

CYNGOR SIR POWYS COUNTY COUNCIL

CABINET

FOR PORTFOLIO HOLDER DECISION

20 DECEMBER, 2011

REPORT AUTHOR: John Mitson, School Effectiveness Officer, Working With Others

SUBJECT: Closure of the Residence at Brynllwarch Hall School

REPORT FOR: Decision

SUMMARY

The purpose of this report is to gain approval for the closure of the residence at Brynllwarch Hall School.

In 2000, the residential provision at Brynllwarch Hall School, the Authority's Specialist School for pupils with moderate learning difficulties and/or emotional and behavioural difficulties, located in Kerry, near Newtown, included 36 residential places for both boys and girls.

In 2001, the Care Standards Inspectorate for Wales (CSIW) introduced new standards for the residential care of all pupils, attending schools, and this resulted in the girls' residential block, the former stables at the school, being no longer fit for purpose. This block was, therefore, closed as a residence, reducing the residence at the school to 25/26 pupils. This made the girls' residential building available for other purposes at the school, particularly teaching. The residence was, therefore, reduced, with effect from 2001, to the top floor in the main house and the two former teachers' houses on the school campus.

In 2009, following a critical Fire Officer Inspection Report, it was necessary to close the residential floor in the main house and, therefore, the residence was reduced to the two houses, a total of eight pupil bed spaces.

The provision of residential places at Brynllwarch Hall School was to permit the school to provide a county-wide provision. It is the only school of this nature within Powys and, therefore, in order to make the facility available to all of the county, residential provision was required. At the end of the summer term, 2010, the need for residential provision to enable pupils to attend the school because their homes were too distant for daily travelling, ended.

For a number of years, Brynllwarch Hall School has ceased to be a county-wide provision and has become a provision for pupils in north and mid Powys. Currently, nearly 50% of the pupils attending the school come from the Newtown High School catchment area and, therefore, residential provision is no longer required. In addition, pupils from the south of the county who previously would have attended Brynllwarch Hall School, no longer attend. The reasons for this are as follows:-

- parents and their children no longer wish to attend schools on a residential basis from Mondays to Fridays;

- some pupils who, previously, would have attended Brynlywarch Hall School, are now benefitting from the provision available at Ysgol Penmaes, Brecon, which can be reached, on a daily basis, from all parts of south Powys;
- the Authority is making greater provision for pupils, who previously would have attended Brynlywarch Hall School, in south Powys through support arrangements in mainstream and through the Authority's Complementary Education Service;
- the Authority's funding for outreach and the funding received through the Welsh Government's grant for 'Unlocking the Potential of Special Schools' which has also been used to support the Authority's outreach service, means that staff from Brynlywarch Hall School are able to provide advice and support to colleagues in mainstream schools, in all parts of the Authority, including south Powys, on meeting the needs of pupils with moderate learning difficulties and with emotional and behavioural difficulties who are attending mainstream schools.

During the 2010/2011 financial year, the Authority budgeted £125,000 to fund the residence. This met the cost of the provision itself as well as the staff costs incurred in supporting the pupils. This is, therefore, a very expensive residential provision and for the period from September, 2010, onwards, as there were no pupils requiring the provision because of the distance of their homes from the school, pupils at the school have been permitted to spend one or two nights a week in the residence, as unofficial respite. To maintain the residence for this purpose when there are no pupils requiring access because of their geographical location, in respect of the school, would be an inefficient use of resources and a very expensive provision.

In the light of the above, the Council's Board considered a report seeking approval to start the statutory consultation process to close the residence at Brynlywarch Hall School at its meeting held on 25th January, 2011, and members resolved that approval be given to the commencement of statutory procedures for the closure of the residence.

In addition, informal consultations were carried out with the following as the first step in the process:-

- Parents of pupils at the school;
- Headteachers of Powys schools;
- Powys Children's Services.

The informal consultation took place between 31st March, 2011, and 28th April, 2011, and, during that period, only one objection to the closure of the residence was received.

During the 2010/2011 school year, both the Care Standards Inspectorate and the Fire Officer confirmed that further expensive works needed to be undertaken in relation to the two houses still used as residences in order to bring them up to an acceptable standard and this would require significant capital expenditure by the Authority in order to maintain the number of bed spaces available. In short, the residence is no longer fit for purpose and the Authority has not identified the capital required to carry out the necessary upgrades to the buildings. In the light of this situation, there have been no residential pupils at the school with effect from September, 2011. As indicated above, all the pupils at the school, including those who have been using the residence on an informal respite basis are able to travel to and from school on a daily basis.

Statutory consultation was carried out during the period 7th July to 19th August, 2011, and commenced with consultation meetings held, with the following, on 7th July, 2011:-

- Union Representatives;

- staff
- Governors of the school;
- parents/community members.

Interested parties were given until 19 August, 2011, inclusive, to submit their views and objections in relation to the proposed closure, and only one objection was received. This was from the parent of a pupil who lived approximately 15 miles from the school and was made on the basis that the pupil would no longer be able to spend an occasional night at the school, on a respite basis. This pupil did not meet the geographical criteria for use of the residence and, therefore, would not qualify for access to the residence if pupils living more distant from the school required it. It is not part of the role of the Schools Service to provide respite for pupils and the Authority receives no funding to enable this provision to be made. Provision of respite is a responsibility of Children's Services and, while there was no objection to the occasional bed space being taken by a pupil on a respite basis when there was a requirement for residential pupils who live too distant from the school to travel on a daily basis, it would not be appropriate to maintain the provision for this purpose now that the geographical requirement has disappeared.

A report was submitted to the Portfolio Holder in September, 2011, proposing that statutory notices be published, in respect of the closure of the residence at Brynllwarch Hall School. The Portfolio Holder gave his agreement to the publication of statutory notices and they were published at the school, in all the Authority's libraries and in the local press on 21 October, 2011, inviting any person to object to the proposals.

The proposal to close the residence required the approval of the Welsh Ministers if:-

- a) within two months of a copy of them being sent to the Welsh Government it gave notice that they required such approval; or
- b) objections had been made within the objection period and had not been withdrawn during that period.

Where the proposals do not require such approval, the Council will decide whether to implement the proposal to discontinue the residence at Brynllwarch Hall School.

A response has been received from the Welsh Government indicating that they would not be calling in the proposals for consideration by the Welsh Minister. In addition, no objections were received during the period 21 October, 2011, to 21 November, 2011, and, therefore, the Council is able to decide whether or not to implement the proposals to discontinue the residence at Brynllwarch Hall School.

Proposal

In the light of the above, and, in particular, the lack of any objections to the published statutory notice of closure in respect of the residence and confirmation that there are no objections from the Welsh Government, it is proposed that the Portfolio Holder implements the closure with effect from 31 December, 2011.

Corporate Improvement Plan

This proposal is consistent with the Authority's plans to make local provision for pupils with additional learning needs and is consistent with the school modernisation process which, in addition to focussing on the development of 21st Century Schools, also focuses on local provision for local pupils. The risk to the Council is that this would formally make Brynllwarch Hall School a school for north and mid Powys and require alternative

arrangements in the south of the county. These arrangements are partly in place as a result of parental objections to residential provision, and plans are in place for further development, with effect from September 2012, through the completion of the school modernisation process in the Ystradgynlais area.

Options Considered/Available

There are no alternatives to closure as the Care Standards Inspectorate requires certain facilities to be in place, in relation to residential pupils, however small a number. There is, therefore, no possibility of reducing the expenditure on the residence, no matter how small the number of pupils using it becomes.

Preferred Choice and Reasons

Closure of the residence for the reasons given above.

Sustainability and Environmental Issues/Equalities/Crime and Disorder/Welsh Language/Other Policies etc

The proposal will remove what has become an unnecessary and expensive provision, freeing the resourcing and the buildings for alternative uses. The proposal will not impact on the Council's crime and disorder/Welsh language/other policies.

Children and Young People's Impact Statement - Safeguarding and Wellbeing

The impact of this proposal on Children and Young People will be negligible as only a small number of pupils have used the residence in recent years, on a respite basis, and they are all able to travel to and from the school on a daily basis.

Local Member(s)

N/A

Other Front Line Services

On occasions, Children's Services have requested that residential provision be made for pupils attending the school, who do not meet the geographical criteria, as short-term respite. The closure of the residence will mean that this is no longer available but this was only ever a very occasional arrangement and additional to the usual respite arrangements made by Children's Services. During the initial, informal consultation in respect of the proposal to close the residence at Brynllwarch Hall School, which included Children's Services, no objections were received from that agency.

Support Services (Legal, Finance, HR, ICT, BPU)

The Principal Accountant for Communities, Skills and Learning confirms that, on the basis of 2011/2012 costings, a full year's saving of £125,000 would be achieved with the closure of the residence. Closure in December, 2011 will achieve a £31,250 saving for the part year. There will be additional transport costs of approximately £1,600 in 2011/2012 to transport these pupils on a daily basis. These are, however, not significant as most of the pupils will access existing transport provision. There may also be redundancy/early retirement and compensatory payment costs associated with changes in staffing which are yet to be quantified, all of which will reduce the saving. The Governing Body of

Brynlywarch Hall School will need to consider the change in provision and reduction in funding when planning their budget for 2012/2013.

Legal – there are no legal implications at this stage.

Local Service Board/Partnerships/Stakeholders etc

N/A

Communications

N/A

Statutory Officers

The Strategic Director, Finance and Infrastructure (Section 151 Officer) has commented:-
“I note the comments of the Principal Accountant. The proposal will deliver recurring savings; these will cover termination costs in a relatively short timeframe.”

The views of the Strategic Director, Law and Governance (Monitoring Officer) are that:

“Provided that the consultation process is followed through properly, there are no legal implications at this stage”.

Members' Interests

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.

Recommendation:	Reason for Recommendation:
Approval be granted for the closure of the residence at Brynlywarch Hall School with effect from 31 December, 2011.	No longer a need or demand for residential provision at the school.

Relevant Policy (ies):	School Modernisation		
Within Policy:	Y	Within Budget:	Y

Relevant Local Member(s):	Councillor Mrs K M Roberts-Jones
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Person(s) To Implement Decision:	School Effectiveness Officer
Date By When Decision To Be Implemented:	31 st December, 2011

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