

Learning, Skills and Economy Scrutiny Committee

Meeting Venue
**Council Chamber - County Hall,
Llandrindod Wells, Powys**

Meeting Date
Thursday, 13 December 2018

Meeting Time
10.00 am

For further information please contact
Elizabeth Patterson
01597 826980
elizabeth.patterson@powys.gov.uk



County Hall
Llandrindod Wells
Powys
LD1 5LG

Issue Date
6th December 2018

The use of Welsh by participants is welcomed. If you wish to use Welsh please inform us by noon, two working days before the meeting

AGENDA

1.	APOLOGIES
-----------	------------------

To receive apologies for absence.

2.	DECLARATIONS OF INTEREST
-----------	---------------------------------

To receive declarations of interest from Members.

3.	DECLARATIONS OF PARTY WHIPS
-----------	------------------------------------

To receive disclosures of prohibited party whips which a Member has been given in relation to the meeting in accordance with Section 78(3) of the Local Government Measure 2011.

(NB: Members are reminded that under Section 78 Members having been given a prohibited party whip cannot vote on a matter before the Committee.)

4.	CHAIR'S BRIEFING
-----------	-------------------------

To receive a verbal update from the Chair of Learning, Skills and Economy Scrutiny Committee.

5.	MINUTES
-----------	----------------

To authorise the Chair to sign the minutes of the following meetings as a correct record:

- 13th August 2018
- 22nd August 2108
- 14th September 2018
- 1st October 2018
- 17th October 2018

(Pages 3 - 40)

6.	ADDITIONAL LEARNING NEEDS AND INCLUSION
-----------	--

To receive an update on the Additional Learning Needs and Inclusion Transformation Programme.

(Pages 41 - 58)

7.	FUNDING FORMULA REVIEW
-----------	-------------------------------

To receive a briefing on the Schools Funding Formula Review.

(Pages 59 - 64)

8.	WORK PROGRAMME
-----------	-----------------------

An additional meeting of the Learning Skills and Economy Scrutiny Committee has been arranged for 4th January 2019 to consider the Funding Formula Review.

The next scheduled meeting of the Committee is 18th January 2019 to consider the School Major Improvement Programme.

Further scrutiny dates for this Committee will be confirmed after the Council meeting on 24th January 2019.

Public Document Pack

Learning, Skills and Economy Scrutiny Committee Monday, 13 August 2018

MINUTES OF A MEETING OF THE LEARNING, SKILLS AND ECONOMY SCRUTINY COMMITTEE HELD AT COUNCIL CHAMBER - COUNTY HALL, LLANDRINDOD WELLS, POWYS ON MONDAY, 13 AUGUST 2018

PRESENT

County Councillors M Barnes, G Breeze, K W Curry, D O Evans, L George, D R Jones, E M Jones, D Jones-Poston, S McNicholas, L Roberts, P Roberts, E Roderick, D Selby and Mr J Brautigam (Vice-Chair of Audit Committee)

County Councillors R Harris (Portfolio Holder for County Farms) and A Davies (Portfolio Holder for Finance)

Officers: N Morgan (Professional Lead – Strategic Property), H Van-Rees (Estate Manager) and E Patterson (Scrutiny Officer)

Meeting Chaired by Vice-Chair.

1. APOLOGIES

Apologies for absence were received from County Councillors B Davies, S Davies, G Jones, K Laurie-Parry, I McIntosh, J Pugh and G Thomas.

2. ELECTION OF VICE-CHAIR

County Councillor D R Jones was elected Vice-Chair for the ensuing year.

3. DECLARATIONS OF INTEREST

A personal and prejudicial interest was declared by County Councillor David Evans who has a relative that tenants a County Farm.

4. DECLARATIONS OF PARTY WHIPS

No declaration of Party Whips was received.

5. REVIEW OF FARMS POLICY

Documents:

- Draft Cabinet Report – Review of Farms Policy – v7
- Farm Estate Delivery Plan 2018 – v3
- Farm Estate Delivery Plan 2018 – 004
- Pre-meeting questions and answers

Introduction

The Portfolio Holder introduced the paper explaining that County Farms was a large project which the Council had not paid sufficient attention to. The estate consists of approximately 11,500 acres with around 140 farms. Over 500 acres have been sold in recent years with a decision made to invest the capital receipts in Schools Transformation retaining 10% in the service. This is insufficient.

Discussion

How is the Estate managed?

Two Officers manage the estate based in Newtown. The majority of the Estate is in Montgomeryshire and is concentrated in the Severn Valley, around Kerry and Caersws with fewer holdings to the west. There has been a broad mix of tenants predominantly beef and sheep with dairy farming decreasing. The average size is around 73 acres with the tenant often owning or renting other land.

What numbers of tenants are working as contractors?

On all but the largest farms tenants rely on other income especially now properties are let on commercial rates (Farm Business Tenancies) instead of Agricultural Holdings Act tenancies which which ties rent to the commercial productivity of the farm.

To what extent is the other income a tenant received taken into account when considering tenders?

When farms are let the viability of applicant's proposals is examined to ensure that the Council will receive the rental income. Some tenders submitted are not commercially viable. For the majority of farms it is expected that applicants will continue with off-farm employment.

What is the demand for County Farms?

Demand is strong with a recent farm attracting 19 applicants. These are shortlisted and a number of applicants could have made tenants.

The future of farming is changing with a move towards either intensive or environmental farms and changes to the Single Farm Payment. How prepared are the service to support tenants through this challenging period?

It is difficult to be prescriptive because of the current lack of detail on future support payments and indeed market conditions post-Brexit. We are encouraging tenants to look into diversification and will support viable proposals. There are opportunities to diversify but not on the scale that an owner/occupier would be able to undertake. For example diversifying into poultry requires a large capital investment and significant amount of land to spread manure which may not be available on County Farms. However, smaller scale diversification such as alternative cropping could be considered.

Why does the report not mention Brexit as a challenge?

Brexit does not feature in the report because the impact is unknown. The service are positively encouraging diversification and this is promoted in newsletters to tenants.

Brexit may be an opportunity as well as a threat. We will add this to the policy to cover both aspects.

Why does the authority have a Farms Estate? It appears the aim is to support new entrants but there is no evidence of how applicants move through to allow for starter farms to be regularly available. It appears that 140 are supported by an asset worth £98million. Is this effective use of Council resources when the authority is facing the current financial challenges?

Farming is a long term business- it take years to rear an animal. This context needs to be appreciated when examining progression. The new regime about the length of tenancies have not yet been tested.

A number of services provided by the Council are provided at a high cost (for example libraries) and are not about making a profit. In this case the farms estate covers its own costs and contributes a revenue surplus to the Council. The asset is also contributing to capital- £16m over the last few years.

It appears the report is recommending a continuation of the status quo.

The report is not recommending the continuation of the status quo. An earlier report recommended splitting the holding into Core for retention and Non-Core for disposal. Many of the non-Core holdings have been disposed of and yielded £16million. Continued disposals to meet an annual target of £1m sales will eat into the core estate and damage its long-term viability. Any asset should be kept sustainable. The Estate delivers £1million gross income to the Council and has been delivering £1million capital receipts.

When Capital recharges are taken into account the Estate is making a loss.

Capital recharges are an accountancy tool and this money remains with the authority.

Welsh Government have given authorities a three year extension to use capital receipts for elements of transformation projects. The asset is worth a considerable sum (£48 million and £98million are quoted in the report) and a slightly different approach may be able to better contribute to the Council's financial position. A full sale would not be recommended as it would not realise the full value but a managed approach may be able to contribute £3-5million over three years. If done appropriately it should not cause the collapse of the Estate.

The disadvantage of this approach would be a loss of revenue income from the remainder of the Estate which will add to the Council's savings burden.

The ages profile of tenants on starter farms shows a number of tenants over the age of 45 which is not understood to be the purpose of a starter farm. Are these tenants intending to move on?

The policy on renewal is a starter farm tenancy is granted for 8 years with a further 8 years available. After which no more tenancies will be granted. This policy was introduced in 2012 and has not been enforced yet. Progression tenancies are granted for 12 years with a further 8 years available. There are few opportunities in the private sector for these type of tenancy.

Is this issue being scrutinised dispassionately or is emotion and tradition playing a role in determining the recommendations. Has this been looked at from a financial perspective?

The farms make a surplus revenue income as well as contributing to capital receipts.

In 2015 it was identified that £4million urgent repairs were needed. Some work has been undertaken but the backlog is increasing. What plans are there to tackle this backlog?

Cabinet have provided £500,000 a year to tackle the backlog. The figure of £4million was based on estimates and did not include professional fees. Previously the service had kept a higher percentage of the capital receipts but retention of 10% (i.e. currently £100,000) is insufficient.

It appears that a large amount is being spent on contract liabilities. Is this because the Council is not investing in the Estate?

Tenants run their own businesses and if they have invested in the property they are entitled to compensation when they move on. It is standard industry practice for tenants to invest in equipment and infrastructure.

What steps are taken to maximise the asset value?

When a property is declared surplus it is offered firstly internally and is then progressed by the Property disposals team. Planning permission is sought on some plots of land which could increase the value from £15-20k/ac to £150k/ac. Four sites are pending but this is affected by the lack of development activity locally.

The Portfolio Holder for Finance observed that the asset value of the estate had increased over time and this should be taken into account when calculating the return on investment. The authority faces significant challenges and have a £100 million capital investment programme this year which will be funded from receipts and borrowing. Permission has been granted to use capital receipts for three years which could be used to support the programme. The estate could contribute significantly without affecting the core business of the estate. The holdings are of a size appropriate for a young farmer to build a business.

The Portfolio Holder for County Farms cautioned against selling off so much of the estate that it was only appropriate to dispose of the remainder citing Herefordshire which disposed of the remaining 4,000ac. The opportunities to use redundant farm buildings for tourism or residential purposes should be pursued. The core role of the estate is to give an opportunity for farm businesses to start

Outcome

- **A report would be prepared detailing the Committee's observations on the new Policy – this would be circulated for Member's comments prior to it being submitted to Cabinet**

6.	CHAIR'S BRIEFING
-----------	-------------------------

There was no briefing from the Chair.

7.	WORK PROGRAMME
-----------	-----------------------

The next meeting of the Learning, Skills and Economy Committee would take place on the 22nd August 2018 to discuss Home to School Transport and Education updates on Additional Learning Needs Review and Virtual Learning.

County Councillor D R Jones

MINUTES OF A MEETING OF THE LEARNING, SKILLS AND ECONOMY SCRUTINY COMMITTEE HELD AT COUNCIL CHAMBER - COUNTY HALL, LLANDRINDOD WELLS, POWYS ON WEDNESDAY, 22 AUGUST 2018

PRESENT

County Councillor B Davies (Chair)

County Councillors G Breeze, K W Curry, S C Davies, D O Evans, E M Jones, G Jones, D Jones-Poston, I McIntosh, S McNicholas, J Pugh, L Roberts, E Roderick, D Selby, R G Thomas, Mrs S. Davies and Mrs M Evitts

Officers: Marianne Evans, Senior Manager, Schools Transformation, Iain McDonald, Passenger Transport Operations, Anne Wozencraft, Principal Officer, Admissions and Transport and Simon Anderson, ALN Manager

In the absence of the Chair and Vice Chair, County Councillor B Davies was elected Chair for the meeting

1. APOLOGIES

Apologies for absence were received from County Councillors M Barnes, L George, D Jones, K Lauren-Parry and P Roberts, Parent Governor Representatives N Bufton and A Davies.

County Councillors M Alexander (Portfolio Holder for Education) and A Davies (Portfolio Holder for Finance)

2. DECLARATIONS OF INTEREST

The following County Councillors declared personal interests in having children or grandchildren in schools in Powys or as LEA Governors:

County Councillors G Breeze, S C Davies, D O Evans, G Jones, D Jones-Poston, S McNicholas E Roderick, D Selby and R G Thomas

3. DECLARATIONS OF PARTY WHIPS

There were no declarations of party whips.

4. HOME TO SCHOOL TRANSPORT POLICY

Documents:

- Home to School Transport Policy
 - Appendix A – Consultation Summary Report
 - Appendix B - Home to School Transport Policy – Consultation
 - Appendix C - Home to School Transport Policy – post consultation version
 - Appendix D – Impact Assessment
- ESG Scrutiny Observations on Home to School Transport Policy – March 2018

Discussion:

- Pre consultation scrutiny observations had been considered by Cabinet on 13 March 2018
- The Policy under consideration had been prepared post consultation and would be considered by Cabinet on 18 September 2018
- The existing Policy had been in place since 2011 and was subject to legislative changes
- The key changes related to qualifying distances, suitable schools, catchment schools, ALN and a proposal to charge for Post 16 education
- It was acknowledged that further work would need to be undertaken in relation to charging for Post 16 and transport to Welsh medium schools. A further report on these issues would be available during the spring term for consideration.
- 300 responses to the consultation plus a further 15 emails had been received
- Members had thought that the consultation was not significantly robust either in terms of numbers of responses or geographical spread
- Further clarity was needed regarding definitions of suitable school or catchment school
- The method by which the distance to the nearest school was calculated was not clear – was this by way of a bus route, main road, footpath etc
- The Committee were of the opinion that the Policy failed to clarify points and could confuse rather than assist parents
- It was not possible to judge the impact on either parents or the Authority as no financial analysis had been provided
- Members discussed whether there should be further consultation on the amended Policy - if Cabinet approve the Policy at their meeting in September, it is proposed that implementation will take place on 1 September 2019. Further reports relating to language provision and Post 16 will be considered in the New Year.
- Whilst acknowledging that further reports would be forthcoming consideration must be given to definitions of schools in terms of language provision. It was noted that the Welsh Language Commission had commented on the contradiction between the Authority's ambition and the transport policy. Equality was essential and this was not currently happening.
- Further information was requested regarding patterns of journey times
- Comment was made that uncertainty in transport contracts did not allow contractors to invest in appropriate vehicles which may impact upon health and safety standards. New contracts were being let on a 5 – 7 year basis with a 12 week notice period. A further report on contracts was requested.
- Provision of Post 16 was under review and this should be considered holistically with the transport review. Many Powys students study outside of the county and a wider view should be taken to retain young people within the county.
- Although the Policy states that journey times will be a maximum of 1 hour for secondary pupils and 45 minutes for primary students it was not possible to guarantee these journey times

- It was clarified that the Authority pays for journeys between different classes but the Committee questioned whether charging for these journeys should also be considered
- Passenger assistance had been reviewed but this may need further review once the ALN Policy has been finalised
- Transition arrangements were in place with the details included within the documents
- Members were concerned that when maps were issued the detail was incorrect and questioned when new maps could be expected. The maps had been prepared by another service within the Authority and some catchments had overlapped. It was hoped that a catchment map would be prepared for each school but no date had been identified.
- Further concern was expressed that there were still some overlaps within the new policy which would give some parents a choice of schools. Although it was acknowledged that a parent can apply for a place at any school they would be liable for transport costs to one outside their catchment area. Members were of the opinion that a child should attend the nearest school and that a choice should not be available to a few families. Further consideration should be given to the reason for choices made. The Committee suggested that further discussion was needed on this issue.

Outcome:

- **A report would be prepared detailing the Committee's observations on the new Policy – this would be circulated for Member's comments prior to it being submitted to Cabinet on 18th September 2018**

5. EDUCATION UPDATES

Documents:

- Additional Learning Needs Transformation Programme 2018-2021
- Digital Learning Project – Scope Brief

Discussion:

- An overview of the Transformation Programme was given
- A Programme Manager and Programme Officer have been appointed and are expected to take up post in late September 2018
- Two stakeholder events took place in May which had been well attended by professionals. Members asked what officers had learned from these events. Although nothing new had been brought to officers' attention, the events had been appreciated as an opportunity to engage.
- The programme was moving into Phase 4 which had 8 work streams – the first six of which are aligned to the Welsh Government:
 - Individual Development Plans (IDP)
 - Avoiding disagreements
 - 0-5 years of age
 - 16-25 years of age
 - Parental Engagement
 - Workforce Development
 - Specialist Centres

- Pupil Referral Units/Alternative Learning
- The Welsh Government Advisor has commented favourably on progress to date and the Powys model will be used as a model of good practice
- The Committee questioned what changes would be visible in schools – the biggest change was in the age range which would be extended from 0 – 25 years of age from the current 5 to 16 years of age. The Welsh Government's new Code of Practice will be statutory. Within schools there will be a move away from statements to Individual Development Plans. School Action and School Action+ will no longer exist. The Welsh Government have still to issue guidance on how this will be implemented and further action is pending awaiting receipt of this guidance.
- Schools were to be responsible for working with Health Authorities which had raised some concerns – Members were informed that the Welsh Government are to ensure that each Health Authority will employ a Designated Education Officer who would have oversight. The most appropriate professional working with a young person will lead on their IDP but it is still unclear how this will be implemented
- It had been reported that money had been allocated to progress the review and Members sought clarity on how much had been allocated to Powys. No money had been allocated to date.
- Would there be one ALN Co-ordinator per authority or cluster or region? Each school currently has an ALN Co-ordinator but they do not have to be a qualified teacher. The role will become statutory under the new Code of Practice and will have to be a qualified teacher. There will be further discussions on age ranges and whether there may be a consortium or cluster ALNCo for 3yr+ settings. These costs will be met from schools delegated budgets and not central support services. This element is being addressed through the Fair Funding Formula Review that is currently taking place.
- The ALN Manager confirmed that IDPs were on track and that Powys was further ahead in the process than other authorities
- Members questioned how effective collaboration was – the Welsh Government have made it clear that all bodies taking part must collaborate and are implementing compliance arrangements on health authorities
- It was acknowledged that other health authorities had children in Powys and that some Powys children came under the jurisdiction of other Health Authorities – different systems were in place and England was subject to a different set of standards. However, despite the challenges, it worked well.
- There were difficulties in recruiting Welsh speaking educational psychologists. Members were disappointed to learn that a recent successful applicant had withdrawn following a job offer
- The officer was commended for the production of a fact sheet and it was suggested that this should also be made available in braille etc as well as in pictorial form for younger children to access
- It was noted that two new appointments had been made and whether these were additional staff. These were additional appointments and funded by money allocated by Cabinet.
- In considering the two new work streams relating to 0-5 years and 16-25 years Members asked for further information:

- 0-5 – this will be led by the Challenge Adviser and will cover settings, provision for all, work with Health Visitors etc
- 16-25 – this will be led by the Principal Educational Psychologist and will include digital learning, virtual learning but will only be for further education students and not higher education students
- Both streams will be considered in detail as the programmes are new
- It was suggested that digital technology should be embraced by the authority to enhance a range of services the Council can offer across a number of services

6.	CHAIR'S BRIEFING
-----------	-------------------------

There was no Chair's briefing in the absence of the Chair.

7.	WORK PROGRAMME
-----------	-----------------------

It was noted that there would be an additional meeting on Wednesday 29 August 2018 at 10 am to consider the Fair Funding Formula.

Further meetings would be held on 14 September and 1 October 2018.

Briefing meetings will be held on 19 and 25 September 2018 at 10am – it is hoped that these will be run via Skype

County Councillor

This page is intentionally left blank

Public Document Pack

Learning, Skills and Economy Scrutiny Committee Friday, 14 September 2018

MINUTES OF A MEETING OF THE LEARNING, SKILLS AND ECONOMY SCRUTINY COMMITTEE HELD AT COUNCIL CHAMBER - COUNTY HALL, LLANDRINDOD WELLS, POWYS ON FRIDAY, 14 SEPTEMBER 2018

PRESENT

County Councillor P Roberts (Chair)

County Councillors G Breeze, K W Curry, B Davies, S C Davies, D O Evans, L George, D R Jones, E M Jones, G Jones, D Jones-Poston, I McIntosh, J Pugh, E Roderick, D Selby, R G Thomas, Mrs A Davies, Mrs S. Davies, Mrs M Evitts and R Williams

Officers: A Clark (Head of Learning), J Thomas (Head of Financial Services), E Palmer (Head of Strategic Policy and Performance), M Evans (Senior Manager Schools Transformation), D Thompson (School Capital and Property Manager) and E Patterson (Scrutiny Officer)

1. APOLOGIES

Apologies for absence were received from County Councillors M Barnes, K Laurie-Parry, S McNicholas and L Roberts, Parent Governor Representative N Bufton and County Councillor M Alexander (Portfolio Holder for Education)

2. DECLARATIONS OF INTEREST

The following declarations of interest were received:

3. DECLARATIONS OF PARTY WHIPS

No declarations of Party Whips were received.

4. 10.00AM SCHOOL ASSET MANAGEMENT PLAN

Documents considered:

- Draft Cabinet report on Schools Asset Management Plan v3
- School Asset Management Plan 2018-2024 090918
- Appendix A – Schools Building Condition, Suitability and Sufficiency data 2018
 - Primary Schools
 - Secondary Schools
 - Special Schools
- Appendix B – Certification requirements

Introduction

Powys has been fortunate in Wales to have received a considerable amount of match funding from Welsh Government for the 21st Century Schools programme. Staff working on new schools and maintaining existing schools are being combined into one team. The Schools Asset Management Plan gives a clear strategic way forward.

Discussion

How accurate is the report? Capacity of the schools in Ystradgynlais is stated in the report to be different in all cases to that known to be the case by school Governors. Governors from other areas reported similar discrepancies.

This information had been received from colleagues and a review of capacity was currently being undertaken.

Having accurate information is also essential for the Admissions booklet. There is little need to provide admissions information regarding Welshpool schools to parents in Ystradgynlais but any information provided does need to be correct.

Admissions information does need to be relevant to parents and Admissions booklets will not be printed this year. Further work will be undertaken to check admission numbers and capacity.

The links to Vision 2025 are important with two sections being of particular relevance:

- Reduction in the number of our school buildings with an overall condition standard of C or D from 132 to 120 by 2025
- Reduce surplus places to 14% in primary (Baseline 16.7%) and 21% in secondary (Baseline 24%) by 2020

It is essential that the correct information is available for monitoring purposes.
This information will be checked.

Two new primary schools are being built in Welshpool. When is it projected that these schools will be at capacity?

This information will be provided after the meeting.

How does the Schools Asset Management Plan work to ensure that money is appropriately spent on schools which are viable in the short to medium term? Is the work undertaken some years ago by PwC being used in this regard?

The Schools Asset Management Plan does make reference to the School Organisation Policy and will consider looking again at the PwC modelling using updated figures.

When schools and local members submit a list of major concerns and little appears to be done is this because of a lack of money or because of problems with the Heart of Wales Property Service?

Investment is prioritised and this includes prioritising health and safety and safeguarding concerns. There are concerns regarding the capacity of the Heart of Wales Property Service to deliver what is required. There is also insufficient money to do all of the small scale improvements which are identified but need is prioritised over aesthetics.

How does the Schools Asset Management Plan support the Welsh Government aim of increasing the number of Welsh speakers?

This is supported by way of the links between the School Asset Management Plan, the School Organisation Plan and the Welsh in Education Strategic Plan. Planning for school organisation is a lengthy process and it is only possible to work on a certain number of schemes at any one time. Welsh Medium provision is a priority in Band B of the 21st Century Schools programme which will include

Welsh Medium Secondary provision in Newtown and Welsh Medium Primary provision in Mid Powys. A briefing session is being arranged for scrutiny members on School Organisation in October.

The covering report notes that schools will be developed into establishments that are central to the community and investment will be made in IT.

Welsh Government support the community focus of schools encouraging the use of schools as multiagency hubs. When schools are remodelled or newly built it is essential that ICT is an integral part of the project.

Are the figures outlined in Section 5 of the Cabinet report 'Financial Management' included in the Medium Term Financial Plan?

The Major Improvement programme is contained within the Capital Strategy and it is recommended that a minimum of £2million is allocated in future years to deal with the poor condition buildings and this should be built into the Capital Programme. It is recommended that the service should bid for a further £75,000 to support planned maintenance work and extend the life of school property assets.

The budgets for repairs and maintenance is being considered as part of the Funding Formula Review.

Sections 5.1 – Schools Asset Database and 6.7 – Information Management appear to cover the same information. When will this database be complete?

The database is incomplete at present and the service are working to bring all this information together. The timescale for completing the database will be included. For example, a condition assessment is in place for all schools but this is updated from a variety of sources and needs to be updated annually.

Outcomes:

- **The observations from this meeting would be collated and circulated to Members prior to submission to the Portfolio Holder for consideration at Cabinet.**

5.	11.00AM SCHOOL BUDGETS
-----------	-------------------------------

Documents considered:

- **School budgets 2018-19 update as at 30th June 2018**

Introduction

This report is based on figures to the end of June which is nearly three months ago. Information to the end of August are showing an improvement but the next full report will be the half yearly position at the end of September. Since the last Cabinet report notices of concern were sent to schools with unlicensed deficits and also to those schools in a potential claw back position. A response has been received from all schools. The schools have until the 29th September 2018 to submit their recovery plans.

Discussion:

In 2020/21 six High Schools are showing projected deficits of £5.31million. Are these figures based on the recovery plans that have been put in place now?

The June figure does not include the impact of actions taken under recovery plans. Schools have until 29th September to submit recovery plans and interim figures which show the impact of the recovery plans on those schools who have submitted them shows an improving position of £400k by 2020/21.

In the case for example of Brecon High at what stage does the authority step in?

There are a number of issues in this case with a long history of a deficit budget position. The Funding Formula Review will provide information on appropriate levels of funding for different sized schools. It must be remembered that are children currently in education in these schools with deficit budgets. It is also clear that action needs to be taken to address this position.

It is of concern that school funding is so cloudy. The Funding Formula Review will draw a baseline and provide clarity on school funding, based on evidence moving forward.

Scrutiny have been commenting on school budgets for a considerable length of time and at previous scrutiny the Portfolio Holder has indicated that delegation would be withdrawn. The position regarding Brecon High is deteriorating and Scrutiny are reaching the end of their tether. This is one of the biggest risks to the authority. Why is the position to June 2018 still deteriorating? Is there insufficient money or poor management?

This more complex than simply either of these options and this complexity is echoed across Wales. Powys is mid table in delegation to schools and to increase delegation increased confidence around financial management would be needed. This is a cross Wales issue.

In two years forecasts appear to show all schools will be in deficit. Two schools have recently closed with a combined deficit of £1.15million. Do schools which are due to close operate effectively with a blank cheque book?

Not all schools who are due to close exhibit poor financial management. In the case of the two schools that closed in August 2018 the Governors were required to attend to discuss this and delegation was then withdrawn. It would not be appropriate to withdraw delegation when a school is due to close as most schools exhibit appropriate financial management but the service should monitor this and act promptly if poor financial management appears to be in evidence. Delegated budgets is an area governed by legislation which any actions would need to be governed by.

This report to Cabinet is 'to note' but given the position the recommendation should be for action. Cabinet should display courage with regard to school delegated budgets.

A number of Officers were not in post over the past few years and whilst the policy and framework were in place to deal with deficit budgets this was not always applied with rigour. Notices of concern were not always issued when they should have been.

The Funding Formula Review provide evidence of spend and highlight differences amongst schools. The percentage spend on leadership needs to be easily identifiable and a clear baseline needs to be established. Difficult conversations will have to be had regarding financial management.

What happens to deficit budgets when schools are closed?

The deficit remains within the schools' service and is not written off by the general fund.

As two of the schools with unlicensed deficits are dual stream will the Funding Formula review address the extra expense incurred in running a dual stream school?

This is contained within section 4 of the funding formula review.

Is it the case that schools are unwilling to address their budgetary position as they are more concerned with maintaining and improving standards? How should LEA Governors contribute to improving this position?

There is a need to improve trust and relationships between schools and the schools service. There is a need to improving the range of expertise amongst school governors together with their governance. The schools service are looking at this under the ALN Review Programme.

Deficit budgets has been discussed in scrutiny on numerous occasions and it appears that little progress is being made with the overall deficit position increasing. What will be done to address this?

The Funding Formula review will give an evidenced based position from which to challenge schools on financial management if necessary.

The process for intervention is now being followed which in the past, despite promises, was not the case.

There has been changes of staff in the schools service as well as changes in Elected Members in the recent past.

When the outcome of the Funding Formula review is known then the Portfolio Holder and schools service can plan accordingly.

What impact are Warning Notices having on schools?

Some schools are taking action as a result of warning notices but some schools are not taking appropriate action in sufficient time and it may be necessary to take further action which will also impact on the attitude displayed by other schools. Schools need to take ownership of the management of their budget and it is not the role of the local authority to undertake this function on their behalf. Secondary Schools need to employ appropriate Business Managers.

This report does not identify schools which currently have licensed budgets but are facing difficulties and will be unlicensed in future years. In particular it is difficult to understand how a new merged school has been opened that is forecast to have deficit budgets in the near future when one of the aims of the merger would be to improve financial viability. This is of importance when considering proposals coming forward for future school reorganisations.

6. CHAIR'S BRIEFING

The Chair drew to Members attention the discussions that had taken place between Scrutiny and Audit Chairs and Officers regarding the urgent Portfolio

Holder decision taken in respect of Brecon Theatre. He expressed concern that there had been no opportunity to undertake pre-decision scrutiny. This matter had not been included on the Cabinet Work Programme and therefore Joint Chairs were unaware that a decision was to be taken. The matter was on the agenda for the next meeting of Audit Committee but the Chairs and Vice-Chairs had expressed their disapproval in the way this decision had come to be taken and hoped that there would be earlier engagement with scrutiny if any other urgent decisions needed to be taken.

7.	WORK PROGRAMME
-----------	-----------------------

- | | |
|-------------------------------|---|
| 1 st October 2018 | Schools Standards
Annual Estyn Inspection outcomes |
| 17 th October 2018 | Post 16 Review
Review of pre-school provision
HOWPS annual report |
| 2 nd November 2018 | ALN Review
Funding Formula Review |

County Councillor P Roberts

Public Document Pack

Learning, Skills and Economy Scrutiny Committee Monday, 1 October 2018

MINUTES OF A MEETING OF THE LEARNING, SKILLS AND ECONOMY SCRUTINY COMMITTEE HELD AT COUNCIL CHAMBER - COUNTY HALL, LLANDRINDOD WELLS, POWYS ON MONDAY, 1 OCTOBER 2018

PRESENT

County Councillor

County Councillors M Barnes, G Breeze, K W Curry, S C Davies, D O Evans, D R Jones, E M Jones, G Jones, K Laurie-Parry, S McNicholas, J Pugh, L Roberts, P Roberts, D Selby, R G Thomas, Mrs A Davies and MC Alexander

Parent Governor A Davies.

County Councillor M Alexander (Portoflio Holder for Education and Welsh Language)

Officers: I Budd (Director for Education), A Clark (Head of Learning), E Towns (Senior Challenge Advisor), L Lovell (Senior Challenge Advisor), E Palmer (Head of Strategic Policy and Performance) and E Patterson (Scrutiny Officer)

1. APOLOGIES

Apologies for absence were received from County Councillors Bryn Davies, Les George, Diane Jones-Poston, Iain McIntosh and Edwin Roderick, Parent Governor Representative Sara Davies, and Church Representative Margaret Evitts.

2. DECLARATIONS OF INTEREST

The following declarations of interest were made in respect of Members who are School Governors. Members who are Local Authority appointed School Governors are granted an exemption under the Members' Code of Conduct to take a full part in discussions excluding regulatory type matters. Members who are appointed as School Governors otherwise than through the Council have a similar dispensation to take a full part in discussions excluding regulatory type matters.

Mark Barnes	Penygloddfa Primary School, Newtown High School
Graham Breeze	Welshpool High School
Kelvyn Curry	Rhayader C in W Primary School
E. Michael Jones	Radnor Valley Primary School
Gareth Jones	Llanfair Caereinion Primary School
Karen Laurie-Parry	Archdeacon Griffiths Primary, Gwernyfed High School
Sue McNicholas	Ysgol Bro Tawe, Ysgol Maesydderwen
Jeremy Pugh	Builth Wells High School
Pete Roberts	Cefnlllys Primary School
Lucy Roberts	Bryn Hafren Primary School, Llanfyllin High School
Gwynfor Thomas	Llanfyllin High School
Angela Davies	Rhayader C in W Primary School, Interim Governing Body - Ysgol Calon Cymru

3.	DECLARATIONS OF PARTY WHIPS
-----------	------------------------------------

There were no disclosures of prohibited party whips which a Member has been given in relation to the meeting in accordance with Section 78(3) of the Local Government Measure 2011.

4.	MINUTES
-----------	----------------

The Chair was authorised to sign the minutes of the meetings held on the 18th June 2018, 25th June 2018 and 29th August 2018 as correct records.

5.	PROVISIONAL LEARNER OUTCOMES, ATTENDANCE AND EXCLUSIONS 2018
-----------	---

Documents:

- Briefing on Provisional Learner Outcomes, Attendance and Exclusions 2018
- Additional information requested and provided on Key Stage 5 results (included in minutes under section on Key Stage 5)

Introduction

The Director introduced the paper explaining that the Learner Outcomes report is part of the performance management cycle within the Schools Service. This data (provisional and then final) will feed into the self-evaluation report and inform the school's improvement plan.

The information was sourced from teacher assessments at Foundation Phase (FP), Key Stage 2 (KS2) and Key Stage 3 (KS3) and from public examinations for Key Stage 4 (KS4) (GCSEs) and Key Stage 5 (KS5) (A Levels).

On the main GCSE indicator (L2+ - 5 GCSEs at grades A*-C including English/Welsh and Maths), on provisional results Powys has come top amongst the ERW authorities and second in Wales. Whilst this is encouraging the service are not complacent and there is more to be done particularly in regard to Key Stage 5 outcomes. Student numbers have fallen to the point where only 3-4 A level centres are viable and there will be a challenge of working with communities to ensure that an appropriate level of subjects are available for study at Key Stage 5 and students gain good outcomes.

During the last year 8 schools have been removed from and Estyn Category including 5 in Special Measures and 2 schools which were causing concern have been placed in an Estyn Category. The next challenge, which will be included in the self-evaluation and school improvement plan) will be to know Powys schools so well that they get the support and challenge they need and are not in a position where they are place in a category.

The Portfolio Holder observed that the positive changes would have been achieved with the schools working closely with school improvement teams and implementing agreed interventions. It is now necessary to focus on those schools still in an Estyn category and those schools that have headroom to improve.

Discussion:

Summary

It is noted that teacher assessment data will no longer be published. How will the service fill this gap?

At a recent meeting between Welsh Government and Elected Members this change was raised as a concern as this is key evidence for scrutiny. The change has been brought about to overcome the unintended consequence of schools focussing on borderline pupils at the expense of other pupils. There will no longer be comparisons with families of schools which used proxy indicators such as Free School Meals (FSM) to determine similar schools. These proxy indicators had their own problems for example a low income area could have a similar low level of FSM as a high income area but the schools would face very different challenges. The teacher assessment data will no longer be used and at the autumn core visits attention will be paid to pupil progress and value added. There has been a national move from macro to micro data throughout Wales and Estyn are looking at the impact of this change. It will be necessary to have better self-evaluation at school level.

Standards

At Foundation Phase the 2018 cohort is the first that has gone through since changes in 2015 and therefore comparisons cannot be undertaken with previous years. Powys has the highest results in the ERW region and whilst there are some gender disparities these are similar to levels across Wales.

There have been criticisms of the performance of ERW with other regions improving at a faster rate. Would Powys be better joining GwE?

ERW should be performing better and information available later in the cycle will be more detailed and this will be brought back to scrutiny.

The gender gap is of concern. It needs to be tackled at this stage to ensure boys do not fall behind and stay behind throughout their education.

This is an issue and the authority need to constantly challenge schools to be addressing this. Good practice is identified and shared but there is also a lack of male role models amongst primary school staff. Whilst the attainment of boys has improved in recent years the attainment of girls has also improved and thus the gap remains.

How is the service engaging with parents to ensure they undertake their responsibilities appropriately?

The authority does work to provide support to pre-school children through the Early Years programme where required. It is important that all children start school ready to learn and this needs to be undertaken in partnership with parents. A lack of school readiness can quickly lead to underachievement.

Key Stage 2

There were 1290 pupils at the end of KS2. The results at this stage put Powys first amongst the ERW authorities. The improvement at higher level outcomes is encouraging demonstrating that schools are no longer only concentrating on pupils at the level 3 – 4 border. Girls continue to outperform boys but this is mostly below all Wales figures. Gender gaps are a national and international issue. Performance of eFSM pupils has improved considerably at this stage. The service will continue to examine the data at school level to ascertain where particular problems are occurring.

Whilst good performance is reported and this should be acknowledged what is happening to the remaining pupils and in particular those eFSM pupils, which aren't achieving the appropriate levels?

At Core Visits progress of eFSM pupils is tracked and the use schools are making of the Pupil Development Grant is assessed. Further work is needed to target performance of eFSM pupils.

The FSM indicator does not identify families on low income. What can the authority do to ensure pupils from low income families receive appropriate support?

There is an issue regarding support of pupils on low income. It has been found in a school with a FSM level of 10% that 80% of Sixth Form pupils receive the means tested benefit EMA (Education Maintenance Allowance). There has been an update in FSM in Powys since the introduction of the Cashless System.

Key Stage 3

Attainment at KS3 has improved significantly and Powys is now has the highest attainment in the ERW region. Attainment at the highest levels has improved. There is still a gender gap and whilst eFSM pupils have benefitted from the schemes developed with Pupil Deprivation Grant money these schemes can be offered more widely with more pupils benefitting.

Is transition between Primary and Secondary schools improving?

Some High Schools have a very successful transition programme whilst in other High Schools more work still need to be done.

Is the improvement in Primary School standards feeding through to improvement in Secondary Schools?

This will have helped the improvement of standards in High Schools but it also the case that the drop in standards at Year 7 is less now with pupils entering High School at Level 5 continuing to be stretched throughout their High School career. Robust moderation in clusters across Powys has also helped this improvement.

Whilst school standards are good and are in many cases where they should be ERW are now expecting school self-evaluation to be more rigorous. How can lay governors confidently undertake this extended role?

The service are looking to reconfigure Governor Support and this is an area which could be appropriate for consideration at scrutiny.

Key Stage 4

There have been considerable changes at KS4 this year which the English exam requiring candidates to get an extra 20 marks for a grade C and the Maths exam an extra 10 marks for a grade C. There have been a number of changes to specification but despite these changes there had been an increase in provisional L2+ results to 62.8% which is highest in ERW. Schools were previously very focussed on pupils achieving around the C/D border which was driven by the use of L2+ as an indicator. A move to using Capped 9 scores (the top 9 scores for all candidates) will mean that schools will focus on the attainment of all pupils.

Where outcomes are recorded on split site schools is it possible to differentiate between both sites?

Data is available on both sites and this has been discussed with the Headteacher.

Can consistent time-series data be provided to demonstrate trends and allow independent conclusions to be drawn thus avoiding any challenge of cherry picking?

GCSEs changed in 2017 and so it is not always possible to provide data for like for like comparisons.

Key Stage 5

There has been a decrease in the number of A levels taken and the number of candidates over the last 5 years which leads to issues over the breadth of the curriculum and sustainability of campus'.

Powys A-levels	2013	2014	2015	2016	2017	2018
Candidates	624	593	583	510	532	444
Entries	1,551	1,470	1,431	1,266	1,265	1,086
A*-A	22.6%	21.5%	21.7%	19.0%	18.3%	21.7%
A*-B	50.5%	52.4%	49.5%	47.2%	43.4%	49.2%
A*-C	76.5%	77.8%	76.9%	74.6%	72.7%	76.2%
A*-E	98.5%	98.1%	98.0%	97.1%	98.5%	97.5%

(NB This data is provided by schools and is provisional for 2018)

How are school to school results compared at this stage when schools can decide admissions criteria and there may be a tension between offering places for able students in subjects they will succeed in against offering places for all students in subjects they would like to study?

This difficulty is acknowledged.

It is a concern that Powys have lost one third of A level students in 5 years. Whilst pupil numbers have declined over this period there has been a drift to the east with students following courses in Shrewsbury and Hereford. Is the authority talking to school leaders about sustainable post 16 provision?

This analysis is correct. The number of candidates is shrinking as is the offer. It will not be possible to maintain the status quo moving forward and a working group is looking at this issue.

Are the outcomes for College students available?

There is no disaggregated information for Powys students studying at college or in England. The authority only have data for the students studying in Powys schools.

There are pupils accessing schools in England who are under 16 therefore it is not the breadth of offer, or standards that are at issue when parents are choosing a school. Why are children accessing schools in England?

In some cases this will be the closest school, in others it will be due to parental choice. There are push and pull factors and overall there may be a equal gain and loss but it is likely that this will be different in different areas.

It is disappointing that 15-20 pupils are travelling from Newtown to Bishops Castle but there have been recent changes in Newtown which can lead to uncertainty. Overall projected numbers in Newtown are holding up.

Overall the Portfolio Holder noted Powys was a net importer of pupils with students travelling past schools in Gwynedd to access education at Ysgol Bro Hyddgen in Machynlleth. Additionally, raising standards at the John Beddoes campus of Newtown High School has stemmed the flow out of county to Lady Hawkins in Kington. There is a financial impact on these flows with in some cases A level courses being run with nearly half of students coming from out of county.

It is of concern that Powys are below the Welsh average for all indicators at Key Stage 5 and further detail is requested on outcomes at this key stage when the verified results are considered in the New Year.

Exclusions

In 2017/18 ten pupils were permanently excluded (12 pupils in 2016/17) and 29 pupils had a fixed term exclusion of 5 days or more (23 pupils in 2016/17).

Under the ALN Transformation Review programme is a workstream on Behaviour Support which will be programmed for scrutiny ahead of Cabinet in January 2019.

In appendix 7 the reasons given for permanent exclusions suggest there are more exclusions than recorded.

In some cases more than one reason for exclusion is cited.

What happens with excluded pupils? Is their progress tracked and, given the previous position with the PRU being in Special Measure is this an appropriate place for these pupils?

The PRU has been removed from Estyn category and new Head Teachers have been appointed for the North and South. Additional staff have also been appointed. The PRU needs to improve links with the High Schools and use their expertise in behaviour matters to support High Schools. It would also be appropriate for the Special Schools to support schools in this way (although at present Brynlywarch Hall Special School is in Special Measures).

It is intended to support schools to provide a learning environment which develops behaviour for learning and is not punitive. This will be a challenge given the large number of small schools in Powys. Cluster working will be essential for this to work.

It should be noted that the number of permanent exclusions is low and there will be different reasons for each pupil which will require a highly individualised approach. These issues will be explored in more detail when the Behaviour Support strategy will be scrutinised.

How can small schools with young teachers know the strategies required to deal with very challenging behaviour?

In these cases support from central services would be appropriate to help teachers manage the challenging behaviour. The Behaviour Support Strategy aims to equip teachers with the skills needed to be inclusive but it would be expected that this would take 3-5 years to be fully embedded in all schools. If challenging behaviour is being experienced in schools then help can be sought from the ALN team or Powys People Direct for family support depending on the individual circumstance.

The report describes support for children and young people who are vulnerable. It is not the aggressor who is vulnerable but the victim.

It is not as straightforward as victim and perpetrator as both pupils have human rights. It may be that the family needs support which can be provided either through Children's Services or through the ALN programme. It is important that all schools have a nurturing ethos and sufficient practitioners for this to succeed. At present not all schools are committed to this and an extensive training programme will be necessary.

The Portfolio Holder noted that approximately 40% of pupils who present with disruptive behaviour have suffered a bereavement within the last 12 months.

In respect of exclusions are pupils behaviours changing or are schools getting better at dealing with challenging behaviour?

Both instances are happening but there has been a lack of development at consortia level with ERW being behind other consortia in sharing peer to peer improvement.

How is the schools service using the youth service to help in these cases?

The Youth Service does work within schools and the Youth Justice Team is involved with restorative justice programmes. This work is having a proven impact in some schools.

The figures for exclusions appear to be low but how can Members be assured that they are good?

Detailed work in the ALN strategy will benchmark these figures which will feed into the self-evaluation document which scrutiny will have sight of.

Are there other factors which may influence challenging behaviour for example pupils with ALN or who are children looked after?

The Schools Service is discussing at Corporate Parenting the way a Virtual School could be used to compare children looked after with their peers. This may take some time to develop as Welsh Government is moving away from publishing the micro data needed for this type of analysis.

Cllr D Evans left 12.30pm

Attendance

Attendance data will be verified later in October 2018. Most schools are now targeting pupils and the Education Welfare Service have introduced a new system for supporting schools according to need.

What is the current situation regarding term time holidays?

The Portfolio advised that the authority did not sanction or approve term time holidays but that a recent Supreme Court case had found in favour of the parents. Advice to schools is to explain to parents the impact on the pupils' education and on classroom teaching.

In connection with attendance another issue is lateness. What are the rules regarding lateness? This should be communicated by way of a press release.

A press release will be prepared.

Could the dates of school holidays be changed so that peak time could be avoided in part? These changes could also be appropriate for schools with a large group of pupils for example eastern Europeans who may wish to travel abroad to celebrate Easter?

It is the intention of Welsh Government to align holiday dates across Wales and this will take into account the Royal Welsh Agricultural Show.

If term times are set would it be possible to alter half term dates?

Schools Causing Concern

Schools causing concern are called into School Improvement Boards which are more challenging than the Head of Schools had observed elsewhere. The Secondary Challenge Advisor capacity has been strengthened with 2 experienced Challenge Advisors now willing to challenge cultural and social norms. The Team around the School is working with HR, finance and the Challenge Advisors working together on a school by school basis.

The individual schools causing concern will be examined in more detail later in the annual cycle but the overall position is summarised as:

Newtown High School – remains in Special Measures

Builth Wells High School – has come out of Special Measures

Llandrindod High School – Came out of Special Measures Summer 2018

Caereinion High School – Came out of Special Measures Spring 2018

Llanfyllin High School – remains in need of Significant Improvement. Has a new Senior Leadership Teams and will be re-inspected this academic year

Bro Hyddgen all through school – remains in Estyn Review – expect a re-inspection this term

Brecon High School – has recently been in Special Measures and has had excellent results this year. Budget remains a serious issue

Maesydderwen High School – remains in Estyn Review – expect a re-inspection this term. A new Head Teacher has been appointed who will be mentored by an experienced Head Teacher. A new Deputy Head is to be appointed.

Overall this is an improving picture but more work is required.

When a school is in an Estyn category it receives a package of support. When it comes out of category what support does it receive?

At present schools are categorised in the autumn term and this highlights the support that they need for the forthcoming year. Schools who have just come out of Estyn category are vulnerable until it can be confirmed that the improvement has been embedded.

Is the new joint school which is a combination of two schools which have recently been in Special Measures receiving appropriate support?

Yes.

Outcomes:

- **That the Portfolio Holder and Head of Service submit a request to Joint Chairs for scrutiny of the proposed changes to Governor Support**
- **That when standards are reconsidered in the New Year with the verified data the following information is included:**
 - **a breakdown to individual site level for split site schools**
 - **a glossary**
 - **time-series analysis with data points for the last five years to demonstrate trends**
 - **additional information regarding Key Stage 5 results to identify why performance at this stage is below the Welsh average**
- **That in the first instance the issues around cross border movements be considered as part of the work on School organisation/Post 16 review.**
- **That a communication is sent to all schools confirming how to seek support this is required for cases with challenging behaviour**
- **That a press release regarding the importance of attending school on time be prepared jointly between the Scrutiny Chair and Portfolio Holder**

Cllr J Pugh left 12.15pm

6. ESTYN INSPECTION OUTCOMES 2017-18

Documents;

- **Summary of Estyn outcomes and recommendations from schools inspected between September 2017 and August 2018 prepared by the Scrutiny Officer**

Recurring themes:

Welsh oracy:

The authority has introduced Siarter Iaith a Welsh Language Charter to improve Welsh language skills in all schools. All schools who are due an Estyn Inspection have at least the Bronze award of Siarter Iaith. The schools who have more links with voluntary groups such as the Urdd are less likely to receive this recommendation from Estyn.

Teacher assessments:

The authority have a series of moderation meetings in place but this is one area which will need to be revisited.

Independent learning:

The rollout of the new curriculum has identified some schools that spoon feed pupils more than others. This issue is covered during Core Visits.

Finance:

This is an ongoing discussion.

Standards of Teaching:

Certain methods can be put in place to improve standards of teaching for example teacher triads and lead support schools.

The Portfolio Holder noted that the issue of independent learning can be challenging as this is how teachers were taught to teach and is more of a challenge in traditional schools.

Discussion

It is noted that Crickhowell are preparing a Case Study. Is this good or bad?

A case study is always positive and occurs when Estyn observe best practice in an area that is excellent and sustained.

This summary notes pleasing progress and it is positive that the recommendations highlighted can be answered but it is really disappointing that Brynlywarch Hall Special School has received an inspection which finds Well-being as adequate, needs improvement and Care, support and guidance as unsatisfactory and needs urgent improvement.

The Director confirmed he had been shocked when he first visited Brynlywarch Hall Special School. He had taken Cabinet Members to visit and had arranged immediate interim improvements to health and safety issues which were put in place last autumn. There had also been a mismatch in the expectations of learners and provision both from the school and local authority. A specialist advisor has been brought in.

The Inspection report had been published in March 2018 and whilst much work has been done there is still a long way to go. Authority has been given for a new school to be built but further work is needed on the curriculum offer and behaviour strategies.

Governors had not picked up on some of the educational shortcomings as they had been deeply focussed on managing the poor physical state of the building.

The Portfolio Holder noted that whilst it was not an excuse there had been an increase in poor behaviour. The school did have residential provision which was closed due to health and safety concerns. The current Head Teacher would like to be in a position to offer emergency residential care in the future.

It was confirmed that parents were receiving communication regarding the post inspection process.

Cllr E M Jones left 1.30pm

Are the schools service satisfied with progress in addressing Estyn recommendations?

There has been a turnover in staffing, additional capacity provided an a refocus on educational outcomes alongside safeguarding. The Governors have been able to move their focus away from the fabric of the building and health and safety concerns back onto the curriculum and expected outcomes for the pupils and students.

Is this the right location for the school?

Welsh Government has allowed this project to proceed outside the 21st Century Schools Programme. The appropriate location will be closely examined. There would have been inadequacies in the Schools Asset Management Plan to allow the school to deteriorate to the extent it had.

Outcomes

- **That a summary assurance note be produced outlining what happened in the case of Brynllwarch Hall Special School and what can be learnt from this for the future**
- **That further updates be provided after Christmas and Easter when the Chair will consider if normal monitoring should resume**

7.	CHAIR'S BRIEFING
-----------	-------------------------

The Chair advised that he was in discussion with the Monitoring Officer and Section 151 Officer regarding a recent Portfolio Holder decision over which he had some concerns. If he considered a call-in was appropriate it would be necessary to call a meeting of Learning, Skills and Economy Scrutiny Committee within 10 days of the date of call-in.

8.	WORK PROGRAMME
-----------	-----------------------

Forthcoming date for this Committee are:

- 17/10/2018 Review of Pre-School Provision and HOWPS Annual Report
- 02/11/2018 Highways Asset Management Plan
- 21/11/2018 Funding Formula Review – Post Consultation
- 13/12/2018 ALN Review

Education Briefings:

- 09/11/2018 School Organisation and Post 16
- TBC School Improvement

County Councillor P Roberts

This page is intentionally left blank

Public Document Pack

Learning, Skills and Economy Scrutiny Committee Wednesday, 17 October 2018

MINUTES OF A MEETING OF THE LEARNING, SKILLS AND ECONOMY SCRUTINY COMMITTEE HELD AT COUNCIL CHAMBER - COUNTY HALL, LLANDRINDOD WELLS, POWYS ON WEDNESDAY, 17 OCTOBER 2018

PRESENT

County Councillors P Roberts (Chair), D R Jones, G Breeze, K W Curry, B Davies, S C Davies, D O Evans, E M Jones, G Jones, D Jones-Poston, K Laurie-Parry, S McNicholas, L Roberts, E Roderick, D Selby, R G Thomas, R Williams, Parent Governor Representatives Mrs A Davies and Mrs S. Davies
Church Representative Mrs M Evitts

In attendance

Item 5

P Oades (HoWPS Board Chair), R Hensey (Head of Service HoWPs), J Thomas (Powys County Council representative on HoWPS Board)

Item 6

County Councillor M Alexander (Portfolio Holder for Learning and Welsh Language)

I Budd (Director of Education), A Clark (Head of Learning), E Towns (Senior Challenge Advisor), E Patterson (Scrutiny Officer)

1. APOLOGIES

Apologies for absence were received from County Councillors L George, G Jones, J Pugh and P Davies (Portfolio Holder for Highways, Recycling and Assets)

2. DECLARATIONS OF INTEREST

No declarations of interest were received.

3. DECLARATIONS OF PARTY WHIPS

No declarations of party whips were received.

4. MINUTES

This item was deferred.

5. HEART OF WALES PROPERTY SERVICES LTD ANNUAL REPORT 2017-18
--

Documents:

- Annual Report Heart of Wales Property Services Limited Joint Venture 2017-18 (Year 1)
- Appendix 1 Key Performance Indicators Year 1
- Appendix 2 Year 1 Business Plan

Documents:

- Annual Report Heart of Wales Property Services Limited Joint Venture 2017-18 (Year 1)
- Appendix 1 Key Performance Indicators Year 1
- Appendix 2 Year 1 Business Plan

Introduction

The HoWPS Chair gave the following overview.

The HoWPS was set up on 3rd July 2017. It is a 50:50 joint venture between Kier and Powys County Council. The Board consists of 8 Directors, 4 from each organisation. The aim was to create a long term sustainable partnership to deliver services in the area of housing, corporate and consultancy by developing a trusted brand. Also to keep the Powys pound local, to grow the business to support local employment and to return a dividend to Powys. The new Joint Venture had a difficult start but 109 staff were transferred. A new IT system had to be introduced and there have been a number of changes at Board and senior staff level. There were also problems with paying suppliers.

The Key Performance Indicators (KPIs) show an improving picture with customer satisfaction at 92% on housing service work and 96% on corporate reactive work. There have been no accidents during the 18,000 hours of work. One of the biggest challenges is the time taken to return voids for occupancy. The consultancy service are working well with 5 new primary schools recently completed.

The company have been engaging well with local suppliers with 44% of sub-contractor spend within Powys and an additional 36% in Wales. 73% of supplies are purchased within Powys and an additional 10% in Wales. The aim is to increase the percentage of spend within Powys.

The culture of partnership working is improving but communication with groups including schools and farm tenants needs to improve. Both Kier and Powys County Council will need to work together to grow the business.

The Year 2 Business Plan has been signed off. The company will be taking on 7 new apprentices and working with Syrian refugees and aims to support the Powys Vision 2025.

Discussion

The call answering and call abandoned KPIs seems to be getting worse. How are customers meant to interact with HoWPS?

It is recognised and accepted the speed of calls answered and numbers of abandoned calls is not where HoWPS would like to be and is below the industry norm. It has been a challenge running one contact centre with three hubs.

Since the HoWPS Head of Service took up his role in May 2018 he had spent time understanding the issue. Greater prominence was given to the call centre which had been enlarged and was again fully staffed (after secondments which hadn't been backfilled). There are now 7 staff in post and a Customer Services and Quality Officer has been recruited locally and a Performance Analyst has been appointed for real time analysis of performance which had previously been monitored monthly or at most weekly. Monthly meetings with Housing, Corporate and Consultancy colleagues have been introduced. The HoWPS Head of Service has attended a meeting of the Housing Repairs Forum and undertake ride outs to view progress on Voids. Each month a sample of 8-12 jobs are undertaken with calls to tenants to seek their views on their experience of HoWPS. Talking to customers is important and an invitation to meet Head

teachers has been requested. Tenant representatives have been invited to visit the call centre.

The call statistics have improved since September 2018 and are moving from red towards amber. Improvements need to be sustainable in the long term.

What is the complaints process?

An acknowledgement will be received within 24 hours. The complaint is sent to the relevant department who have 20 working days to respond. The company have received compliments on their complaints resolution from housing colleagues.

A copy of the complaints process will be provided.

Why do voids take so long to bring back into occupation, the longer a property is unavailable for rent the less rental income is available to the housing department and the longer tenants are waiting for suitable housing?

At present HoWPS are only responsible for that part of the process where houses are mended. The full process includes from quitting, through mending to letting and HoWPS are working closely with housing colleagues to rectify this. A new structure has been introduced specifically dedicated to voids, HoWPS and housing are sharing data on voids and a cleansing exercise has taken place to ensure that voids already returned to housing are no longer showing on the system. The KPI on voids is now showing an improving picture and has a high profile on the HoWPS Board. The importance of improving this indicator is understood in relation to the need for properties to be promptly let.

What priority is given for improvement works when outgoing tenants refuse this work as they do not want the disruption?

Ongoing improvements are undertaken separately from the teams working on voids. Priority is set on instruction from Powys and this is factored into work planning arrangements.

The new IT and communication arrangements are welcomed. Schools need a system where jobs logged can be easily tracked. At present schools are finding it difficult to follow-up jobs requested and do not understand the priority given regarding reporting problems such as health and safety issues, issues regarding environmental legislation or safeguarding matters.

When a job is received in HoWPS it is logged and a reference is generated. Schools can call in with this reference to check progress. It was not known if the HoWPS IT system had the potential for complainants to track progress independently. This would be explored in conjunction with colleagues from the schools service. At the Head teachers meeting HoWPS will be asking what are the hot topics across this sector. A sample of schools will be visited to gain an understanding of the issues they are facing.

The role of HoWPS in allowing schools to remain compliant is understood. The issue of complaints appearing to be lost has been picked up and it is intended to improve efficiency in the contact centre so that outbound calls can be made to complainants advising them of the current situation.

With regard to the KPI on the speed of complaints resolution it is not clear how confident Members can be in this indicator when it appears from schools that when jobs are requested from HoWPS they do not receive a job number. Without a job number it is not possible to know how the complaint is ranked nor

to track it. Whilst the meeting has heard that HoWPS identifies different client groups as housing, corporate and consultancy it is not clear where schools fit into this.

When schools report a job they should be given a job number. Having heard today this is not always happening this will be investigated. There are two ways to contact HoWPS which are:

complaints@howps.co.uk

compliments@howps.co.uk

this information should have been disseminated to everyone under the Powys umbrella. Complaints come through this system and are tracked by the Head of Customer Services.

What constitutes an emergency?

The definition of emergency is contained within the contract but it is accepted that this does require clarification and may be different for primary, secondary or special schools.

The definition of an emergency will be clarified with schools.

The use of local contractors is welcomed but 44% does not seem particularly high. It is known that contractors from South Wales and Staffordshire are being used. What plans are there to improve the amount of local contractors used?

One of the objectives in the Business Plan is to increase the use of local contractors and it time HoWPS would be looking at using 80% of local contractors. It is aimed to reach this position by decreasing the number of contractors on the list but spending more with these contractors as they grow their businesses. This is an appropriate commercial approach. Experience elsewhere has shown that small companies are able to expand to support Joint Ventures similar to HoWPS. Non Powys contractors have had to be used where local skill sets are lacking but the common perception that when Keir arrive they will bring their supply chain is incorrect. The intention is to use the local supply chain but it is necessary that the rates and quality of local supplies is right.

The Annual Report notes that one local contractor is not in sync with the response time of HoWPS. Why is this the case and what is being done to address this?

This was discovered in July when detailed work was being undertaken. The HoWPS contract specifies a response time of 2 hours. One of the sub-contractors response time is 3 hours. This was a contractor who previously had a contract with Powys County Council which was novated to HoWPS with the original timescale still in force. The current contract was extended in June 2018 for one year and HoWPS will now be reporting missed times separately for HoWPS and the contractor. The next opportunity to look at response times in the sub-contractors contract will be June 2019. It is hoped that over the year the in-house team will be strengthened.

It is understood that there have been instances with sub-contractors sub-contracting their work. With each company taking a cut how is this cost efficient?

This is known as sub subbing in the industry. HoWPS appoint compliant sub-contractors (to ensure these businesses have insurance and are health and safety compliant). Sub subbing should not happen without signoff by a HoWPS Director. It is the intention to grow the direct delivery to make best use of

resources but sub-contracting will always be necessary in respect of specialisms, spikes and adverse weather.

What arrangements has HoWPS got in relation to resilience?

HoWPS has a Severe Weather Plan and also checks with their suppliers what their Winter Plans are. It is intended to work closely with Powys to explore the opportunity for using strategic buildings across the county for welfare purposes during extreme weather. All engineers have skillsets and vehicles and an out of hours scheme is in operation with engineers on standby. The escalation process goes right up to the Chief Executive if required.

Now that the call centre staff are up to strength has there been an increase in front line staff to deal with the volume of work required?

Front line staff are increasing but there is also a need to use staff more efficiently.

What has been heard has been greatly encouraging but this has also including an acknowledgement that there had to be an increase in call centre staff, that a meeting with Head teachers is needed, that both a Customer Services Manager and Voids Manager has had to be appointed. Did HoWPS underestimate the size of the task in Powys?

When HoWPS was set up staff were transferred directly. If anything was underestimated it was the skillset of the transferring staff and there were gaps in the front line managers and health and safety. In addition there were unexpected IT issues. The first year has had its challenges and it was suggested that the company should be judged on its second year results.

Outcomes:

- **That the complaints procedure be provided**
- **That in future reports additional information is provided regarding what has changed since the previous report and what actions need to be taken**
- **That in future reports performance relating to schools are defined separately from corporate performance in the same way housing performance is defined separately**
- **That schools are advised of the definition of emergency**
- **That in future financial information is provided alongside performance information in the Annual Report**

6.	REVIEW OF PRE-SCHOOL PROVISION
-----------	---------------------------------------

Documents considered:

- Briefing on the review of pre-school provision

Introduction

The Director of Education outlined that Powys was one of a few Welsh Authorities to raise the age of admission to school to statutory age. There are lessons to be learnt about how this was implemented and this will be used to shape how this is progressed. The change in age of admission resulted in a

number of changes to both schools, the provision of high quality early years' education and childcare sufficiency.

Welsh Government have committed to providing access to sufficient childcare for all families by the end of the current term. The rollout plan has recently been communicated from Welsh Government and for Powys means that 30 hours childcare should be available across the county by April 2019 (having previously indicated it would be piloted in two areas from January 2019).

It is recognised that additional work needs to be undertaken regarding the governance of settings. There are sufficient settings but a number of these have surplus capacity. It is not sustainable to spend public money on unsustainable settings. It is positive to record that the 10 regulatory reports received on settings this year record 'Good' for standards.

The Senior Challenge Advisor noted he had taken Early Years on in June 2018 which was towards the end of the first year of operation. At present Welsh Government fund 10 hours of pre-school provision. Powys currently provide 12.5 hours a week.

The service have undertaken a review of the changes regarding pre-school provision. Setting Leaders reported they had received support from Early Years and Education to extend their age range to 4 year olds. Schools are working with settings and are meeting the pupils that will be coming into school. There have been issues regarding governance which need to be clarified. At present there are three types of governance:

- Independent (non-maintained)
- In schools prior to change (Responsible Individual and Management Committee)
- In schools – new settings (Responsible Individual and Powys County Council governance)

Advice often differs depending on the governance arrangements and reducing the governance types will help simplify this.

When the change of age of admission was made savings of £1.5million were expected. Of these £873k have been achieved in 2017/18. In 2018/19 £623k were expected of which £397k have been achieved. Additional costs not originally budgeted for include extra staffing costs when establishing settings, building works to meet Care Inspectorate Wales standards and employment rights which had not been budgeted for. In addition, the service needs to find £221k of efficiencies during 2018/19. Welsh Government support for 3 year old funding is provided for 10 hours a week. At present the schools service is picking up the additional employment support costs but this will need to be included during the review of funding for 3 year old provision.

When the arrangements were changed each setting was funded for two staff (up to 16 children). A number of settings have fewer than 16 children and two settings have agreed for funding to be withdrawn (one with no children and the second with 2 children who can access alternative provision locally). A further five settings are forecast to decrease to 8 children and the service are keeping these settings under review. It may be that the change to 30 hours free child care will alleviate the funding issue in some cases.

853 children are accessing settings but not all are full time and some are accessing more than one setting. It had been forecast that there would be over 1,000 children and space was provided for all children. It was difficult to predict uptake but from 2019 the schools service will be responsible for admitting children to settings which will help track need.

It is expected between 40 and 70% of settings will want to take on the 30 hours childcare offer.

Discussion

What evaluation has been undertaken with schools on the impact of this change?

The children who started school in September 2018 were the first cohort to have gone through the new system. Foundation phase staff have been working with settings with the advantage that they know the children coming in. During this half term baseline assessment will be undertaken. There will be some children who haven't accessed settings and there is a perception that these children have missed a year in school or setting. The baseline assessments will reveal if this is the case. Some schools are reporting issues regarding school readiness (including the ability to use the toilet).

Are teachers finding the assessments provided to them by settings are correct?

This will be identified during the baseline assessments undertaken this term.

Are school staff supporting those settings which are located in schools to the detriment of the school age children?

There are differences in the governance arrangements which need to be addressed and the finance issue is another area which will be reviewed to ensure that settings receive funding to cover for example sick leave.

Why were for example employment costs not factored into the original plans?

It is not known why these costs were not included in the original proposals for this project. Since June when responsibility for this transferred it has been acknowledged that this should have been part of the proposals. In the meantime these costs have been picked up by the schools service.

There are overspends in primary and secondary schools and it appears early years are experiencing a similar position. What action will be taken to address the savings (both unachieved and identified) for this service?

Whilst there are overspends in the high schools most primary schools are compliant.

Admission to early years settings will be undertaken by the authority to ensure that children are only admitted where there are places available.

The funding formula will be reviewed to ensure that money is targeted where there is demand.

Most capital work has been undertaken.

The Portfolio Holder advised that she had expressed concerns regarding this change prior to her taking over the portfolio but these concerns were not addressed. The availability of Welsh speaking staff had been overestimated. The project did require more detailed planning.

What additional work was needed in respect of Llanelwedd, Llangattock and Llanfyllin and has these been completed?

The additional work in Llanfyllin has been completed, the work in Llangattock is due to be completed by the end of half term and some outstanding work remains in Llanelwedd.

Do the changes particularly impact on Welsh learners given that those who are from English speaking homes effectively are starting school one year later?

Terminology for educating children in Powys should reflect if they are receiving a single language education or bi-lingual education.

The Welsh in Education Strategic Plan outlines the way the authority meets requirements regarding the language of education. There is a need to meet and generate demand for Welsh Medium education and ambition will be needed to get there.

A problem with using the term bi-lingual education is that some schools in Powys have a large proportion of children that do speak a second language which may be Polish or Nepalese and care needs to be exercised in how schools are described.

At present there are 51 non-maintained settings, 21 maintained settings and 9 maintained settings with a Powys management responsibility. What changes are proposed?

Initially it is intended to address the 9 settings that have management committees so this will reduce the governance arrangements to just two options.

It appears that 10-15% of children expected did not turn up. How were these numbers forecast?

The number of three year olds is provided by Powys Teaching Health Board and there are over 1,000 children in the cohort. It is parental choice whether or not to send a child to a three year old setting.

Is transport available to access three year old provision?

There is no requirement to transport children to pre-school provision as they are under statutory school age.

Cllr M Williams left 12.55pm

As the authority move from 12.5 hours pre-school provision to 30 hours free childcare will there be sufficient places available?

If there is an increase in demand it will not be affecting the 12.5 hours a week but may affect the sufficiency of childcare.

What are the levels of surplus places?

The 2018/19 school roll figures are just coming through. It is anticipated that 1047 places will need to be provided next year. It is possible that there will be some over provision but it is expected that there will be some families who do not realise they should apply for admission to a setting.

Of the settings that closed did any have capital money spent on them?

One school based setting had toilets reconfigured.

Will the new funding model be trialled?

Officers have researched funding models in the other ERW authorities that offer 3 year old settings. All of these models base funding on number of children accessing places rather than adult support.

Education are not leading on 30 hours child care which is being undertaken under the Start Well Programme of the Public Services Board.

Can single parents or parents undertaking full time education access 30 hours childcare?

It was not thought to be the case but would be checked.

Outcomes

- **There is an acknowledgement by the service that the implementation of the change of age of admission was undertaken in such a way that gave rise to problems which should have been identified. The lessons learned need to be shared with Officers involved in the roll-out of 30 hours childcare to ensure that the same mistakes are not made and assurance is sought that these lessons have been shared in the appropriate arena.**
- **To address the problems that have arisen the work identified as necessary in particular around governance and finance needs to proceed at pace for introduction by the start of the next financial/academic year. Assurance is sought that this work will be completed within this timeframe.**

7.	CHAIR'S BRIEFING
-----------	-------------------------

The Chair advised he had attended the Schools Forum as an observer and this had echoed what the scrutiny meetings had heard.

The Chair advised that the potential call-in of a decision by the Portfolio Holder for Economy had, on further discussion, found not to be necessary but that the discussions had revealed that some reports were not as detailed as they might be and that a review of the structure of decision papers would take place.

8.	WORK PROGRAMME
-----------	-----------------------

2nd November 2018 – Highways Asset Management Plan

21st November 2018 – Funding Formula Review

13th December 2018 – ALN review

County Councillor P Roberts

This page is intentionally left blank

Learning, Skills and Economy Scrutiny Committee – 13th December, 2018**Scrutiny Briefing – Update on Additional Learning Needs and Inclusion Transformation Programme**

This paper has been provided to enable Scrutiny Members to track progress on this transformation programme.

The programme has a number of strands some of which are appearing on the Cabinet Work Programme and two of these have been identified for pre-Cabinet scrutiny namely BESD and Pupil Referral Unit Provision, and Specialist Centre Provision which are on the Cabinet Work Programme to be considered on the 30th April 2019. These are due to have pre-Cabinet scrutiny at a meeting of the Learning, Skills and Economy Scrutiny Committee (or successor committee) on the 5th April 2019. The 'Next Steps' identified in the paper note that the Specialist Centre Provision is due to come to Cabinet and Scrutiny in the Summer Term.

Scrutiny need to seek assurance that the milestones for the work required to meet the legislative changes are being met.

With regard to other projects that have been slotted in to this transformation programme (Post 16 and Early Years provision), where scrutiny have undertaken some work during the autumn term further information should be sought regarding the timescales for these strands.

This page is intentionally left blank

CYNGOR SIR POWYS COUNTY COUNCIL.

**SCRUTINY
4th December 2018**

REPORT AUTHOR: IMTIAZ BHATTI

SUBJECT: Additional Learning Needs Update:
Additional Learning Needs And Inclusion Transformation
Programme

REPORT FOR: Scrutiny

1. Summary

The purpose of this report is to provide an update on the plans for transformation in relation Additional Learning Needs provision in Powys, which is responding to the Welsh Government transformation programme as well as focussing on local continuous improvement of the service.

This project has the full support and approval of elected members, cross LA services, schools and third sector organisations. This paper has been brought to scrutiny at this stage to provide a further briefing for scrutiny and to receive any feedback.

Context

Since September 2017 a number of changes have taken place that have impacted on the Additional Learning Needs Provision in Powys:

- 1- The **Additional Learning Needs and Education Tribunal (Wales) Act 2018** will become law in 2020 (**Appendix 1**), with the SEN system coming to an end and the term being superseded by ALN in 2023.
- 2- The draft Code of Practice is due to be released during December 2018, which will be followed by a 15-week consultation. The ALN Department and Transformation Programme will engage with stakeholders to gather the opinions to include in the consultation response.

Identified actions

Welsh Government ALN and Tribunal Act 2018 and associated legislation which will be introduced in September 2020 for all schools and providers which will require the need in Powys to:

- a. review local ALN & Inclusion policy and procedures (including the use of technology) and to meet the requirements of the Act and the new ALN Code of Practice (formerly SEN Code of Practice);
- b. update/change local ALN & Inclusion policy and procedures (including the use of technology) and to meet the requirements of the Act and the new ALN Code of Practice (formerly SEN Code of Practice);
- c. identify what IT solutions will be required to satisfy new legal and operational requirements.

In order to meet the needs of the new Welsh Government ALN and Tribunal Act 2018 for September 2020 and to review its impact.

Progress so far

This project requires the full support of elected members, cross LA services, schools and third sector organisations.

1. Identification and Development of Workstreams

9 workstreams have been identified and leads appointed to each. The first 6 are in direct response to the legislative change and the final 3 are linked to ALN provision within Powys. Work has commenced on all workstreams that are not dependent upon the code of practice, with c, d, and e commencing in January 2019:

- a. Post 16 Provision
- b. Early Years Provision
- c. Introduction of Individual Development Plans (IDPs)
- d. Workforce Development
- e. Dispute Resolution
- f. Parental and Pupil Involvement
- g. Specialist Centre Provision
- h. Behavioural, Emotional, and Social Difficulties (BESD) and Pupil Referral Unit (PRU) Provision
- i. Making it Happen (which supports cross-cutting themes such as ICT, Welsh Language, and referral processes)

All schools have been contacted to request their involvement in this work, many have responded, and the full list is in the **Appendix 2**.

2. Communications Strategy

A communications strategy has been produced in collaboration with the Communications Team (**Appendix 3**)

- a. This is a living document that will be reviewed and revised throughout the programme
- b. Engagement is being carried out as wide as possible and includes attendance at Governor Briefings, workshops with professionals, engagement events for the public, and newsletters.
- c. The team will be attending 2 Welsh Government transformation events for parents on the 10th and 11th December

3. Regional and Local Plans

A regional and local action plan has been agreed by Welsh Government. Together these combine to create an action plan which is shared regionally but also localised to Powys.

4. Analysis of Current ICT Provision

An initial analysis of current ICT provision is being undertaken to establish whether the capability is in line with the changing legislation and its requirements.

Next Steps

The next few months will have a central theme of engagement.

As well as the following actions, a further progress update will come back to Scrutiny in during the Summer 2019:

1. Attendance at Schools Forum to update on progress on the 7th December 2018
2. First issue of schools and Governor's newsletter
3. First issue of public newsletter
4. Welsh Government Parental Engagement Events – on the 10th and 11th December 2018 in Llandrindod and Welshpool respectively
5. Evaluation of the training audit
6. Professional Workshops – 10th, 14th, and 16th of January 2019 in Welshpool, Brecon and Llandrindod respectively
7. Parental Engagement Events – 17th, 23rd, and 25th January 2019 in Llandrindod, Brecon, and Newtown respectively
8. Attendance at Youth Forum on the 26th February
9. Attendance at the ALNCo fora to discuss and gain feedback on the draft Code of Practice
10. Attendance at the Governor's Briefing on the 5th, 6th, and 7th March to discuss and gain feedback on the draft Code of Practice
11. Finalise plans for the BESD and PRU workstream, including a virtual school
12. Proposals for the Specialist Centre workstream to be submitted to Scrutiny and Cabinet in the Summer term 2019.

Appendices

Appendix 1 – Additional Learning Needs and Education Tribunal
(Wales) Act 2018 and the Welsh Government Transformation Project

Appendix 2 – School Involvement in Workstreams

Appendix 3 – Powys Additional Learning Needs and Inclusion Transformation
Programme Communications Plan

Contact Officer:	Imtiaz Bhatti
Tel:	01597 826401
Email:	Imtiaz.bhatti@powys.gov.uk



Llywodraeth Cymru
Welsh Government

A 0–25 age range

Local authorities will be responsible for learners with additional learning needs (ALN) from 0 to 25, ensuring they can access suitable education and/or training, including compulsory education and specialist post-16 education or training where necessary.

A new local authority Early Years Additional Learning Needs Lead Officer role will contribute to improving early identification and intervention in relation to ALN, and ensuring better planning for future provision.

Welsh language

Local authorities will have a duty to take all reasonable steps to secure provision in Welsh where required and, when reviewing IDPs, to consider the sufficiency of Welsh language additional learning provision.

A mandatory ALN Code

The ALN Code will impose mandatory requirements on local authorities in respect of:

- information and advice services
- independent advocacy services
- the preparation, content, form, review and revision of IDPs
- ceasing to maintain IDPs.

Clear and consistent rights of appeal

All children, their parents/carers and young people up to the age of 25 will have the right to appeal to the Education Tribunal against decisions made by a local authority in relation to their ALN or their IDP.

Local authorities must provide access to independent advocacy services.

Increased participation of children and young people

Local authorities must provide children, young people and others with information and advice about ALN and the new system, and ensure that it is accessible for all who need it.

A unified plan

Individual development plans (IDPs) will replace the existing variety of statutory and non-statutory plans for learners of compulsory school age and below, and those over compulsory school age in school or further education.

Local authorities will normally only prepare and maintain an IDP in instances where the child or young person's needs are more severe or complex. Ordinarily IDPs will be the responsibility of the maintained school or further education institution.

Avoiding disagreements and earlier disagreement resolution

Local authorities must make arrangements for avoiding and resolving disagreements.

If disagreements arise, local authorities' arrangements should ensure they are resolved at the earliest opportunity and at the most local level.

Increased collaboration

Where a local authority requests help or information from another body in the exercise of any of their ALN functions, that body should comply with the request.



Appendix 2: Workstreams – School Participation

- **Post 16** – Imtiaz Bhatti / Michael Gedrim
 - Ysgol Calon Cymru
- **Early Years** – Hayley Smith
 - Maesyrhandir CP, Llandrindod Wells CP (Cefnlllys), Ysgol Golwg-y-Cwm & Llanfaes CP & Specialist Centre
- **IDPs** – Simon Anderson
 - Llanidloes High School, Llanidloes CP, Llangedwyn CiW & Llanfechain CiW & Brecon HS
- **Workforce Development** – Emma O’Monaigh
 - Builth Wells CP, Presteigne CP & Ysgol Penmaes
- **Dispute Resolution** – Simon Anderson
 - Ysgol Uwchradd Caereinion
- **Parental & Pupil Involvement** – Simon Anderson
 - Ysgol Bro Hyddgen, Ysgol Calon Cymru & Llanidloes CP
- **Specialist Centre Educational Provision** – Jo Cassey & Simon Anderson
 - Builth Wells CP, Ysgol Golwg-y-Cwm & Specialist Centre at Ysgol Calon Cymru
- **Behavioural, Emotional & Social Difficulties (BESD) & Pupil Referral Unit** – Jo Cassey & Mike Wheeler
 - Ysgol Calon Cymru, PRU –North, PRU – South, Welshpool HS & Builth Wells CP
- **Making It Happen** – Imtiaz Bhatti & Sarah Quibell
 - Llangedwyn CiW & Llanfechain CiW & Welshpool HS

Appendix 3: Communications Plan

ADDITIONAL LEARNING NEEDS **AND INCLUSION** **TRANSFORMATION AND** **INCLUSION PROGRAMME**

Communications Plan

Responsible Officer: Imtiaz Bhatti

Version number: 1.0

LIVE DOCUMENT

Table of Contents

1.0	Situation Summary	p. 3
1.1	Situation Summary	p. 3
1.2	Target Audience	p. 3
2.0	Communication Objectives	p. 4
3.0	Strategy	p. 4
3.1	Key Messages	p. 5
3.2	Campaign Tactics – Phase 1	p. 6
3.3	Campaign Tactics – Phase 2	p. 9
4.0	Evaluation	p. 10

1.0 – Situation Summary

1.1 – Situation Summary

Powys County Council is responding to the ALN and Education Tribunal Act (Wales) 2018 and associated legislation which will be introduced in September 2020 for all schools and providers which will require the need in Powys to:

- d. review local ALN & Inclusion policy and procedures (including the use of technology) and to meet the requirements of the Act and the new ALN Code of Practice (formerly SEN Code of Practice);
- e. update/change local ALN & Inclusion policy and procedures (including the use of technology) and to meet the requirements of the 2018 Act and the new ALN Code of Practice (formerly SEN Code of Practice);
- f. identify IT solutions that will be required to satisfy new legal and operational requirements.

This will provide a structured approach to the required transformation process during the period 2018-2021 resulting in the introduction of a new strategy and supporting Powys County Council policy for Additional and Learning Needs and Inclusion for implementation by September 2020.

There is a developing understanding by local authorities of the range of reform and significant changes incorporated in the Act and the necessary work involved to prepare for the implementation of the new legislation and approach to Additional Learning Needs provision in all local authorities in Wales from September 2020.

1.2 – Target audience

This communication campaign will target the following key audience:

- Director of Education
- PCC ALN & I Steering Group
- Learning & Skills Programme Board
- The Leader and the Cabinet
- Cabinet Member for Education – Cllr Myfanwy Alexander
- Cabinet Member of Children’s Service – Cllr Rachel Powell
- ALL Members
- Local councilors
- PCC Scrutiny Committee
- Schools Service Senior Management Team
- ALN & Inclusion Service
- School Governors
- Schools Forum
- Head teachers and all teaching staff
- ALNCoS
- Early Years and Pre-School Settings
- Further Education Providers

- Out of County Providers
- Start Well/CYPP/Flying Start
- PCC HR
- PCC Legal
- PCC ICT
- PCC Finance
- Union Reps
- Senior Managers Powys County Council
- Challenge Advisors
- Social Care
- Powys Teaching Health Board (PthB)
- Careers Wales
- Welsh Government
- Diocesan Boards
- Schools Forum
- Youth Forum
- Assembly Members (AMs)/Members of Parliament (MPs)
- ERW Regional Consortium
- Regional Partners
- Joint Consultative Committee (JCC)
- Relevant PCC Project/Programme Leads
- Children and Young People
- Parents and Carers
- Third Sector Organisations
- Media and Journalists (as appropriate)
- General Public

2.0 – COMMUNICATION OBJECTIVES

- To effectively communicate to **ALL** stakeholders regarding changes resulting from the Additional Learning Needs and Tribunal (Wales) Act 2018 and the Powys County Council Additional Learning Needs Transformation Programme
- To inform stakeholders of our priorities and actions
- Manage the media and political interest
- To involve parents/carers in our response to changes in national legislation

3.0 – STRATEGY

3.1 - Key messages

The key messages used throughout the communication outputs will be:

- National and legislative changes
- Inclusion, equity, and parity of provision covering 0 – 25
- Introduction of the integration of services
- Early intervention and support
- The use of individual development plans (IDPs)
- Person centered planning (PCP)
- Workforce development
- ‘All reasonable steps must be taken to secure provision in Welsh’

3.2 – Campaign Tactics

Phase 1:

Eg. Building interest and momentum, as well as making sure other key publics are informed.

Activity	Description	Audience	Outcome	Lead	When	Status
Get Communications Plan approved	Approval by Project Sponsor and ALN Transformation Steering Group	Project Sponsor/ Steering Group	Approved Communications Plan	Sarah Quibell	December 2018	BLUE
Schools Involvement in the Workstreams	Allocate Schools expressions of interest to the workstreams working groups	Schools/ workstream leads/working groups	Schools involvement in workstream working groups	Imtiaz Bhatti	October 2018	BLUE
Initial Amendments to Internet Page	To include information on the Additional Learning Needs and Tribunal (Wales) Act 2018 and the Powys County Council Transformation Programme	Public and key stakeholders	Provide basic information on the legislative changes and Powys County Council's Transformation Programme	Sarah Quibell	November 2018	BLUE
Attendance at the Governor's Briefings	Attend Governor's Briefing to provide information and update about the Additional Learning Needs and Tribunal (Wales) Act 2018 and the Powys County Council Additional Learning Needs Transformation Programme	Governors	Provide information on the legislative changes and Powys County Council's Transformation Programme	Imtiaz Bhatti/ Sarah Quibell	November 2018 (initial week of meetings in November 2018, have requested regular slot)	GREEN

Cascade Information Via the Governor's Facebook Page	Provide core briefings/updates in a quick and accessible manner	Governors	Key updates received promptly	Imtiaz Bhatti/ Sarah Quibell	November 2018 (commencing following first attendance at Governor Briefings and then continue as required)	GREEN
Provide Information to Family Information Service	Provide information about the Additional Learning Needs and Tribunal (Wales) Act 2018 and the Powys County Council Additional Learning Needs Transformation Programme	Public	Parents/carers are aware of changes and progress	Imtiaz Bhatti/ Sarah Quibell	December 2018 (initial briefing and ongoing as required)	GREEN
Regular Newsletter for Schools (or update included in Pont)	Provide updates on the Additional Learning Needs and Tribunal (Wales) Act 2018 and the Powys County Council Additional Learning Needs Transformation Programme	Schools Staff	Schools staff are aware of changes and progress	Imtiaz Bhatti/ Sarah Quibell	January 2019	GREEN

Attend Youth Forum	Provide information about the Additional Learning Needs and Tribunal (Wales) Act 2018 and the Powys County Council Additional Learning Needs Transformation Programme, as well seek opinion on methods of pupil engagement	Youth Forum	Pupil engagement and identifying preferred methods of communication	Sarah Quibell	February 2019	GREEN
Full Revision of the Internet Page	To provide full information regarding Additional Learning Needs and Tribunal (Wales) Act 2018, the Powys County Council Transformation Programme, and the Additional Learning Needs and Inclusion service	Public and key stakeholders	Provide full information on the legislative changes, Powys County Council's Transformation Programme and the Additional Learning Needs and Inclusion service	Sarah Quibell	November 2019 (with annual review)	GREEN

Phase 2:

Activity	Description	Audience	Outcome	Lead	When	Status

4.0 – EVALUATION

All engagement activities will be evaluated and findings reported below:

CYNGOR SIR POWYS COUNTY COUNCIL

CABINET EXECUTIVE

Date 15th January 2019

REPORT AUTHOR: County Councillor Myfanwy Alexander
Portfolio Holder for Education
County Councillor Aled Davies
Portfolio Holder for Finance

SUBJECT: Formula Review Post Consultation

REPORT FOR: Decision

1. Summary

1.1 In July 2018 the Cabinet approved the overall design of a revised funding formula for schools. The review had been initiated due to concerns about the level of deficit occurring in some schools and the need to ensure all schools are able to deliver a minimum curriculum. Officers from the Finance and Schools Service, together with school representatives from the Formula Review Group (FRG) have now completed this work and full consultation has been undertaken, which we are grateful for time taken by all. This report provides recommendations for a new formula for 2019/20 and further development work thereafter.

2. Proposal / Outcomes sought

- 2.1 The proposal is a funding formula for schools that achieves the outcomes listed below:
- Adequate funding for core educational provision, at the minimum level consistent with regulatory requirements, Powys policy and efficient delivery;
 - Funding for premises related costs that fairly reflect the differences in size and condition of school buildings and minimum maintenance requirements;
 - Funding distributed by use of proxy indicators to provide schools with capacity to meet the additional needs of children and young people in line with Powys policy on ALN and provision for vulnerable children;
 - Fair and transparent means of funding aspects of education policy or specific circumstances that affect some schools but not all.
- 2.2 The detail of the proposed formula is provided at Appendix A (A1 Primary and A2 Secondary).
- 2.3 A phased implementation approach is proposed, to ease transition for individual schools and provide for ongoing alignment to local authority policy, regulatory changes and funding constraints. This implementation will need to be decided based on affordability of the Council and consulted with Schools Forum prior to roll out.

3. Options Considered / Available

- 3.1 Option 1: continue with the existing school funding formula methodology.
- 3.2 Option 2: implement the new school funding formula, as set out in Appendix A.

- 3.3 Option 3: modify the proposed funding formula to reflect changes to educational policy to ensure overall affordability.

4. Preferred Choice and Reasons

- 4.1 Option 1 does not provide a secure basis for reducing the level of deficit budgets in schools as it does not allow for transparency in the funding of an agreed minimum level of educational provision.
- 4.2 Option 2 is preferred by the formula review group, which is an educational minimum as required by the scope of the project. It has financial implications as it identifies the need for funding above the current planning level as well as variations at school level. Implementation arrangements would need to allow reasonable transition time to implement staffing changes and protect courses of study already commenced.
- 4.3 Given the substantial proportion of the Council's budget accounted for by school funding, the Cabinet will need to consider competing priorities as it sets a budget for the medium term. Recognising affordability concerns, the preferred choice is Option 3, with a commitment to maintaining the integrity of the formula through an ongoing alignment for educational policy and budget provision and annual review, acknowledging there are some implications on the educational delivery.

5. Impact Assessment

- 5.1 The formula proposed for ALN is consistent with the current methodology, and as such minimises the turbulence for schools in advance of the outcomes of the ALN review. However, an option exists to alter the boundary between formula funding for ALN and the top up for children with Statements.
- 5.2 In order to maintain an alignment between educational policy and the delegated funding for schools, future policy changes will need to address the resultant modification to the funding formula. In addition, a list of policy changes regarding spend to save options have been suggested at Appendix B.
- 5.3 The formula proposal will result in a redistribution of budget, even without any change in the overall level of the school budget. The headlines, based on updated data sources and 2019/20 pay prices, are:
- An increase in the total school budget¹ for FY1920 of £978k over and above footnote 1, to reflect the minimum cost of current educational provision in Powys is required. The proposed overall schools delegated budget is £70.48m whereas the requirement is £71.46m
 - A movement of £3.41m from targeted ALN allocations into inclusive core provision

6. Corporate Improvement Plan

- 6.1 The review of the formula is in line with the Corporate Improvement Plan

7. Local Member(s)

- 7.1 This paper affects all areas of the education community across the county.

8. Other Front Line Services

- 8.1 The recommendation does not impact on other services run by the Council or on behalf of the Council?

¹ The proposed overall schools delegated budget for FY1920 includes the additional £1m funding and the pay award funding included within the provisional settlement.

9. Communications

9.1 [DN: relating to the management of the consultation process]

10. Support Services (Legal, Finance, Corporate Property, HR, ICT, Business Services)

10.1 Legal

- [DN: relating to the compliance with regulations]

10.2 Finance: The School Finance Manager supports the implementation of a clear funding formula as an essential prerequisite for enforcing compliance with the Scheme for Financial Schools.

10.3 Corporate Property

- [DN: relating to reasonable levels of property maintenance]

10.4 HR

- [DN: relating to implementation timescales]

10.5 ICT – not relevant?

11. Scrutiny

11.1 The report has been scrutinised on 13 December 2018. The Scrutiny Committee has provided the following comments:

-

11.2 The changes made since the date of Scrutiny and details of recommendations that have been accepted or rejected are noted below:

-

12. Data Protection

12.1 The proposal does not involve the processing of personal data

13. Statutory Officers

13.1 Financial impact

-

13.2 Monitoring Officer

-

14. Members' Interests

14.1 The Monitoring Officer is not aware of any specific interests that may arise in relation to this report. If Members have an interest, they should declare it at the start of the meeting and complete the relevant notification form.

15. Future Status of the Report

15.1 Members are invited to consider the future status of this report and whether it can be made available to the press and public either immediately following the meeting or at some specified point in the future.

15.2 The view of the Monitoring Officer is that.....

Recommendation:	Reason for Recommendation:
To implement the new school funding formula as set out in Appendix A from April 2019	To demonstrate the fair and transparent resourcing of agreed educational policy
To phase implementation over two financial years, prioritising underfunded schools	To ensure underfunded schools are funded for a minimum education and that changes are reasonable for all schools
To maintain the link between educational policy and budget in circumstances where policy, budget or cost change through annual review	To ensure the integrity of the funding formula is maintained

Relevant Policy (ies):	Scheme for Financing of Schools		
Within Policy:	Y	Within Budget:	N

Relevant Local Member(s):	
----------------------------------	--

Person(s) To Implement Decision:	Cabinet
Date By When Decision To Be Implemented:	Within budget timeframes for FY1920 implementation

Is a review of the impact of the decision required?	Y / N
If yes, date of review	
Person responsible for the review	
Date review to be presented to Portfolio Holder/ Cabinet for information or further action	

Contact Officer:	Richard Waggett
Tel:	01597 826387
Email:	Richard.waggett@powys.gov.uk

Background Papers used to prepare Report: all reports to the Formula Review Group

CABINET REPORT TEMPLATE VERSION 6

\$qnyl4zet.docx

Appendix A1 – Proposed Powys School Funding Formula – Primary

Attached

Appendix A2 – Proposed Powys School Funding Formula – Secondary

Attached

Appendix B

Potential policy changes that will help to produce a more efficient and effective service (spend to save options):

- School procurement strategy, which could be linked to a consensus around some reduced delegation
- Workforce strategy - to increase the number of HLTAs and alter the age and experience profile amongst the teaching workforce (lower the average teacher cost)
- digital learning - especially the potential to connect pupils in one school and teachers in another without transport requirements
- collaborative administration, linked to shared services, PCC SLAs etc)
- investment in preventative and early help services for vulnerable children and BESD learners
- increase in bilingual teachers and in bilingual teaching techniques (reducing the cost of bilingual provision through reduced reliance on dual stream)
- invest in improved energy efficiency or building condition (reduction in formula cost/funding for schools)
- school organisation changes