



## Report of the Cabinet Member for Education and Learning

Cabinet – 18 January 2024

# Maximising Education Other Than at School (EOTAS) Provision for Vulnerable Learners in Swansea Follow Up Report

<b>Purpose:</b>	To make recommendations for a revised model of delivery for the Maes Derw Pupil Referral Unit (PRU) following a period of consultation. To seek delegated powers to make the required changes following consultation.
<b>Policy Framework:</b>	<a href="#">Education otherwise than at school (EOTAS): framework for action   GOV.WALES</a> Welsh Government 2019.
<b>Consultation:</b>	Access to Services, Finance, Legal.
<b>Recommendation(s):</b>	It is recommended that:  1) The proposed new model which has been developed, following a period of consultation with the Management Committee of Maes Derw Pupil Referral Unit and other relevant stakeholders, is agreed as the future delivery model for EOTAS services.  2) Authority is delegated to the Head of Vulnerable Learners Service in conjunction with the Cabinet Member for Education and Learning to make the proposed operational changes and carry out any further staffing consultations required and to review and refine the model on an ongoing basis as part of usual business.
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## **1. Introduction**

- 1.1 A report submitted to Swansea Cabinet in June 2023 outlined the constraints with the current operating model of Maes Derw Pupil Referral Unit (PRU) and the changing need of learners in Swansea. A link to that report is provided as a background paper.
- 1.2 The June 2023 Cabinet report made two recommendations with Cabinet approving the first recommendation; to undertake a period of consultation with the PRU Management Committee and wider stakeholders in order to review the current operating model and reorganise the PRU internally.
- 1.3 The second recommendation was also approved by Cabinet. This recommendation was that a follow up report would be produced and shared at Cabinet to determine next steps.
- 1.4 This report is the outcome of that recommendation and shares the findings of the consultation period. This report makes proposed recommendations for a refinement to the current operating model and seeks delegated powers to make the required changes, including any staffing arrangements, through an appropriate change management consultation period.

## **2. Consultation and Engagement Period**

- 2.1 Following agreement from Cabinet to undertake the consultation exercise the following stakeholders were identified:
  - pupil Referral Unit (PRU) Management Committee;
  - staff at PRU;
  - learners attending PRU and those in receipt of other EOTAS services.
- 2.2 The consultation activity took place over a 12-week period which started following Cabinet's agreement on 15 June and ended on 20 October 2023. This allowed for the school summer break to be excluded from the consultation period.

## **3. Consultation Activity**

### **3.1 PRU Management Committee**

- 3.1.1 Following a full Management Committee meeting where the plan to review was shared, two focus groups were established to develop proposals.
- 3.1.2 The first focus group reflected a leadership focus and included the Headteacher, the Chair of the Management Committee, Head of Service

for Child and Family Services and the Cabinet Member for Education and Learning.

3.1.3 The second focus group reflected a practitioner focus and included the Deputy Headteacher and observer committee member, the teacher committee member and two further members of the management committee who have experience of direct work with children and young people who may require EOTAS services.

3.1.4 Eight principles were shared with the focus groups which outlined what needed to be achieved. These principles are as follows:

1. The model has to be one that maximises the current resource available across the Vulnerable Learners Service to meet the needs of all learners requiring EOTAS provision and identifies the PRU's role within that.
2. The model has to be one that will achieve better outcomes for all EOTAS learners across Swansea Council, not just those attending the PRU.
3. The model does not expect the PRU to provide all of the above however, the role of the PRU needs to be identified in the continuum of support and may need to contribute resource (physical, human, financial) to boost other EOTAS providers (home tuition, Additional Learning Needs and Inclusion Team (A) and Pupil Support Team) so that access to resource is more equitable for all EOTAS learners.
4. Equally, there may be opportunities for other teams in the Vulnerable Learners Service to work differently with the PRU to support learners who are dual registered at PRU better.
5. Achieving the above should in turn lead to the PRU functioning more as intended, namely, reintegration model with earlier intervention.
6. The model needs to work towards addressing the high level of violence and aggression reported by staff at the PRU. It also needs to provide opportunities to improve attendance, reduce exclusions and to ensure that those learners who are on Pastoral Support Plans receive a package of support which increases their time in education (not necessarily increasing time in Maes Derw but offering something alternative).
7. We need to maximise what works well and address challenges to make improvements where needed.
8. It is expected that all areas of the Vulnerable Learners Service will need to contribute and collaborate to achieve the above. There is no additional funding / resource but there is an opportunity to use funding / resource differently.

3.1.5 The groups were invited to propose suggestions to make changes and adaptations to the current model in line with the 8 principles and the feedback was collated.

## 3.2 Staff Engagement

- 3.2.1 Staff were invited to complete a questionnaire and provide their views and suggestions. In total 36 members of staff completed the questionnaire which was open to all staff including teachers, teaching assistants, leadership team and associate staff. The questionnaire had around a 50% response rate which was pleasing.
- 3.2.2 The responses were honest, helpful and constructive. Collectively, survey responses provided some important input into revising the current operational model. Responses were analysed and a summary of the key themes is included below.

## 3.3 Children and Young People

- 3.3.1 Staff at the PRU supported children and young people to complete a questionnaire which asked for their views on the current provision. 19 responses were provided which was around a 22% response rate.
- 3.3.2 In addition to this Child and Family Services officers were able to speak to children and young people during via their attendance at youth clubs or other community activities.
- 3.3.3 The School Support Team also worked with nine children and young people on the home tuition case load who were in receipt of EOTAS services but not able to access the PRU for a variety of reasons. This input was important as part of the review is about widening access to EOTAS services.
- 3.3.4 Themes from the information collected from children and young people is captured in the summary below.

## 4. Summary of Consultation Findings

The findings of the consultation exercise have been grouped into themes with feedback from across all groups included within each theme.

The first theme considers what **works well** across all consultation groups the following we identified as strengths:

- small classes / groups / settings were considered successful and beneficial across all consultation groups;
- interventions were also a positive theme from all contributors;
- relationships between staff and pupils were a strength when they worked well;
- staff resilience was considered as strong;
- Teamwork with current staff emerged as a strength;
- assistant headteachers are considered highly effective;

- Tŷ Glas (provision for learners with Social, Emotional and Mental Health) is considered highly effective by stakeholders;
- support workers were considered to be a valuable resource;
- bespoke timetables were identified as an important element of the work.

These are elements it is considered important to retain in the new model and in some cases further develop and embed.

The second theme considers what **doesn't work well**:

- most learner comments relating to subjects on offer identified a lack of choice;
- a minority of learners identified that relationships with some staff was difficult although this needs to be considered within context;
- the majority of learners commented they did not like the catering offer and that the food was disappointing;
- a small number of learners identified that the centre could be noisy and that the mix of learners was sometimes difficult. Some staff also identified that the mix of different learner needs within groups was challenging to manage;
- a small number of learners identified there could be better understanding of mental health issues from some staff;
- learner behaviour was identified as something staff found challenging;
- a lack of good outdoor space was identified by a high number of both staff and learners with a number of suggestions for potential improvements e.g. gym or football space;
- staff retention and a lack of consistency in staffing was identified as an issue;
- it was identified by staff that more external and multi-agency support is needed and would be welcomed;
- a number of staff commented they felt the curriculum offer could be more bespoke to learners and this was also reflected in some of the learners' comments.

All consultation groups were asked to make **suggestions for improvement** and the following themes were identified:

- there was a clear theme around the need to develop more vocational experiences and vocational qualification options;
- it was identified that learner wellbeing should be prioritised over curriculum and there should be less emphasis on academic results with progression and individual achievement being prioritised;
- an even more bespoke approach was seen as beneficial;
- better/improved outdoor spaces are needed and more vocational learning resources/spaces e.g. barbering/hairdressing or construction;

- a need for involvement and commitment from mainstream schools was identified which could be enhanced by facilitating more options for referrals for earlier interventions and greater opportunities for reintegration if access to places was available earlier and more flexibly;
- identifying appropriate settings for learners with Autism or long-term additional learning needs was considered important. Making changes to allow for the differing needs of all learners to be met was a key theme;
- developing Trauma Informed approaches was suggested in responses, as was developing consistency in staff approaches to learners;
- developing greater opportunities to engage with other agencies and services was also considered important alongside securing commitment from other agencies. It was noted that many children and young people needed support beyond what a single provision could offer;
- it was also noted that the roles of the assistant headteachers were very broad in terms of responsibility and that the current staffing structure does not offer many opportunities for staff progression and professional development.

## **5. Further Information Considered**

- 5.1 In addition to the consultation activity, consideration was also given to data held by the local authority in relation to current, emerging need and future predictions.
- 5.2 A summary of this data has indicated the following:
- there is an increasing trajectory for different areas of need across the spectrum including Autism, speech and language and moderate learning difficulties;
  - our current data for early years (0 – 3) indicates exponential growth in these areas and we know from our school census data that there is a correlation between these additional learning needs and social emotional behavioural difficulties which may in turn require EOTAS provision;
  - the current model struggles to manage current numbers, it would definitely not manage future projected levels of demand;
  - we also know that there are long waiting lists for children to receive diagnosis on the neurodevelopmental pathway (Autism and ADHD). These children and young people are in schools without a clinical diagnosis but require specialist support and sometimes EOTAS provision. We must respond to need, not diagnosis and develop flexible, responsive provision.
- 5.3 Furthermore Swansea Council corporate plans and commitments were considered to ensure any proposals was aligned accordingly.

- 5.4 The Vulnerable Learners Service Inclusion Strategy is a key document which outlined the priorities and goals for the Vulnerable Learners Service over the next five years. The proposed model is designed to align to this strategy.
- 5.5 It is also recognised that Swansea Council have made significant investment in EOTAS services including investment in the Maes Derw building. The proposed model allows greater and more flexible use of this resource to ensure it reaches the maximum number of learners.
- 5.6 Legislative obligations were also considered including the Wellbeing of Future Generations, UNCRC and ALNET 2018. There are legal obligations on Swansea Council to meet the needs of our most vulnerable learners and this proposed model is designed to align with these obligations.
- 5.7 As part of the consultation activity dialogue took place with an external provider on our current EOTAS framework to ensure any future proposed model was operationally deliverable.

## **6. Proposed Model**

- 6.1 The proposed model has been developed using all of the information gathered during the consultation period as detailed above.
- 6.2 In addition, it has considered ways to address the challenges outlined in the June 2023 Cabinet Report and has used the eight principles outlined earlier in this report.
- 6.3 The proposed model is detailed in Appendix A.
- 6.4 The key changes are as follows:
- the existing primary phase and halfway house merge to form a single PRU, operating on a reintegration model for learners in primary and lower secondary (up to Y8);
  - the provision for learners with Social and Emotional Mental Health needs remains but operates on a more flexible, bespoke, intervention model allowing for earlier and more flexible bespoke package to be developed for learners some of which will be offered on an outreach basis;
  - the provisions for secondary learners will be merged to one provision catering for Y8/9 upwards and operate on a flexible, bespoke, intervention basis. There will be full time places available but there will also be bespoke, multi-agency outreach packages too;
  - the options available to the EOTAS panel will be expanded and schools will be encouraged to refer earlier for preventative interventions to avoid escalation to longer term or full-time

placements. Registration at Maes Derw will not necessarily be needed to access preventative interventions;

- a special school ‘spoke’ provision will be established in the Maes Derw building to cater for a small number of learners with a long-term additional learning need who require specialist teaching but access to the resources of a PRU.

6.5 For additional consideration the Vulnerable Learners Service are already working closely with colleague in Child and Family Services, specifically, but not exclusively, Youth Justice Service and CMET to develop bespoke packages of support for learners. The new proposed model would formalise this and secure multi agency approaches.

6.6 In response to the comments in the consultation relating to the need to improve outdoor spaces and to increase vocational options an amount of ALN capital grant money has been allocated to the Maes Derw site to develop the outdoor space and vocational options.

6.7 If agreed, the new model will lead to a review of the staffing structure to ensure it is operationally deliverable.

6.8 The proposed model has been shared with the Management Committee and feedback collated. The feedback from the management committee, along with other considerations is reflected below:

<b>Management Committee Feedback</b>	<b>Response</b>
There is a strong need for there to be a contribution from all services, for this proposed model to be successful.	Agreed. Child and Family Services are already working effectively with our EOTAS teams and we hope to extend and expand this offer. The new model allows for greater commissioning and procurement of additional services expanding the offer available.
We recognise the financial pressures on the local authority and that the proposed model has an emphasis on an increased offer. Any decrease in funding will impact the ability for this work to be carried through.	Savings need to be made in line with the Medium-Term Financial Plan of the Local Authority. EOTAS services will remain well funded in comparison to other services to reflect the priority placed on services for vulnerable learners. The new proposals draw upon a range of resources and services to increase and enhance the offer in the most efficient way possible.
The benefits of earlier intervention (access to the PRU), by primary aged	It is intended that schools are able to refer in an early and



pupils is supportive to engage pupils within mainstream provision throughout their later school careers	preventative manner to ensure the PRU becomes an intervention, rather than a placement and consequently support return to mainstream provision quickly and effectively.
On the face of it more young people can access a wider range of options. But it is noted that it will require a lot of detailed attention for its transformation to be implemented	Agreed, the practical application of this model forms the next stage in the process, but we need to secure agreement from Swansea Cabinet to proceed before we do this.

6.9 The overarching message from the Management Committee was that while the proposals were accepted additional, operational detail will be critical to success and this is agreed and accepted.

## 7. Timeline

7.1 If the recommendations of this report are agreed the next steps will be to draw up a restructure timeline with implementation proposed for September 2024.

7.2 A consultation process with staff and trade unions would begin after the report is approved by Cabinet i.e. January 2024.

7.3 Following staff consultation, it is envisaged that the final staffing structure would be in place by April 2024 with implementation proposed for September 2024.

## 8. HR Implications

8.1 As the proposals include a change to the staffing structure a consultation process will be undertaken with all staff and trade unions representatives. Redundancies will be avoided wherever possible, by means of ER/VR, matching and slotting into the new structure, not filling vacant posts or redeployment.

However, it is possible that there could be a small number of staff who are in a redundancy position as a result of the restructure.

8.2 Where job descriptions are reviewed as part of the process, they will be subject to the job evaluation process, as appropriate.

8.3 There will need to be a phased approach to any changes in order to allow current learners to transition appropriately. There should be no negative implications for current learners. The intention is to improve the provision.

8.4 This report seeks delegated powers to make those changes in line with our current processes for team restructures.

## **9. Equality and Engagement Implications**

9.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, and must in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.
- Deliver better outcomes for those people who experience socio-economic disadvantage
- Consider opportunities for people to use the Welsh language
- Treat the Welsh language no less favourably than English.
- Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

9.1.1 The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.

9.1.2 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.

9.2 In order to comply with the relevant regulations an IIA Screening Form has been completed with the agreed outcome that a full IIA report is needed and this is attached as an appendix

9.3 The UNCRC is relevant to this report as Maes Derw is a key resource and service for vulnerable children and young people. It is considered that the improvements this report advocates for will support the Council's commitment to the UNCRC.

9.4 Welsh Language Standards have been considered and again, any improvements resulting from this consultation will aim to strengthen the Council's commitment to the Welsh language.

## **10. Financial Implications**

- 10.1 It is recognised that any potential reorganisation will need to be delivered within the current budget envelope and consider the requirement to make a £150k saving within the EOTAS budget for the 2024/25 financial year and an additional £200k in the 2025/26 financial year. There is no request for additional funding and the proposals will ensure the medium term financial plan savings targets are delivered.
- 10.2 Reorganising Maes Derw and ensuring learners are appropriately placed creates a potential to use funding more effectively in relation to staffing, transport and use of external providers.
- 10.3 Using the Maes Derw building as a hub for the Vulnerable Learners Service and its partners will make better use of existing resource rather than seeking new resource.

## **11. Legal Implications**

- 11.1 A Pupil Referral Unit (PRU) is a type of school established by a Local Authority (LA) which has a duty to provide suitable education for children and young people who, by reason of illness, exclusion or otherwise, may not receive such education in a mainstream school.
- 11.2 It is the responsibility of the LA to maintain PRUs and to ensure they are suitably resourced and organised to provide a high standard of education.
- 11.3 The Education (Pupil Referral Unit) (Management Committees etc.) (Wales) Regulations 2014 and the accompanying guidance will need to be followed to ensure that any provision has an appropriately constituted management committee and instrument of government.
- 11.4 While not directly applicable to pupil referral units, the School Organisation Code 2013 provides guidance as to the considerations to be had when making changes to school organisation and how consultations should be undertaken.

### **Background Papers:**

[Cabinet Report June 2023](#)

### **Appendices:**

Appendix A – Proposed Model for EOTAS services

Appendix B – IIA