Development and Childcare)

Communities First Partnership

NPTC Group

SEN Partners –

SNAP Cymru

Action for Children

Child & Adult Mental Health Services (CAMHS)

Consultant Community Paediatrician

The Children's Centre NPT Hospital (Physiotherapy)

Neath Port Talbot Support for Learning Team (Speech & Language)

Neath Port Talbot 14-19 Network

NPTCBC as the maintaining authority -

NPT Senior Management (Education)

NPT Admissions Officer

NPT ERW Officer

NPT Education Psychologists

NPT ALNST

NPT Governor Support

NPT Human Resources

NPT Legal Services

NPT Planning

NPT Property Management

NPT Gypsy/Traveller Officer (Education)

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Equality Impact Assessment (EIA) Report Form

Where do you work?	
Service Area:	Strategic School Improvement Programme
Directorate:	ELLL

(a) This EIA is being completed for a...

Service/ Function	Policy/ Procedure	Project	Strategy	Plan	Proposal
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X

(b) Please name and describe below...

Proposal to establish a Special Education Nurture Centre (SENC) at Cefn Saeson Comprehensive School, Afan Valley Road, Cimla, Neath.

The SENC will be for the assessment of pupils displaying externalised behavioural needs and who are finding difficulty in maintaining their mainstream school placement.

The SENC will provide for 16 pupils places.

(c) It was initially screened for relevance to Equality and Diversity on ...

17.10.16

(d) It was found to be relevant to...

Age	x	Race	x
Disability	x	Religion or belief.....	x
Gender reassignment	<input type="checkbox"/>	Sex	x
Marriage & civil partnership	<input type="checkbox"/>	Sexual orientation.....	<input type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/>	Welsh language.....	x

(e) Lead Officer

Name: Debora Holder-Phillips

Job title: Programme Officer

Date: October 2016

(f) Approved by Head of Service

Name: Andrew Thomas

Date: October 2016

Section 1 – Aims:

Briefly describe the aims of the function, service, policy, procedure, strategy, plan, proposal or project:

What are the aims?

To bring about change under the School Standards and Organisation (Wales) Act 2013 by establishing a Secondary Education Nurture Centre (SENC) at Cefn Saeson Comprehensive School, Afan Valley Road, Cimla, Neath.

The process for change requires a full statutory consultation programme to receive comments on the proposal followed by a statutory notice period for receiving objections on the proposal.

Who has responsibility?

Director of Education Leisure and Lifelong Learning, Head of Transformation and Strategic School Improvement Programme

Who are the stakeholders?

The main stakeholders are school staff/ parents(carers)/ pupils, governors and the wider school community.

There are other key stakeholders listed under The Welsh Government School Organisation Statutory Code document no 006/2013 who must be consulted as part of this process.

Section 2 - Information about Service Users:

Please tick what information you know about your service users and provide details / evidence of how this information is collected.

Age	x	Race	x
Disability	x	Religion or belief.....	x
Gender reassignment	<input type="checkbox"/>	Sex	x
Marriage & civil partnership	x	Sexual orientation.....	<input type="checkbox"/>
Pregnancy and maternity	x	Welsh language.....	x

What information do you know about your service users and how is this information collected?

This proposal is in its formative stage; accordingly the pupils who will attend the proposed Secondary Educational Nurture Centre (SENC) are as yet unidentified but will be drawn from across the county borough. The staffing of the proposed SENC has yet to be finalised.

Cefn Saeson Comprehensive school has capacity to accommodate 924 pupils. Plasc 2016 data shows that there are 621 pupils on roll and pupil numbers at the school are forecasted to fall over the next four years, increasing the school's surplus accommodation. In this regard, there is sufficient room available to accommodate the Secondary Educational Nurture Centre for 16 SENC pupils.

Age -

Pupils - The proposal relates to a maintained secondary school for pupils aged 11-16, only those aged 11-16 years would be able to access the Secondary Education Nurture Centre (SENC) if the proposal goes ahead. Plasc 2016 data shows that there are 621 pupils on roll at Cefn Saeson Comprehensive School.

Staff – It is yet to be determined whether the proposed SENC will be staffed by the existing school staff at Cefn Saeson Comprehensive School or due to an increase in pupil numbers requiring specialist assessment, additional staff members will be required.

For Cefn Saeson Comprehensive School, HR records show there are 95 members of staff at Cefn Saeson Comprehensive School and their age ranges from 21 to 74.

Disability –

Pupils – Cefn Saeson Comprehensive School is a mainstream secondary school. Currently there are 49 pupils who have declared a disability to the school. There are 9 pupils who have statements of special educational needs and there are also 59 pupils on School Action Plus and 90 pupils on School Action, all of whom have their additional learning needs catered for by the school.

If the proposal goes ahead and a Secondary Educational Nurture Centre is established at Cefn Saeson Comprehensive School, it will provide for a maximum of 16 pupil places for the assessment of those pupils who are displaying externalised behavioural needs and who are finding difficulty in maintaining their mainstream school placement.

Admission to the SENC will not require the pupil to have a Statement of Special Educational Needs. It will be a provision recognised by the Council as reserved for pupils with ALN/SEN. Although the provision is in a mainstream school the pupils who are admitted to the SENC are in addition to admission number of the school. Admission will be via a special admission panel of the Council.

To provide for pupils with specific special educational needs, NPTCBC currently has 2 special schools and a number of Learning Support Centres placed in schools across the county borough. In addition to the specialist schools and centres each mainstream school has the capability to provide for pupils with special educational needs within a mainstream setting.

Any pupil with a disability is assessed on an individual basis and relevant modifications, adaptation or reasonable adjustments made where applicable, this is the case for all types of disabilities. Assessment on an individual basis includes application for home to school transport.

Staff – HR records show that there is one member of staff at Cefn Saeson Comprehensive School with a disability.

Race –

Pupils- Cefn Saeson Comprehensive School is inclusive for pupils of all ethnic groups. Ethnicity is not a criterion under the Council's Admissions Policy for this school. Admission to the proposed SENC will be via a special admission panel of the Council, ethnicity will not be criteria for admission to the SENC as the centre will be fully inclusive for all pupils.

Plasc 2016 data shows that there are 33 BME pupils at Cefn Saeson Comprehensive School. These 33 pupils represent 5% of the total pupil cohort. Out of the 33 BME pupils 21% have indicated that they are from the Bangladeshi community and 15% have indicated that they are Indian. Pupils who have declared themselves as White/Asian or White/Black Caribbean represent 12% of BME pupils.

Staff – HR records show that staff at Cefn Saeson Comprehensive School have declared their nationality as 47 British/ 43 Welsh/ 1 English/ 2 European and 2 prefer not to say.

Religion or belief –

Pupils – Cefn Saeson Comprehensive is not a faith school. Religion or belief is not a criterion under the Council's Admissions Policy for this school. If the proposal goes ahead the SENC will be fully inclusive for pupils of all religions or beliefs. Pupil records for Cefn Saeson Comprehensive School show that there are 226 pupils who have declared a religion or belief

out of these pupils have declared the following religion/belief - 12 Muslim / 4 Sikh/ 5 Catholic/ 1 Anglican/ 24 Church in Wales/ 166 Christian /1 Buddhist/ 13 Other.

Staff - Data held is according to what individuals have chosen to disclose. No data is held for any of the staff of Cefn Saeson Comprehensive School.

Sex –

Pupils – Cefn Season Comprehensive School admits both boys and girls. Plasc 2016 data shows that pupils are almost equally split by gender with 51% of the pupil cohort being male and 49% are female.

If the proposal goes ahead, placements at the SENC will be available for both male and female pupils.

Staff – Cefn Saeson Comprehensive School employs both male and female staff members. There are 24 male and 71 female members of staff.

Pregnancy and maternity –

Pupils – At the time of this assessment the Council is not aware of any pupil being pregnant at Cefn Saeson Comprehensive School.

Staff – Staff records show that there is one member of staff at Cefn Saeson Comprehensive School who is currently off on maternity leave. No members of staff have declared that they are pregnant.

Gender reassignment -

Pupils – Data held is according to what individuals have chosen to disclose. No data is held for any of the Cefn Saeson Comprehensive School pupils or school staff.

Marriage and civil partnership -

Pupils – this characteristic is not applicable due to the age of the pupils.

Staff – HR records show that Cefn Saeson Comprehensive School has 67 Married/ 23 Single/ 3 Partnered / 2 Divorced members of staff.

Sexual Orientation –

Data held is according to what individuals have chosen to disclose. No data is held for any of the Cefn Saeson Comprehensive School pupils or school staff.

Welsh language –

Pupils – Cefn Saeson Comprehensive School is an English-medium school therefore pupils are taught through the medium of English although Welsh is taught as a second language in line with the National Curriculum. NPTCBC has developed a Welsh in Education Strategic Plan for the period 2014 to 2017. Action plans produced as part of this strategy will be applied to Welsh-medium education and Welsh as a second language.

The SENC will provide for English speaking pupils and where necessary the SENC will be able to accommodate those pupils who speak Welsh as their first language as there will be available Welsh speaking members of staff.

Staff – HR records show that staff at Cefn Saeson Comprehensive School have declared their ability of the Welsh Language as 76 Little or No knowledge / 7 Learners/ 3 Fluent/ 3 Fairly Fluent/ 6 Prefer not to say.

Support Team, Strategic School Improvement Programme etc. Estyn Inspection reports are also considered.

Data used for completing Section 2 includes:

PLASC data as at January 2016

NPTCBC HR records

Cefn Saeson Comprehensive School pupil and staff records

Any Actions Required?

Continue to check and monitor data against the protected characteristics for any impact the proposal may have on any group.

Section 3 - Impact on Protected Characteristics:

Please consider the possible impact on the different protected characteristics. This could be based on service user information, data, consultation and research or professional experience (e.g. comments and complaints).

	Positive	Negative	Neutral	Needs further investigation
Age	➔ <input type="checkbox"/>	<input type="checkbox"/>	x	<input type="checkbox"/>
Disability	➔ <input type="checkbox"/>	<input type="checkbox"/>	x	<input type="checkbox"/>
Gender reassignment	➔ <input type="checkbox"/>	<input type="checkbox"/>	x	<input type="checkbox"/>
Marriage & civil partnership	➔ <input type="checkbox"/>	<input type="checkbox"/>	x	<input type="checkbox"/>
Pregnancy and maternity	➔ <input type="checkbox"/>	<input type="checkbox"/>	x	<input type="checkbox"/>
Race	➔ <input type="checkbox"/>	<input type="checkbox"/>	x	<input type="checkbox"/>
Religion or belief	➔ <input type="checkbox"/>	<input type="checkbox"/>	x	<input type="checkbox"/>
Sex	➔ <input type="checkbox"/>	<input type="checkbox"/>	x	<input type="checkbox"/>
Sexual orientation	➔ <input type="checkbox"/>	<input type="checkbox"/>	x	<input type="checkbox"/>
Welsh language	➔ <input type="checkbox"/>	<input type="checkbox"/>	x	<input type="checkbox"/>

Thinking about your answers above, please explain in detail why this is the case? including details of any consultation (and/or other information), which has been undertaken to support your view?

The proposal does not intend to make any change to the school category as a mainstream English-medium secondary school. The proposal seeks to establish a Secondary Educational Nurture Centre (SENC) for the assessment of pupils aged 11-16 who displaying externalised behavioural needs and who are finding difficulty in maintaining their mainstream school placement.

If the proposal goes ahead there may be a positive effect on the staffing compliment of the school as an increase in pupil numbers by the establishment of a Secondary Educational Nurture Centre may require additional members of staff.

What consultation and engagement has been undertaken (e.g. with the public and/or members of protected groups) to support your view?

The proposal is in its formative stage therefore it will be subject to full consultation with stakeholders.

Any actions required (to mitigate adverse impact or to address identified gaps in knowledge)

The consultation process will identify if any actions are necessary.

Section 4 - Other Impacts:

Please consider how the initiative might address the following issues.

You could base this on service user information, data, consultation and research or professional experience (e.g. comments and complaints).

Foster good relations between different groups	Advance equality of opportunity between different groups
Elimination of discrimination, harassment and victimisation	Reduction of social exclusion and poverty
<p>Please explain any possible impact on each of the above.</p> <p>NPTCBC aspires to deliver an inclusive education service. All schools have policies in place to prevent discrimination, harassment and victimisation both for the benefit of pupils and school staff.</p> <p>NPTCBC tackles poverty and social exclusion through various initiatives including breakfast clubs, free school meals, nurture groups, family learning, Flying Start, Communities First Projects, Catch-up (funded through Pupil Deprivation Grant).</p> <p>What work have you already done to improve any of the above?</p> <p>NPTCBC undertook an Educational Inclusion Review in 2014; recommendations and actions continue to be implemented.</p> <p>Is the initiative likely to impact on Community Cohesion?</p> <p>The SENC will reduce incidents of externalised behaviour by equipping the pupils with the skills and understanding to manage social emotional and behavioural difficulties. This work will translate into in the wider community, enabling the pupils to make a positive contribution to community cohesion.</p> <p>How will the initiative treat the Welsh language in the same way as the English language?</p> <p>Cefn Saeson Comprehensive School is an English-medium school but teaches Welsh as a second language. The Council also provides Welsh-medium schools if a parent elects to have their child educated through the medium of Welsh.</p> <p>Although Cefn Saeson Comprehensive School is an English-medium school the proposed SENC will cater for both English speaking pupils and pupils who speak Welsh as their first language.</p> <p>Actions (to mitigate adverse impact or to address identified gaps in knowledge).</p> <ul style="list-style-type: none">●	

Section 5 - Monitoring arrangements:

Please explain the arrangements in place (or those which will be put in place) to monitor this function, service, policy, procedure, strategy, plan or project:

Monitoring arrangements:

By the Council via data received from each school together with reports from School Improvement Officer Core Visits and Estyn Inspection reports. Monitoring will be undertaken by the Headteacher and Governing Body.

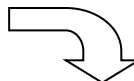
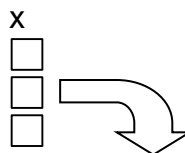
Monitoring will also take place via the formal consultation process to be conducted.

Actions:

Section 6 – Outcomes:

Having completed sections 1-5, please indicate which of the outcomes listed below applies to your initiative (refer to guidance for further information on this section).

- Outcome 1: Continue the initiative...
- Outcome 2: Adjust the initiative...
- Outcome 3: Justify the initiative...
- Outcome 4: Stop and remove the initiative...



For outcome 3, detail the justification for proceeding here

Section 7 - Publication arrangements:

On completion, please contact the Corporate Strategy Team for advice on the legal requirement to publish the findings of EIAs.

Any proposal relating to school organisation requires an Equality Impact Assessment, the findings will be used to inform and shape the formal consultation process. Findings will be considered when compiling the consultation document and where necessary in documents required under the closure process.

Responses received from stakeholders during the consultation process will be considered in any decision making process including any comment in relation to this EIA and any identified impact on any protected group. This information will be published as part of the relevant Cabinet Report.

Action Plan:

Objective - What are we going to do and why?	Who will be responsible for seeing it is done?	When will it be done by?	Outcome - How will we know we have achieved our objective?	Progress
Consult on the proposal to hear the views of key stakeholders	Director of ELLL, Head of Transformation and SSIP	2016/17 academic year	Decision to implement the proposal at the conclusion of the legislation process	On-going until implementation or abandonment of the proposal
Monitor additional data to check for any impact on the protected characteristics	Director of ELLL, Head of Transformation and SSIP	2016/17 academic year	Actions to mitigate any adverse effect	On-going until implementation or abandonment of the proposal
Monitor findings from the consultation process	Director of ELLL, Head of Transformation and SSIP	2016/17 academic year	Actions to mitigate any adverse effect	On-going until implementation or abandonment of the proposal

Risk Assessment

Proposal to establish a Secondary Education Nurture Centre (SENC) at Cefn Saeson Comprehensive School

Context

1. This risk assessment¹ has been carried out in line with the Council's Risk Management Policy 2015.
2. Implementing the proposal will result in the establishment of a provision recognised by the Council as reserved for pupils with ALN/SEN and although it is in a mainstream school the pupils who are admitted to the SENC are in addition to the admission number of the school. Admission to the SENC will be via a special admission panel of the Council and all placement decisions will be predicated on the expectation of pupils securing a successful return to their base school.

The reasons for the proposal

3. The establishment of a SENC has been identified as an essential provision within a new delivery model of a continuum of support for pupils with Social and Emotional Behavioural Difficulties, (SEBD).
4. The Council has identified, as a priority, the need to establish a consistent approach in all schools to improve provision for aspects of wellbeing and behaviour, in order to reduce the number and length of exclusions and reliance on home tuition. The new wellbeing and behaviour continuum will ensure that schools and the Council work in partnership to focus on prevention and early intervention in order to meet the needs of vulnerable children and young people and to ensure the best possible outcomes.
5. The SENC will provide a period of assessment for pupils at the secondary phase of education to identify barriers to learning, create bespoke packages of support and plan for successful reintegration back into mainstream school. Pupils will benefit

¹ First iteration: 18.05.16 (rvg)

from being taught by specialist staff, highly experienced in working with pupils with social, emotional and behavioural difficulties, whilst mainstream schools will also gain further capacity to plan and provide for pupils presenting with these needs.

6. The provision will alleviate the current pressure to address demand for places for pupils externalising their needs, avoiding costly out of county placements and allowing opportunities for young people to access learning within their local community.
7. Protocols have been developed to ensure that pupils remain on roll and retain contact with their base school; a key principle of a pupil's placement. However, it is likely to be the case that a small number of children may require transition to another specialist provision within the LA. The assessment period will ensure appropriate placement where needs can be best met.
8. The proposal seeks to complement the type of specialist provision and support already available at Ysgol Hendrefelin's assessment facility for secondary age pupils.
9. The Council is required by legislation to make arrangements for the provision of suitable full-time or part-time education for those children and young people of compulsory school age who, by reason of illness, exclusion from school or otherwise, are unable to attend a mainstream school. Some of these pupils also exhibit specialist needs, such as SEBD and ASD.
10. However, the Council is seeking to address aspects of their education provision that could be improved including increased prospects for re-integration into a mainstream school setting
11. The assessment of the needs of pupils admitted to the school can be met within the skill set of the staffing employed to work at the SENC. As necessary, additional training will be provided to ensure staff appointed have the specialist skills to meet the needs of pupils and the requirements of the assessment and reintegration processes.

Risks associated with the proposal

12. The potential risks associated with the proposal comprise the

Council's reputation, educational standards, and service delivery.

13. Potential risk areas in implementing the proposal include:
 - educational outcomes for pupils are not improved
 - integration at SENCO is unsuccessful
 - re-integration to base school is unsuccessful

14. Failing to implement the proposal will result in a range of teaching/learning and financial benefits not being fully realised, particularly in relation to:
 - opportunities for a pupils to access specialist staff and support
 - more pupils being educated in mainstream schools
 - more efficient and effective use of resources, and savings from economies of scale
 - host school indirectly benefits from specialist staff on site
 - staff with greater opportunity for curriculum development and career opportunities through broader experience and enhanced continuing professional development options

Risk assessment

15. Given that the proposal builds on the experience, skills and expertise that currently exist at a school; the specialist support at the SENCO and the application of specific 'entry' and 'exit' criteria, the potential effects of identified risks will be mitigated by implementation of the proposal.

Risk register

No	Risk description	L'hood score	Impact score	Overall Risk (LxI)	Prox'ty *	Planned action to mitigate	Target Date	Owner	Update	Trend - Up - Down - No
1	Educational outcomes for pupils are not improved	1	5	Low risk	4	Implementation of proposal combined with appropriate support and challenge to ensure entitlements are met and provision delivered	Sept 2018	- SSIP team - EDIS - Leadership CSC - Support for Inclusion	13.1.17	No change
2	Integration at SENC is unsuccessful	2	5	Medium risk	2	Provision staffed with experienced and skilful staff able to provide for individual pupil needs, combined with appropriate support from inclusion team	Sept 2018	- SSIP team - Leadership CSC - Support for Inclusion	13.1.17	No change
3	Re-integration to base school is unsuccessful	2	5	Medium Risk	2	Expertise shared with mainstream schools, support from staff at SENC and inclusion teams for mainstream school staff to ease re integration; planned implementation programme for reintegration specific to individual pupils;	Sept 2018	- Leadership CSC - SENC staff - Leadership of mainstream base school - Support for Inclusion	13.1.17	No change



This Statutory Notice is published by Neath Port Talbot County Borough Council, Civic Centre, Port Talbot. SA13 1PJ

NOTICE is given in accordance with Section 42 of the School Standards and Organisation Act (Wales) 2013 and the School Organisation Code that Neath Port Talbot County Borough Council having consulted such persons as required, propose to:

- make an alteration to Cefn Saeson Comprehensive School, Afan Valley Road, Cimla, Neath, SA11 3TA to provide for the assessment of pupils who externalise their needs and whose mainstream school placement at their Neath Port Talbot County Borough Council base school is proving problematic.

A Secondary Education Nurture Centre will provide for the assessment of up to 16 boys and girls, age 11-16 years. Admission will be via a special admission panel of Neath Port Talbot County Borough Council. Pupils admitted to the Secondary Education Nurture Centre will be in addition to the admission number for the relevant age group at the school, 182. Cefn Saeson Comprehensive School is a community school for boys and girls, age 11-16 years, maintained by Neath Port Talbot County Borough Council. The school has 658 pupils on roll with a current capacity to accommodate 924 mainstream pupils. The proposed capacity will be 908.

Neath Port Talbot County Borough Council undertook a period of consultation before deciding to publish this proposal. A consultation report containing a summary of the issues raised by consultees, the Council's response to these queries and the views of Estyn are available at: www.npt.gov.uk

It is proposed to implement the proposal on 27th February 2017.

Transport arrangements will be in line with Neath Port Talbot County Borough Council's Home to School Travel Policy.

Within a period of 28 days after the date of publication of this proposal, that is to say by the **15th February 2017**, any person may object to the proposal. Objections should be sent to the Director of Education, Leisure and Lifelong Learning (for attention of Debora Holder) at Civic Centre Port Talbot. SA13 1PJ or e-mailed to ssip@npt.gov.uk

Signed:

Aled Evans, Director of Education, Leisure & Lifelong Learning

Dated: 19th January 2017

Explanatory Notes:

(This note does not form part of the Notice but is intended to explain its general meaning)

- (i) It is intended to establish a Secondary Education Nurture Centre (SENC) at Cefn Saeson Comprehensive School for the assessment of pupils who externalise their needs and whose mainstream school placement is proving problematic.
- (ii) The SENC will provide for the assessment of up to 16 secondary age pupils. Specialist staff will identify barriers to learning, create bespoke packages of support and plan for successful reintegration into mainstream school settings.
- (iii) The SENC will be managed by Cefn Saeson Comprehensive school and be under the school's governance. However, it will be a provision recognised by the Council as reserved for pupils with ALN/SEN and although it is in a mainstream school the pupils who are admitted to the SENC will be in addition to the admission number of the school. Admission to the SENC will be via a special admission panel of the Council and all placement decisions will be predicated on the expectation of pupils securing a successful return to their Neath Port Talbot County Borough Council base school.
- (iv) The SENC will occupy accommodation surplus to the needs of the school. The capacity of the school will be reduced from 924 to 908 mainstream places with the admission number being reduced from 184 to 182. The school has significant surplus capacity and, as such, accommodating the SENC will not adversely impact on school admissions.
- (v) It is intended that the SENC will open on 27th February 2017
- (vi) The reasons for the proposal are set out in the consultation document which is available on the SSIP webpage on the Council's website: www.npt.gov.uk
- (vii) The Authority's School Transport policy is available from the Council's website:
http://www.npt.gov.uk/pdf/Home_to_school_transport_policy_2014.pdf
- (viii) Hard copies or alternative versions of all documentation may be obtained upon request from the Strategic School Improvement Team, Education Department, 2nd Floor, Port Talbot Civic Centre, Port Talbot.

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Cabinet
18th January 2017

Report of the Head of Planning and Public Protection N. Pearce

Matter for: Decision

Wards Affected: All Wards

Environmental Health and Trading Standards Fees and Charges

Purpose of the Report

1. To seek approval of changes to the fees and charges for Enforcement and other chargeable services.

Executive Summary

2. Due to the need to achieve savings targets associated with the Forward Financial Plan and in order to cover the cost of service delivery, it is proposed to increase the fees and charges to ensure that they cover the cost of officer time in delivering the services.

Background

3. Delegated authority was granted by Cabinet to the appropriate Director on the 1st March 2012 to increase existing fees and charges. These delegated powers were re-confirmed by Council on the 3rd February 2016. Such delegated powers can only be exercised in consultation with the relevant Cabinet Member, Scrutiny Chair and the Leader. However, due to the scale of the increase proposed, it is considered appropriate in this instance to report the changes to Cabinet for decision.
4. This report details the proposed fees and charges for the period from 1st February 2017 and until further amended for the Environmental Health and Trading Standards service.
5. Officer costs will only apply where legislation allows the recovery of expenses or the department provides a service to another department, organisation or member of the public because of the expertise it possesses. The type of work that the Environmental Health and Trading Standards department charge for include the following:-

- **Court legal fees** – As the enforcement department for the regulation of Health and Safety, Food safety offences, housing, statutory nuisance and pollution offences. Officers attend court to prosecute any contravention of legislation that is enforced by the service. Officer costs are submitted alongside legal costs to the court.

- **Housing Act notices** - There is a charge applicable for the service of notices served under the Housing Act 2004. Section 49 of the Housing Act 2004 gives local authorities the power to make a reasonable charge to recover certain expenses incurred by them when taking enforcement action under the Act. The charges are based upon officer time involved in the case from inspecting the property and preparing the case, to drafting the notice and then serving it. The charges cover the following enforcement notices:

- Serving an Improvement Notice (requiring works)

- Serving a Suspended Improvement Notice (as above, but the operation of the notice is delayed until a specific event occurs (e.g. a vulnerable person moves into the property))

- Making a Prohibition Order (prohibiting use of the property or an area within the property)

- Making a Suspended Prohibition Order (as above, but the operation of the notice is delayed until a specific event occurs (e.g. the current occupier is moves out))

- Taking Emergency Remedial Action (requiring works to reduce imminent risk)

- Making an Emergency Prohibition Order (prohibiting use of the property or an area within the property to reduce imminent risk)

6. **The Private Water Supplies (Wales) Regulations 2010**

introduced a requirement for all local authorities to undertake risk assessments and monitor private water supplies used for commercial activity. Officers within EHTS charge for this service which includes a comprehensive risk assessment, site survey and sampling.

7. **Reports for specialised services** concerning Houses in Multiple Occupation, drainage and contaminated land. These are discretionary services provided by the department, which are an income stream by using the expertise of EHTS staff. The reports are mainly technical in nature and can be time consuming to produce.

8. **The arrangement of Paupers burials** under section 46 Public Health (Control of Disease) 1984, this involves the arrangement of the funeral and investigation into the deceased finances and enquiries to locate family members. Officer costs are only reclaimed in these cases where the estate of the deceased (or next of kin if found) has the necessary finances.

Examples of recent cases where charges have been imposed

9. There have recently been a number of investigations and associated court cases which have featured in the media which demonstrate the intervention of the Council and the associated charges.
10. They include the prosecution of a fish and chip owner for extremely poor hygiene levels and pest infestations within his property in Sandfields. This resulted in the temporary closure of his business and his subsequent prosecution. The owner was found guilty on a number of charges including failure to ensure that the food premises were kept clean and failure to protect food against contamination. He was given a 12 week prison sentence suspended for one year and ordered to pay £800 in costs which were a combination of Environmental Health Officer time and legal costs.
11. Other high profile cases relate to a number of takeaways within the County Borough who have been successfully prosecuted for falsely describing beef curry as lamb. In addition to the defendants being fined for the offences, the Council have successfully secured on average an award of costs of around £750 in each case.
12. Rogue landlords also feature as good examples where the council frequently needs to intervene. This is in circumstances where they are not maintaining their properties to a standard which are considered to be fit to be occupied by their tenants and as such they are causing a public health risk. In those circumstances, officers from Environmental Health have taken enforcement action to secure necessary improvements to the properties to enable their safe occupation. The service will then try to retrieve the costs associated with such intervention from the landlord.
13. In view of the above, the vast majority of charges are imposed upon individuals who are subject to enforcement activities by the Council as they are not complying with relevant legislation and the charges levied should be based on the true cost of service provided.

Services which will continue with no charge being imposed

14. The Environmental Health and Trading Standards Department provides the following services free of charge.
15. Provision of advice to new businesses for food hygiene purposes to assist new business owners meet their legal obligations to provide food that is safe to eat and sell, it also assists the business to aim for a high Food Hygiene Rating score. This free service includes an initial face to face advisory visit.
16. Inspection of food businesses for food hygiene or food standards enforcement duties.
17. Investigation of General Environmental Health matters including the service of statutory notices in matters relating to statutory nuisances, (noise and damp investigations make up a large proportion of complaints received by the department), drainage investigations, filthy and verminous premises, landlord and tenant disputes involving illegal evictions or harassment cases.
18. Investigations of infectious disease cases including outbreaks e.g. Salmonella, Campylobacter and E.coli, which usually result via a notification from Public Health Wales.
19. Health and safety accident investigations where the Environmental Health department is the enforcing authority.
20. Provision of talks and workshops to community groups on Trading Standards issues such as Scams or Rogue Traders.
21. Air pollution monitoring.

Financial Impact

22. The Environmental Health and Trading Standards service apply a charge for officer costs for a number of the functions it delivers, such as contaminated land reports, housing enforcement and submission of costs of enforcement for Court.
23. A detailed assessment of the current charges shows that they do not cover the officer costs of delivering the service. There are various methods of calculating officer costs across different services, therefore financial advice was sought to establish the scale of charges that should be used to ensure full cost recovery.
24. The existing and proposed officer costs per hour are as follows:

Table 1: Current and Revised Costs Per Hour Per Officer Grade

	Current Charges	Revised (Proposed) Charges
Grade 13	-	£ 60.10
Grade 11	-	£ 53.00
Grade 10	£22.54	£49.48
Grade 9	£22.54	£44.76
Grade 8	£20.77	£39.91
Grade 7	£15.96	£35.97
Grade 6	-	£31.53

(It should be noted that the charges imposed by the pest control service which operates within the Streetcare section will remain unaffected by this report)

Equality Impact Assessment

25. A Screening Assessment has been undertaken to assist the Council in discharging its Public Sector Equality Duty under the Equality Act 2010. After completing the assessment it has been determined that this proposal does not require an Equalities Impact Assessment.

Workforce Impacts

26. There are no workforce impacts associated with this report.

Legal Impacts

27. There are no legal impacts associated with this report.

Risk Management

28. There are no risk management issues associated with this report accepting that increases in fees and charges are never welcome by service users.

Consultation

29. There is no requirement under the Constitution for external consultation on this item.

Recommendation

30. It is recommended that the proposed charges for services delivered by the Environmental Health and Trading Standards service reflect the revised hourly rate as defined in Table 1 of this report. The changes will take effect from the 1st February 2017.
27. To revise Officer costs using the above method of calculation annually at the start of the financial year.

Reason for Proposed Decision(s)

28. To ensure that the charges applied cover the costs of service delivery.

Implementation of Decision

29. The decision is proposed for implementation after the three day call in period.

List of Background Papers

30. Screening Assessment under the Equalities Act

Officer Contact

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