



Children and Young People  
Committee – additional evidence  
School Standards and Organisation  
(Wales) Bill

June 2012



WLGA • CLILC

## INTRODUCTION

1. The Welsh Local Government Association (WLGA) represents the 22 local authorities in Wales, and the three national park authorities, the three fire and rescue authorities, and four police authorities are associate members.
2. It seeks to provide representation to local authorities within an emerging policy framework that satisfies the key priorities of our members and delivers a broad range of services that add value to Welsh Local Government and the communities they serve.
3. The WLGA and ADEW provided oral evidence to the National Assembly Children and Young People Committee on the 31<sup>st</sup> May 2012, due to time constraints in that session there were a number of issues that the Committee were unable to cover. This report provides additional evidence in line with the written questions sent to the WLGA in a letter dated 1<sup>st</sup> June 2012.

### Costs associated with School Improvement Guidance

4. ***What input did you have into how the cost of providing on-going training and implementation support to schools on the School Improvement Guidance has been calculated? How will these costs be met by local authorities?***
5. The WLGA and ADEW have worked closely with Welsh Government officials regarding the on-going work on school improvement. All local authorities are in the process of setting up four regional school improvement services which will provide support for schools. Local government would expect that any additional responsibilities will be fully funded, work that is part of the ongoing support for schools will be funded from a variety of sources, including local authority's education budget and through grants such as the School Effectiveness Grant (SEG) and the Pupil Deprivation Grant (PDG).
6. ***The Explanatory Memorandum states that further assessment of costs associated with the statutory school improvement framework will take place once future priorities have been identified. Do you have a view of what form these costs will take and how they will be funded?***

7. It is difficult to say without a clear view of what the priorities are in the school improvement framework. It is assumed that any new burdens on local authorities will be fully funded, and that on-going work will continue to be funded via grants such as the SEG, and for more targeted work at school level through the PDG.

#### Local Determination Panels

8. ***There are a number of costs associated with the creation and operation of LDPs. These costs may vary depending on the complexity of proposals. Do you have an estimate of the costs associated with the creation and operation of Local Determination Panels? How will these costs be met by local authorities?***
9. It is difficult to estimate the costs of setting up of the panels because this will be dependent on the specific needs of the proposal in question. Factors that could impact on costs would be issues such as whether independent panel members were required, the complexity of the briefings and officer time required, the number of meeting required by the panel etc. Some of the additional work involved may be covered within authorities existing resources, such as facilitation of meetings, and adaptation of procedures already in place for the appointment of members etc. However, the ability of local authorities to absorb these costs will depend on the number, and complexity, of panels that an individual local authority has to establish. This will be subject of on-going discussions with the Welsh Government.
10. ***The Explanatory Memorandum estimates that the Welsh Government will save £77,000 from the transfer of work on determining disputed proposals to local authorities, and the corresponding cost to local authorities will be £55,000. Is this a fair estimate? How do you expect to fund the £55,000?***
11. As stated above, it may be possible in some circumstances for local authorities to absorb a proportion of the costs. There is, however, an agreement between the Welsh Government and local government that any new burdens on local authorities will be fully funded.
12. ***Following the introduction of the Bill do you envisage putting together a pool of potential LDP panel members that could be drawn upon when a LDP is required given the requirement for the panel to make a decision on proposals referred to it before the end of 16 weeks beginning with the end***

***of the objection period (schedule 3 paragraph 7) and that the panel members cannot be a member of the LA executive, and cannot have had a connection with the appointing authority, the proposer or the school to which the proposals relate (Schedule 3 paragraphs 3-4)? If so, who do you envisage these panel members as being and what costs will be associated?***

13. The detail on the setting up of panels is still the subject of discussion between local government and the Welsh Government. However, it is envisaged that local authorities will have a pool of potential independent panel members, in line with other such arrangements within local authorities. These panel members could come from a variety of backgrounds, for example, have an expertise in education or finance.

Regional Provision for Special Educational Needs

14. ***Can you clarify whether you support the provisions in the Bill (set out in sections 65 to 71) in relation to regional provision for special educational needs?***

15. This section of the Bill re-states an existing power of the National Assembly to Welsh Ministers, from the Education Act 2002.

16. ***To what extent are the provisions that allow for Ministers, by order, to direct local authorities to secure regional provision for special educational needs appropriate, particularly given that the orders are not required to be made by statutory instrument and therefore will not be subject to any further Assembly scrutiny?***

17. Any request to secure regional provision for SEN would have to be considered carefully. SEN provision is a complex issue and the paramount consideration should be the needs of the pupils. There are many examples across Wales of where SEN provision is already delivered on a regional basis, for example in sensory impairment across the former Gwent authorities. However, there are other circumstances where regional provision would not be appropriate for legal reasons, for example regarding accountability or for educational reasons.

Welsh Education Strategic Plans

18. ***Do you believe that Welsh Education Strategic Plans should be placed on a statutory footing or whether there are other ways the Welsh Government's policy objectives in relation to planning for Welsh medium education could be achieved?***
19. Local authorities are already engaged in planning for Welsh medium education and support the principles in the Welsh Medium Education Strategy. Having the plans on statutory footing demonstrates the importance of Welsh medium education planning in Wales.
20. ***Is the £468,000 estimated by the Welsh Government as on-going administration costs of WESPs already being borne by local authorities?***
21. As stated above local authorities are already engaged in planning for Welsh medium education, if there are any additional costs incurred as a result of moving to statutory planning then local authorities would expect those costs to be supported by the Welsh Government.
22. ***How many local authorities are currently surveying parents to identify demand for Welsh medium education?***
23. Local authorities in Wales, as part of their pupil planning processes, regularly survey parents to identify their needs in terms of Welsh language provision. ADEW and the WLGA are not aware of any local authority who does not undertake consultation with parents on such admission processes.
24. ***What are the capital cost implications should local authorities need to adjust their school planning as a result of parental demand?***
25. It would be difficult to estimate the costs of changing existing, or future programmes, if it was needed. As part of the 21<sup>st</sup> Century Schools Programme all local authorities have submitted outline business cases to the Welsh Government regarding their plans for capital investment in schools over the next 10 years. A key aspect of these plans has been a focus on Welsh medium provision.

*School based counselling*

26. ***Do you believe that there is a need for school based counselling for all primary school pupils?***
27. There are currently pilot projects underway looking at extending school based counselling to primary schools in Wales. The need for such counselling will be clearer following a full evaluation of these schemes.
28. ***If so, should the duty on local authorities to provide counselling be extended to include all primary school pupils or, given the financial constraints, is it more important for counselling to be targeted at secondary age pupils?***
29. There is provision in the Bill to extend the provision to primary schools, should this be deemed to be necessary. If this is the case then local authorities would expect to receive funding to implement the counselling in both secondary and primary schools.
30. ***What arrangements do local authorities intend to put in place to ensure that funding is made available for the continuation of free school breakfasts and school based counselling following the transfer of funding to the Revenue Support Grant, and in the longer term for the expansion of these services if up-take increases?***
31. If this Bill is passed in its current form then the provision of school breakfasts and school based counselling will be statutory requirements and local authorities will support these schemes through funding from the RSG. With regards to free school breakfasts the current take up is around 75% of primary schools and this has remained steady for a number of years. Discussions are underway with Welsh Government officials to ensure that there is sufficient funding transferred to the RSG to enable local authorities to meet their statutory requirements.
32. ***Can you confirm whether £4.5m being transferred to the Revenue Support Grant for school based counselling includes the additional costs of extending the service to Year 6?***
33. The funding that is being transferred into the RSG for school based counselling is currently the subject of discussion between local government and Welsh Government officials. The extension of the counselling provision to cover year 6 pupils and pupils aged 16 – 18 is a grey area. The 2008 School Based Counselling Strategy covered

“secondary school children” but did not specify age. There are discussions ongoing with Welsh Government about this and how to address it in any guidance which is issued following the commencement of the Bill.

34. ***What are the costs of extending school based counselling to Year 6?***

35. As above, this area is subject to ongoing discussion with Welsh Government officials.

#### *Flexible charging for schools*

36. ***Do you have any estimates of the likely initial set-up costs arising from flexible charging for school meals and how these would be funded?***

37. Allowing local authorities to develop flexible charging for school meals will give local authorities more scope to market school food and encourage pupils to have a cooked meal during the school day. It is not anticipated that there would be set-up costs.

#### *Overall costs*

38. ***Do you have an estimate of ‘incidental costs’ associated with the Bill, such as issuing warning notices for school causing concern and the operation of Local Determination Panels?***

39. The overall costs of implementing the Bill, including incidental costs, are the subject of ongoing work.

40. ***How do envisage any ‘incidental costs’ will be met by local authorities?***

41. Protocols between local government and the Welsh Government state that any additional statutory burdens placed on local authorities will be fully funded.

42. ***What would be the total financial impact of the Bill on local authorities aside from the £14.7 million of breakfast funding; the £4.5 million of school based counselling and the £1.7 million of transitional costs to be covered by the School Effectiveness Grant?***

43. The total cost of implementation is still the subject of ongoing work.

44. ***What are the anticipated overall costs for local authorities of implementing the Bill?***

45. As above.

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**For further information please contact:**

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