

Public Document Pack



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To: Cllr Ian Roberts (Chairman)

Councillors: Marion Bateman, Paul Cunningham, Peter Curtis, Adele Davies-Cooke, Andy Dunbobbin, David Healey, Ray Hughes, Colin Legg, Phil Lightfoot, Dave Mackie, Nancy Matthews, Vicky Perfect, Nigel Steele-Mortimer and Carolyn Thomas

Co-opted Members

Janine Beggan, David Hytch, Rebecca Stark, Bernard Stuart and Rev. John Thelwell

22 April 2016

Dear Councillor

You are invited to attend a meeting of the Education and Youth Overview & Scrutiny Committee which will be held at 10.00 am on Thursday, 28th April, 2016 in the Council Chamber, County Hall, Mold CH7 6NA to consider the following items

A G E N D A

1 APOLOGIES

Purpose: To receive any apologies.

2 DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)

Purpose: To receive any Declarations and advise Members accordingly.

3 CONSIDERATION OF A MATTER REFERRED TO THE COMMITTEE PURSUANT TO THE CALL IN ARRANGEMENTS (Pages 3 - 6)

A decision of the Cabinet meeting on 19 April 2016 relating to School Modernisation - School Standards and Organisation Act 2013 - Ysgol Maes Edwin has been called in. Attached is a copy of the procedure for dealing with a called in item.


4 SCHOOL MODERNISATION - SCHOOL STANDARDS AND REORGANISATION ACT 2013 - YSGOL MAES EDWIN (Pages 7 - 48)

Report of Chief Officer (Education and Youth) enclosed. Portfolio of the Cabinet Member for Education.

To assist Members, the following documents are attached:-

- Copy of the report of the Chief Officer (Education and Youth) - School Modernisation - School Standards and Organisation Act 2013 - Ysgol Maes Edwin
- Copy of the Record of Decision
- Copy of the Call In Notice

Yours faithfully

A handwritten signature in black ink, appearing to read 'Peter Evans', with a long horizontal flourish extending to the right.

Peter Evans
Democracy & Governance Manager

FLINTSHIRE COUNTY COUNCIL

OVERVIEW & SCRUTINY

CALL-IN ARRANGEMENTS

1. Background

The arrangements for calling in a decision are to be found in paragraph 16 of the Overview & Scrutiny Procedure Rules contained within the Council's Constitution. The legal authority is derived from section 21 (3) of the Local Government Act 2000. This note summarises the provisions in the Constitution.

2. Decision of the Cabinet

When a decision is made by the Cabinet, the Democracy & Governance Manager publishes a record of those decisions within two days of them being made. Copies are available at County Hall, and are sent to all Members of the County Council.

The decision record bears the date on which it was published and specifies that the decision will come into force, and may then be implemented on the expiry of five working days after the publication of the decision, unless it is called in within 5 working days after the publication of the decision

3. Calling in a Decision

If the Democracy & Governance Manager receives a request from the Chair or at least four members of the Council, (for the avoidance of doubt such a request should be in writing, giving the reason for the call-in, and signed by all parties) the Democracy & Governance Manager will notify the decision taker of the call-in, and then arrange a meeting of the Committee within seven working days of the decision to call-in. (The last working day before Christmas and the three working days between Christmas and New Year will not be counted as working days for the purposes of this paragraph).

4. The Call-in Meeting

By their nature, call-in meetings will be held at short notice (i.e. within seven working days of the call-in decision) and the only item of business to be transacted would normally be to deal with the call-in. However, from time to time it is expedient to consider a call in at a meeting which has already been convened.

It is suggested that the procedure outlined below be used at such a meeting.

5. Procedure for a Call-in Meeting

- (i) The decision makers who have been invited to the meeting (usually the relevant Cabinet Member(s) and/or Chief Officer(s)) should be invited to sit at the committee table at the start of the meeting, as should any initiators of the call in who are not already members of the committee.
- (ii) The Chairman will invite the Member Engagement Manager to briefly outline the call-in procedure for Members of the Committee, explaining the time constraints within the Constitution. The Officer should also outline the ideal procedure, set out below, for an Overview & Scrutiny Committee to deal with a call-in meeting.
- (iii) The Chairman will then invite the initiators of the call-in (those who have signed the letter) to explain and clarify their reasons for calling in the decision. This can be by means of a spokesman, or by several Members contributing.
- (iv) The decision makers will then have the opportunity to respond to the issues raised by those initiating the call-in and provide further information if they believe that it will assist the committee's understanding of the decision.
- (v) The Chairman will then invite questions from Members, and the decision-makers and call-in initiators will be invited to answer the questions.
- (vi) At the end of Members' questions, the Chairman will ask the initiators of the call-in and the decision makers to sum up their respective cases.
- (vii) The Chairman will then invite the Member Engagement Manager to explain the Committee's options for decision contained in the Constitution. The decision should include one of the four options given below, which are contained in the Constitution.

Option 1

If, having considered the decision, the Overview & Scrutiny Committee is satisfied with the explanation which it has received, it will indicate as such, in order for the decision to be implemented.

Option 2

If, having considered the decision, the Overview & Scrutiny Committee is 'no longer concerned', having received the explanations, but is not minded to indicate that it is 'satisfied with the explanation', then it is in order for the Committee to resolve that 'the explanation be accepted but not endorsed by the Overview & Scrutiny Committee'.

Option 3

If, having considered the decision, the Overview & Scrutiny Committee is still concerned about it, then it may refer it back to the decision making person or body for reconsideration, setting out in writing the nature of its concerns. If referred to the decision maker then the decision maker shall then reconsider, at the earliest scheduled meeting, amending the decision or not, before adopting a final decision.

Option 4

If, having considered the decision, the Overview & Scrutiny Committee is still concerned about it, then it may refer the matter to full Council. If referred to full Council, the Council shall meet to consider the referral within 10 working days unless there is a scheduled meeting of the full Council at which the matter may be considered within the expiry of a further 5 working days.

Note:

If either Option 1 or Option 2 is decided upon, the Cabinet decision can be implemented after the Overview & Scrutiny meeting. If either Option 3 or 4 is decided upon, the Cabinet decision cannot be implemented after the Overview & Scrutiny meeting until it has received further consideration by either the Cabinet or Council.

- (viii) The Committee will then discuss the matter and following debate, reach a decision.

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CABINET

Date of Meeting	Tuesday, 19 April 2016
Report Subject	School Modernisation – School Standards and Reorganisation Act 2013 – Ysgol Maes Edwin, Flint Mountain.
Cabinet Member	Cabinet Member for Education
Report Author	Chief Officer (Education and Youth)
Type of Report	Strategic

EXECUTIVE SUMMARY

To inform Cabinet of the responses from the statutory objection period for Ysgol Maes Edwin, Flint Mountain.

To invite Cabinet to determine on the statutory proposal for school organisational change at Ysgol Maes Edwin, Flint Mountain.

RECOMMENDATIONS

1	Cabinet is requested to consider the responses from the statutory objection period for Ysgol Maes Edwin, Flint Mountain.
2	Cabinet is requested to determine whether to implement the proposal for school organisational change at Ysgol Maes Edwin, Flint Mountain.

REPORT DETAILS

1.00	EXPLAINING SCHOOL ORGANISATIONAL CHANGE AT YSGOL MAES EDWIN, FLINT MOUNTAIN
1.01	In June 2015 Cabinet determined that we enter into formal consultation on closure and other school organisation options for Ysgol Maes Edwin, Flint Mountain by September 2016.
1.02	<p>The proposal was put forward on the basis of criteria laid down in the Council's School Modernisation Strategy, namely:</p> <ul style="list-style-type: none"> • Unfilled places across the primary school portfolio – Ysgol Maes Edwin, Flint Mountain as at January 2015 (PLASC) had 66 full time pupils with unfilled places of 13.16%. As of September 2015 the school population has 55 full time pupils with unfilled places at 27.63%; pupil numbers at January 2016, 39 full time pupils. • Diminishing resource criteria (i.e. schools supported by pupils not from their local community and/or small numbers within the community raise concern regarding sustainability within the school's portfolio) - 83.63% of pupils attending Ysgol Maes Edwin, Flint Mountain are not attending their local school (See Appendix 1); • Small School Criteria – The School population and capacity of Ysgol Maes Edwin, Flint Mountain is lower than national designation of a small school, additionally school numbers do not meet the minimum requirements of primary school models as noted in the Council's School Modernisation Strategy, and • Ysgol Maes Edwin, Flint Mountain is currently (July 2015) in Welsh Government categorisation 4, on a scale of 1 - 4, with 4 being the lowest for educational standards. The school has remained in the same category when the Welsh Government conducted their annual review (January 2016).
1.03	The formal consultation period for Ysgol Maes Edwin, Flint Mountain commenced on Wednesday 21 st October 2015 and ended on Wednesday 2 nd December 2015. The Council issued consultation documents in accordance with the statutory School Organisation Code.
1.04	The committee report and consultation report was considered by both Education and Youth Overview and Scrutiny 6 th January 2016 thereafter, Cabinet 19 th January 2016
1.05	Cabinet determined that a Statutory Proposal be issued for Ysgol Maes Edwin, Flint Mountain. This was published on 29 th January 2016 and ran until 26 th February 2016.
1.06	Under the School Organisational Code the Statutory Proposal for Ysgol Maes Edwin, Flint Mountain is determined by the Council's Cabinet, rather than Welsh Ministers.

1.07	<p>Reviewing the future of any school is controversial and emotive. Pupils, parents, carers and teachers, past and present, have strong ties to local schools as part of their own life-stories. The Council is challenged with balancing the sensitivities of community feeling on the one hand, with providing a high quality primary education offer which can be sustained and afforded. The Council cannot avoid making decisions for the future which are in the best interests of pupils and students.</p>
1.08	<p>During the objection period, the Council has received the following concerns in summary form:</p> <ul style="list-style-type: none"> • Concerns about children’s welfare, pupils have already transferred from other schools, bullying, unable to obtain a place in schools of their preference, loss of friendship, do not want a large school, concern about support, large class sizes. • Concern that parental preference was being taken away. • Concerns about the consultation process, data, new housing development, process unsettling to school community. • Impact on the community/future use of site should the school close. • Concerns that money already invested in the school. • Concern the Council did not allow enough time for the Governors to consider Federation. • Transport.
1.09	<p>Responses also focussed on the strengths of the school, i.e. family atmosphere, small class sizes, happy children, good staff and teachers.</p>
1.10	<p>The Council would take all practicable steps to ease the transition for all pupils, most especially for vulnerable groups of learners such as Additional Learning Needs (ALN). Should the proposal be implemented the Council would work alongside pupils, their parents and the relevant schools to make appropriate transition arrangements for pupils to familiarise themselves with their new environments (subject to parental preference).</p>
1.11	<p>Applications from Ysgol Maes Edwin, Flint Mountain pupils wishing to transfer to other schools will be administered in line with the Council’s Admissions Policy. A mini admissions process will be administered to assist families in transition to other schools should Cabinet determine closure.</p>
1.12	<p>The Council needs to ensure there are a sufficient number of school places, of the right type, in the right locations. This is not straightforward in that there are a large number of surplus school places in some areas of the County, whilst other areas don’t have enough places to meet the local demand. In other areas, school populations are sustained by children and young people from outside the local area through parental preference. School Organisation change does not take away a parents ability to express a preference for a school of their choice.</p>
1.13	<p>It is the Council’s view that there is sufficient capacity within the local school network to accommodate pupils from Ysgol Maes Edwin should it close. Estyn have commented <i>that ‘The local authority has given a clear</i></p>

	<i>rationale for the proposed expected benefits when compared with the status quo in relation to finance, surplus places and the continuity and progression in pupils' learning.'</i>
1.14	School organisation consultation documents are subject to rigorous compliance checks prior to their publication, which includes verifying information provided by the schools and national sources (see Appendix 1- Compliance Statement).
1.15	The Council has fully considered school capacity and potential housing development yield within its consultation documents. Data regarding potential pupils which could be generated from new housing developments is calculated using a housing yield formula. The housing yield formula has been derived from research work from a partnering authority. This was applied to all current housing development planning applications approved by the planning authority.
1.16	The housing yield figures produced are a maximum figure and do not take into account parental choice and/or pupil movement i.e. pupils moving into the new homes but who are already in the local education system.
1.17	The pace of housing developments will be constrained by the plans of the site owners/developers, the housing market, current economic climate and other factors which are unpredictable.
1.18	The community impact assessment has identified the impact of closure on a small number of local families and on the local community. The loss of the school would impact on a small number of community activities taking place and the range of community facilities within Ysgol Maes Edwin, Flint Mountain.
1.19	The Council has no preconceived plans for the use of the school site should the school close. In line with established practice, future usage of the school site will only be determined following confirmation that the school site is no longer required for educational purposes.
1.20	Most pupils at Ysgol Maes Edwin, Flint Mountain are not attending their nearest school. For a small number pupils currently living in Flint Mountain the distance travelled would increase, however this would not be in excess of the learner travel guidelines. The distance from Flint Mountain village to Ysgol Owen Jones, Northop is under 2 miles, it is likely that pupils in the Flint Mountain area would be eligible for transport under the criteria that the route to their new schools would be considered as hazardous.
1.21	Under the Regulations, Governors have had powers to federate since 2010. The Council has considered and discounted the option of federation within its consultation documents. At the time of writing, the Governing body of Ysgol Maes Edwin has not been able to identify a willing partnering school or schools with which to pursue a federation. There is no prospect of federation.

1.22	Estyn has provided its statutory response to the consultation. It is Estyn's view that this proposal is likely to at least maintain the present standards of education provision in the area. They noted that consultation documentation appropriately set out the advantages of the proposal, which include the efficient and effective use of resources; a reduction of unfilled pupil places within the primary school network; at least maintaining the current standards and the quality of education in the area; and the reduction in travel to school for the majority of pupils should they choose their local school.
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2.00	RESOURCE IMPLICATIONS
2.01	There is sufficient staff capacity to prepare the detailed transition plans for pupils.
2.02	Should the current proposals be implemented, the Council will work with the current members of staff at Ysgol Maes Edwin, Flint Mountain including teaching and support staff, should they seek redeployment opportunities. Staff displaced by the proposal may have the opportunity to be employed in the local primary network.
2.03	The estimated annual costs of transport as a result of the proposal are £9,120. However, actual transport costs can only be assessed once all families have a school place confirmed at an alternative school.

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	No further consultations are required as part of the School Organisation Code.

4.00	RISK MANAGEMENT
4.01	A Programme Board is set up to oversee the implementation business plans and manage risks in close detail. Reports are made to Cabinet and Overview and Scrutiny at key stages of decision-taking, performance reporting and evaluation.

5.00	APPENDICES
5.01	Appendix 1 – Pie Chart showing where pupils reside Appendix 2 – Compliance statement Appendix 2 – Objection Report Appendix 4 – Estyn response

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	<p>All responses from the objection period are available to Cabinet Members.</p> <p>Additionally for Cabinet, and in accordance with the School Organisation Code to make a determination the following documents will also be made available:-</p> <ul style="list-style-type: none"> • a copy of the consultation document • a copy of the consultation report • a copy of the published notice • a copy of the objection report • copies of the statutory objections • copies of all of the above in relation to any proposals which are related to the proposal requiring approval (not applicable in the case of this proposal) <p>Contact Officer: Damian Hughes, Senior Manager, School Planning and Provision Telephone: 01352 704135 E-mail: Damian.hughes@flintshire.gov.uk</p>

7.00	GLOSSARY OF TERMS
7.01	<p>PLASC – The Welsh Government Pupil Level Annual School Census is mandatory with returns for all sectors required every January including nursery, primary, middle, secondary and special. Returns are required every January.</p> <p>School Organisation Code – The new School Standards and Organisation (Wales) Act 2013 makes Local Authorities responsible (rather than the Welsh Ministers prior to October 2013) for the determination of most statutory school organisation proposals that receive objections. Such provisions apply to any proposals published on or after 1st October 2013 that consider the establishment, discontinuance or otherwise significantly alter schools.</p> <p>The Council does this in line with the Welsh Government’s statutory School Organisation Code</p> <p>http://wales.gov.uk/docs/dcells/publications/130719-school-organisation-codes-en.pdf</p> <p>Estyn - Estyn is the education and training inspectorate for Wales. Estyn is responsible for inspecting primary and secondary schools and nursery schools maintained by, or receive funding from local authorities.</p> <p>Federation – The federation of schools is a legal process which enables schools to work together through a formal structured process by sharing a governing body that will make decisions in the best interest of all the schools, staff and pupils in that federation.</p>

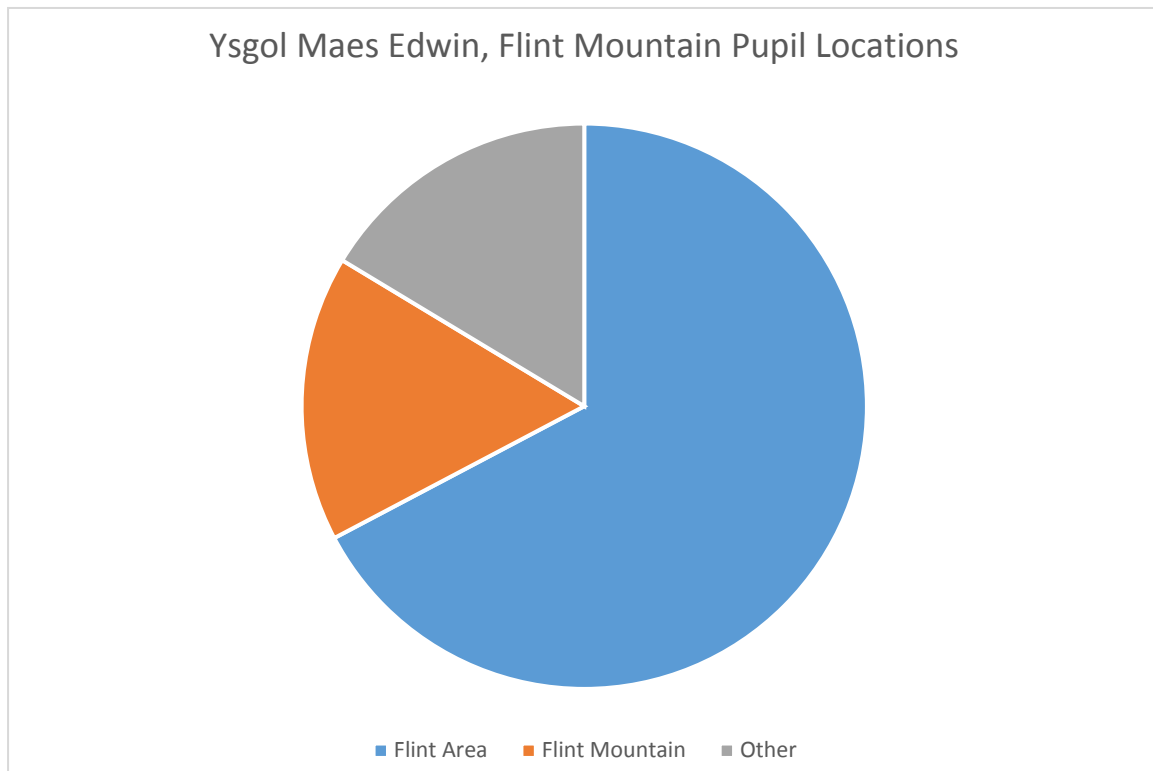
	<p>The Welsh Government have brought in new regulations around federation of maintained schools in Wales. The Federation of Maintained Schools (Wales) Regulations 2014 which came into force on 22 May 2014 gives effect to Council's powers to federate schools. (School governors already have powers to federate by choice under provisions introduced in 2010). These powers have now been consolidated into the 2014 Regulations.</p>
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Appendix 1

The following pie chart and map display the current (September 2015) home location for Ysgol Maes Edwin, Flint Mountain pupils.

**** Number of full time pupils (Reception to Year 6) as of September 2015 (Source ONE System). There is a difference in pupils numbers compared to January 2015 PLASC.***



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Appendix 2

Compliance Statement in Relation to the Current School Proposals

Introduction: School Organisation:

The School Organisation Code imposes requirements and provides guidelines in respect of all school organisation proposals in Wales.

For all of the current school organisation proposals the School Modernisation Team have planned the consultations, decision making and statutory notices in line with what the Code requires.

Consultation Process Timescales:

RAG Status: GREEN

The Schools Modernisation Team are required to ensure that timescales are adhered to in relation to school organisation proposals.

The timescale and process for consultation, decision making and statutory notice for the current school proposals have been checked and verified with Flintshire County Council Legal Team and through external verification through the Welsh Government Officers.

Welsh Government Consultation Documentation Checklist.

RAG status: GREEN

In the case of all school organisation proposals, the consultation document **must** contain certain information in line with School Organisation Code, July 2013 (Document number: 006/2016).

A RAG checklist has been produced by Welsh Government School Governance & Organisation Branch for the current school organisation proposals. The RAG checklist document follows a colour coding system in order to highlight any missing information or areas which Welsh Government felt could have been dealt with more thoroughly.

Ysgol Llanfynydd and Ysgol Maes Edwin proposals have all been assessed by the external Welsh Government Officers as having no concerns identified.

Flintshire County Council Consultee Checklist:

RAG status: GREEN

When bringing forward statutory proposals the School Organisation Code provides a full list of consultees that the proposer should consult with during the statutory process. An internal checklist has been produced by the School Modernisation Team to assess if the required statutory consultees have been identified.

Ysgol Llanfynydd and Ysgol Maes Edwin consultee checklist have all been assessed by the external Welsh Government Officers as having no concerns identified.

Appendix 2

Verification of Data in the Consultation Document:

RAG status: GREEN

The School Modernisation Team uses the latest verified data at the time of constructing the consultation documents:

- School pupil numbers and more detailed information around pupils (for example Additional Learning Needs, English as an Additional Language and School action/school action plus/statemented) are obtained from the schools own statistical returns (September or January)
- Estyn data is obtained from the schools last Estyn inspection. Timing of inspections will depend on Estyn's own inspection cycle.
- National Welsh Government categorisation data, is based on the school returns. The Council use the most up to date data at the time of document construction from the Welsh Government website. Welsh Government update their national data base annually.
- GwE (The Regional School Improvement Service) data is fed into the Welsh Government's national categorisation system.
- The Welsh Government's national Measuring Capacity of Schools in Wales forms are verified by Head teachers, this provides the School Capacity and Admission Number.
- Unfilled places are recorded by Welsh Government; the Council provide its returns to Welsh Government annually; they are also based on official school returns.
- Birth Information by area is obtained from the Office of National Statistics
- Pupil projections are aligned with the methodology as neighbouring Authorities with North Wales
- Housing development information is based on actual current housing applications provided from the Planning Officers.
- Potential pupils which may be generated from new housing developments is calculated using a formula providing by a partnering Authority (Conwy CBC) who derive the formula based on the latest census returns.
- Pupil teacher ratios are provided by publically available statistics on a school (<http://mylocalschool.wales.gov.uk>), provided by Welsh Government and is updated on an annual basis.
- Foundation Phase and Core Subject Outcomes are provided by publically available statistics on a school (<http://mylocalschool.wales.gov.uk>), provided by Welsh Government is updated on an annual basis
- School Building condition information is provided by an external company who compare the school building condition against the building bulletin for Primary and Secondary schools
- Backlog maintenance information is provided by through independent consultants Property Condition Surveys are undertaken on a 5 year cycle.

Priority Codes [definition] are as follows:-

Priority 1: Urgent work required to be undertaken within 1 year

Priority 2: Essential work required to be undertaken within 2 years

Priority 3: Desirable work [deemed as] required to be undertaken within 3 to 5 years

Priority 4: Long term work [deemed as] required to be undertaken outside the 5 year [cycle] period

Appendix 2

The element Total 1 - 3 defines a five year financial investment and element 4 defines a six - ten year financial investment.

Work items are costed by the Consultant and include for preliminaries, labour, plant and materials etc. These costs are based on the current building cost information service [BCIS] provided by the Royal Institute of Chartered Surveyors, [RICS] as the leading provider of cost and price information within the construction and maintenance areas. These costs [Unit Rates] are present within the condition survey software to a default figure and amended/updated as required by the Consultant. The budget costings are exclusive of VAT, updated annually [using inflation indices] and reviewed post completion of work.

- School suitability information is provided from Suitability surveys undertaken independently in line with DfE Asset Management guidance and reviewed by FCC officers and amended if work has been completed at schools post initial survey.
- School Budgetary Work is conducted using agreed formula as per the School budget forum. Cost per pupil data is obtained from the Authority's section 52 budget statements.
- Travel distances between school sites is provided by the Flintshire County Council mapping system Route Finder 3.41
- Transport costs are provided by the infrastructure unit who administer home to school transport contracts.

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OBJECTION REPORT

Proposal to close Ysgol Maes Edwin, Flint Mountain from 31st August 2016 with pupils transferring to nearby schools

This is the provisional draft response of the Council which is being provided to decision makers for discussion - a final view and objection report will be published before the end of 7 days beginning with the day of determination

MARCH 2016

Should you require a hard copy of this report please email 21stcenturyschools@flintshire.gov.uk with your name and postal address. Please indicate whether you would like to receive the document in Welsh, English or both.

Flintshire County Council - Education & Youth

Objection Report

Proposal to close Ysgol Maes Edwin, Flint Mountain from 31st August 2016 with pupils transferring to nearby schools

Purpose

The report is published in line with the requirements under section 49 of the School Standards and Organisation (Wales) Act 2013. This is a summary of the statutory objections, otherwise known as “the Objection Report”.

Publication of the Statutory Notice

Following the formal consultation period and the publication of a consultation report, Cabinet took the decision to proceed to publish the proposal by way of a statutory notice for 28 days from 29th January 2016 to 26th February 2016.

The statutory notice was published in line with the requirements of the School Organisation Code. The notice was published on the Flintshire County Council website and posted at the main entrance of Ysgol Maes Edwin, Flint Mountain. Each school affected by the proposal received electronic copies of the notice and provided with details of how to obtain hard copies of the notice.

During the objection period, 42 objections were received in relation to the proposal to close Ysgol Maes Edwin, Flint Mountain from 31st August 2016 with pupils transferring to nearby schools.

The correspondence received during the objection period was in a number of methods and included:

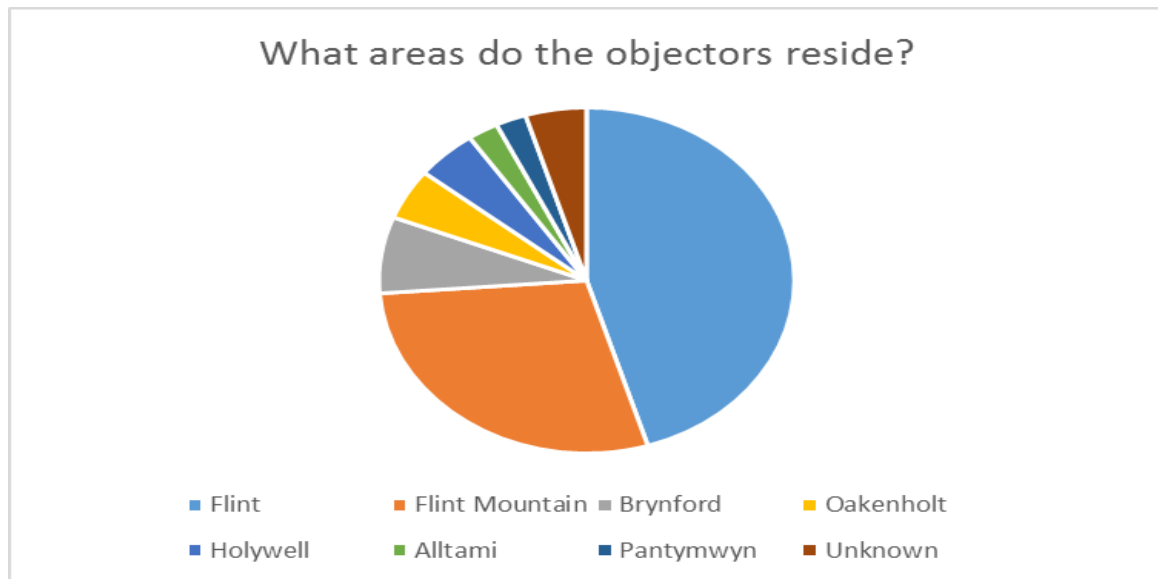
18 (42.86%) email,
24 (57.14%) letter and

Of the 42 objections received, 2 signed objections had no address.

What areas do the objectors reside?

Flint	19
Flint Mountain	12
Brynford	3
Oakenholt	2
Holywell	2
Pantymwyn	1
Alltami	1
Unknown	2
TOTAL	42

What areas do the objectors reside?



In accordance with the School Organisation Code (2013) this Objection Report is made available via an email link and also published electronically on Flintshire County Council's website at:

www.flintshire.gov.uk/schoolmodernisation

To request a hard (paper) copy of this document please email 21stcenturyschools@flintshire.gov.uk, write to the School Modernisation Team, Flintshire County Council, County Hall, Mold, Flintshire, CH7 6ND, or contact the team on 01352 704134/704015.

	Point Raised	Council's Response	No of written responses raising the point	% of Responses raising the point
1	<p>Strengths of the school</p> <ul style="list-style-type: none"> • Increase in pupil numbers • Small class sizes • Pupils mix well together • Family atmosphere • Growth in pupil numbers • Successful clubs/trips • Good Estyn report • Education Standards • Happy children • Lots of pupils with Additional Learning Needs • Good staff and teachers • Amazing school 	<p>The positive responses from consultees regarding Ysgol Maes Edwin are noted.</p> <p>Reviewing the future of any school is controversial and emotive. Pupils, parents, carers and teachers, past and present, have strong ties to local schools as part of their own life-stories. The Council is challenged with balancing the sensitivities of community feeling on the one hand, with providing a high quality education offer which can be sustained and afforded. The Council cannot avoid making decisions for the future which are in the best interests of pupils and students.</p>	36	86%

2	<p>Parental Preference has been or is being taken away</p> <ul style="list-style-type: none"> • Parents/Carers moved their children from other nearby school • I chose a small school for my child 	<p>The Council acknowledges that there is a number of factors that determine where parents/carers send their child/children.</p> <p>The Council will comply with statutory requirements and the Welsh Government School Admissions Code and will take account of the expression of parental preference in the context of its duty to ensure the provision of effective education and the efficient use of education resources. When considering applications, the Council will observe the provisions of the School Admissions Code which states that admission authorities should admit to the school's admission number and will rarely be able to prove prejudice as a ground for refusing an additional pupil while the numbers remain below the admission number.</p>	33	79%
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3	<p>Consultation Documents and Process</p> <ul style="list-style-type: none"> • Document is biased • Doesn't consider housing development • Data is incorrect • Process caused stress and upset • Unfairly targeted • Decision Makers • Key drivers • Welsh Government school ratings not easy to understand • Consultation caused pupils to leave 	<p>The formal consultation period for Ysgol Maes Edwin, Flint Mountain commenced on Wednesday, 21st October 2015 and ended on Wednesday, 2nd December 2015. The Council uses the latest verified data at the time of constructing the consultation documents:</p> <ul style="list-style-type: none"> •School pupil numbers and more detailed information around pupils (for example Additional Learning Needs, English as an Additional Language and School action/school action plus/statemented) are obtained from the schools own statistical returns (September or January) •Estyn data is obtained from the school's last Estyn inspection. Timing of inspections will depend on Estyn's own inspection cycle. •National Welsh Government categorisation data is based on the school returns. The Council uses the most up to date data at the time of document construction from the Welsh Government website. Welsh Government update their national database annually. 	33	79%
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Consultation Documents and Process (Continued)	<ul style="list-style-type: none">•GwE (The Regional School Improvement Service) data is fed into the Welsh Government's national categorisation system.•The Welsh Government's national Measuring Capacity of Schools in Wales forms are verified by Head teachers, this provides the School Capacity and Admission Number.•Unfilled places are recorded by Welsh Government; the Council provides returns to Welsh Government annually; they are also based on official school returns.•Birth Information by area is obtained from the Office of National Statistics•Pupil projections are aligned with the methodology of neighbouring Council's within North Wales.•Housing development information is based on actual current housing applications provided from the Planning Officers at Flintshire County Council.•Potential pupil numbers which may be generated from new housing developments are calculated using a formula providing by a partnering Council (Conwy CBC) who derive the formula based on the latest census returns.•Pupil teacher ratios are provided by publicly available statistics on a school (http://mylocalschool.wales.gov.uk), provided by Welsh Government and is updated on an annual basis.•Foundation Phase and Core Subject Outcomes are provided by publicly available statistics on a school (http://mylocalschool.wales.gov.uk), provided by Welsh Government and updated on an annual basis.		
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<p>Consultation Documents and Process (Continued)</p>	<ul style="list-style-type: none"> •School building condition information is provided by an external company who compare the school building condition against the 'Building Bulletin' for Primary and Secondary schools. •Backlog maintenance information is provided by independent consultants. Property Condition Surveys are undertaken on a 5 year cycle. <p>Priority Codes (definition) are as follows:-</p> <p>Priority 1: Urgent work required to be undertaken within 1 year.</p> <p>Priority 2: Essential work required to be undertaken within 2 years.</p> <p>Priority 3: Desirable work (deemed as) required to be undertaken within 3 to 5 years.</p> <p>Priority 4: Long term work (deemed as) required to be undertaken outside the 5 year (Cycle) period.</p> <p>The element Total 1 – 3 defines a five year financial investment and element 4 defines a six – ten year financial investment.</p> <p>Work items are costed by the Consultant and include for preliminaries, labour, plant and materials etc. These costs are based on the current building cost information service provided by the Royal Institute of Chartered Surveyors (RICS) as the leading provider of cost and price information within the construction and maintenance areas. These costs (Unit Rates) are present within the condition survey software to a default figure and amended</p>		
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<p>Consultation Documents and Process (Continued)</p>	<p>/updated as required by the Consultant. The budget costings are exclusive of VAT, updated annually (using inflation indices) and reviewed post completion of work.</p> <ul style="list-style-type: none"> •School suitability information is provided from Suitability surveys undertaken independently in line with DfE Asset Management guidance and reviewed by Flintshire County Council officers and amended if work has been completed at schools post initial survey. •School budgetary work is conducted using agreed formula as per the School budget forum. Cost per pupil data is obtained from the Council's section 52 budget statements. •Travel distances between school sites is provided by the Flintshire County Council mapping system Route Finder 3.41 •Transport costs are provided by the Councils integrated transport unit who administer home to school transport contracts. <p>The Consultation process follows regulatory guidance as set out in the Welsh Government's School Organisation Code 2013.</p> <p>However, it is acknowledged that the process around school organisational change can be unsettling for pupils, staff and the school community.</p> <p>The proposal was put forward on the basis of criteria laid down in the Council's School Modernisation Strategy, namely:</p>		
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	<p>Consultation Documents and Process (Continued)</p>	<ul style="list-style-type: none"> •Unfilled places across the primary school portfolio – Ysgol Maes Edwin, Flint Mountain as at January 2015 (PLASC) had 66 full time pupils with unfilled places of 13.16%. As of September 2015 the school has 55 full time pupils with unfilled places at 27.63% •Diminishing resource criteria (i.e. schools supported by pupils not from their local community and/or small numbers within the community raise concern regarding sustainability within the school’s portfolio) – 83.63% of pupils attending Ysgol Maes Edwin, Flint Mountain are not attending their local school; •Small School Criteria – The School population and capacity of Ysgol Maes Edwin, Flint Mountain is lower than national designation of a small school, additionally school numbers do not meet the minimum requirements of primary school models as noted in the Council’s School Modernisation Strategy, and •Ysgol Maes Edwin, Flint Mountain is currently (July 2015) in Welsh Government categorisation 4, on a scale of 1 – 4, with 4 being the lowest for educational standards. 		
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4	<p>Children's emotional welfare (how the move will affect my child)</p> <ul style="list-style-type: none"> • Pupils already transferred from other schools • Bullying • Unable to get into other nearby schools because they are full • Increased travel times to school • Don't want to attend larger schools • Loss of friendship • Won't get the further support they require • Overcrowded classrooms 	<p>Reviewing the future of any school is controversial and emotive. The Council is challenged with balancing the sensitivities of community feeling on the one hand, with providing a high quality education offer which can be sustained and afforded. The Council cannot avoid making decisions for the future which are in the best interests of pupils and students. When proposing changes to school organisation it is acknowledged that there will be some changes for pupils. Should the proposal be implemented and Ysgol Maes Edwin, Flint Mountain be closed it would result in changes for the existing pupils such as :</p> <ul style="list-style-type: none"> • Shorter journey time to school for pupils who reside in the Flint area • A marginally longer route to school for fewer than 10 pupils who live in the Flint Mountain area • A new school uniform • New teachers and support staff • New learning environment • Friendship groups may be affected, however new friendships may be formed. 	31	74%
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5	<p>Impact on the Community</p> <ul style="list-style-type: none"> • Central hub of the village • School land should only be used for a school • School/Community must do more to attract more pupils • School used for clubs/night classes • Essential to the community • Authority going to sell the land for housing • Rumours the school is going to be a Pupil Referral Unit 	<p>A Community Impact Assessment has been carried out and the Council acknowledges that where a school closure is proposed it will have some impact on the local community, although the community use of the school is relatively low.</p> <p>However, the Council will work with schools and community to mitigate issues where possible.</p> <p>The Council has no plans for the site, and will not consider the future of the site until such time as the school's future is determined.</p> <p>Legal Land ownership issues are still being investigated, it has been noted that some of the site at Ysgol Maes Edwin, Flint Mountain is part of the Bryn Edwin Trust. Dependant on the formalisation of such matters, the Council could consider transferring the asset or part of the asset to a constituted community group where it can demonstrate a need and ability to take over the running of the site.</p>	31	74%
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6	<p>Recent spend on building works</p> <ul style="list-style-type: none"> • Recent spend on Disability Adaptations and maintenance • Waste of Tax payers money • Unnecessary items purchased 	<p>The Council cannot predetermine an outcome to the proposal and therefore work on the principle of spending today's money on today's pupils.</p> <p>The condition surveys are carried out by independent surveyors, commissioned by the Council. They survey schools on a five year cycle in line with national guidance and provide the Council with maintenance priorities. The work to repair the roof was identified as a priority, therefore urgent repair work was programmed accordingly.</p> <p>The Council has a legal duty to consider the Equalities Act, therefore work was completed at the school to facilitate the needs of a pupil.</p>	31	67%
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7	<p>Housing developments not been taken into consideration</p> <ul style="list-style-type: none"> • Potential new housing in area • Application to change use of land in the area from agricultural to building • Croes Atti development • Expanding residential area • New housing has created younger families • Expected rise in number of school pupil due to housing development • Authority have approved new housing developments in the area 	<p>The Council has fully considered school capacity in the area together with potential housing development yield within its consultation documents.</p> <p>Data regarding potential pupils which could be generated from new housing developments is calculated using a housing yield formula. The housing yield formula has been derived from research work based on national census data from a partnering Council. This was applied to all current housing development planning applications approved by the planning authority.</p> <p>The housing yield figures produced are a maximum figure and do not take into account parental choice and/or pupil movement i.e. pupils moving into the new homes but who are already in the local education system.</p> <p>The pace of housing developments will be constrained by the plans of the site owners/developers, the housing market, current economic climate and other factors which are unpredictable.</p> <p>It is the Council's view that there is sufficient capacity within the local school network to accommodate pupils from Ysgol Maes Edwin should it close. Estyn have commented that: <i>'The local authority has given a clear rationale for the proposed expected benefits when compared with the status quo in relation to finance, surplus places and the continuity and progression in pupils' learning.'</i></p>	31	67%
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8	<p>Federation of the school</p> <ul style="list-style-type: none"> • Not given enough time to explore Federation • No support from Flintshire County Council • Interested schools declined to participate in Federation following discussions with Flintshire County Council 	<p>The federation of schools is a legal process which enables schools to work together through a formal structured process by sharing a governing body that will make decisions in the best interest of all the schools, staff and pupils in that federation.</p> <p>The Welsh Government have brought in new regulations around federation of maintained schools in Wales. The Federation of Maintained Schools (Wales) Regulations 2014 which came into force on 22 May 2014 give effect to Council's powers to federate schools. (School governors already have powers to federate by choice under provisions introduced in 2010). These powers have now been consolidated into the 2014 Regulations.</p> <p>An alternative suggestion of federation had been suggested by a number of consultees, notably the governing body. The Governing body of Ysgol Maes Edwin, Flint Mountain has not been able to identify a willing partnering school or schools with which to pursue a federation. The prospect of developing a successful federation without a willing partner or partners is minimal. Neighbouring schools have confirmed that they have not and will not be bringing forward a federation proposal with Ysgol Maes Edwin, Flint Mountain.</p>	28	67%
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9	<p>Transition of pupils with Additional Learning Needs</p> <ul style="list-style-type: none"> Understand the additional needs of the children 	<p>The Council will take all practicable steps to ease the transition for all pupils, most especially for vulnerable groups of learners such as Additional Learning Needs (ALN). Should the proposal be implemented the Council would work alongside pupils, their parents, and the relevant schools to make appropriate transition arrangements for pupils to familiarise themselves with their new environments (subject to parental preference).</p> <p>Where pupils have specific ALN needs the resource and support they require would be replicated in their new learning environments.</p>	28	67%
10	<p>Admissions</p> <ul style="list-style-type: none"> Nearby schools are full to capacity Lack of support from Flintshire County Council 	<p>It is the Council's view that there is sufficient capacity within the local school network to accommodate pupils from Ysgol Maes Edwin should it close</p> <p>Advice and information about admissions was readily provided to parents on request. Any advice given was in accordance with the School Admissions Code and the Council's admissions policy. The Council have responded to many requests from parents for advice in order to provide parents with as much information as possible. In individual cases all options have been explored and appropriate advice given. Where applications have been received, alternative places have been allocated in accordance with the admissions policy.</p> <p>A mini admissions process will be administered to assist families in transition to other school should cabinet determine closure.</p>	6	14%

11	<p>Savings/Budget/Funding</p> <ul style="list-style-type: none"> • Council unable to manage budget • Save money on consultations used to advise to close the school • Welsh Government announced additional funding for schools 	<p>Inefficient school organisation can result in uneven and unfair funding patterns where some schools receive a disproportionate share of funding at the expense of pupils attending other schools in the area, this is mostly the case of schools that are classified as small schools. Any school proposals should contribute towards establishing a more equitable pattern of school funding.</p> <p>In line with regulatory requirements Flintshire County Council has a schools' funding formula which is the methodology by which the budget share for each school in the County is determined. Each year the formula is reviewed and in consultation with relevant stakeholders amendments are made to reflect changes in funding and policy. (The detailed methodology and the budget shares are sent to all schools and a summary is published in what is referred to as the section 52 budget statement).</p> <p>Schools receive a budget for a financial year from April to March and this is based on the pupils in each school in the September preceding the financial year. The 2015/16 section 52 budget statement has been used as the basis of analysis.</p>	3	7%
12	<p>Traffic and Transport Impact</p> <ul style="list-style-type: none"> • Unable to walk children to school • Parents/carers do not drive • Pupils being forced to travel further to attend their 2nd choice school 	<p>Under current transport policy fewer than ten pupils would be entitled to free home to school transport based on the assumption they transfer to their nearest school, Ysgol Owen Jones, Northop. This would be on the basis that the route to the alternative school from Flint Mountain would be considered to be hazardous due to its rural location which has limited footpaths in and out of the village.</p> <p>The Council will provide transport in accordance with its</p>	2	5%

		<p>Transport Policy. http://www.flintshire.gov.uk/en/PDFFiles/Lifelong-Learning/Schools/SchoolTransport/Transport-Eligibility-Criteria-.pdf In summary, the Council provides free transport for children of compulsory school age, where a child receiving primary education lives over two miles from the nearest appropriate school.</p> <p>The Council also provides free transport for pupils of statutory school age:-</p> <ul style="list-style-type: none">• where the route to school is considered to be hazardous by the Council;• where transport to a named school is identified in a pupil's Statement of Special Educational Needs. This would normally be on medical or educational grounds and would be deemed essential in the context of other criteria identified in this policy• where a child requires transport on medical grounds and no suitable public transport exists; Free transport is also provided for pupils of statutory school age:• where a child whose parents are in receipt of Income Support or Working Tax Credit resides more than 2.5 miles from the nearest appropriate school;• to the nearest Welsh medium school under the criteria identified above;• to the nearest voluntary aided school where the admission to the school is on denominational grounds, subject to the distance criteria. Consultation with individual schools will take place to confirm the admission criteria under which pupils are admitted. Suitable evidence of adherence to the faith of the school such as a baptismal certificate or a letter from a priest may be requested.		
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Conclusion

As outlined during the consultation process, the proposal to close Ysgol Maes Edwin, Flint Mountain from 31st August 2016 with pupils transferring to nearby schools requires the approval of the Local Authority Cabinet Members. This Objection Report alongside a copy of all the Objections, a copy of the consultation document; a copy of the consultation report; and a copy of the published notice will be forwarded to Cabinet Members for determination.

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Estyn response to the proposal to close Ysgol Maes Edwin, Flint Mountain, with pupils transferring to other schools in the local area subject to parental preference.

This report has been prepared by Her Majesty's Inspectors of Education and Training in Wales.

Under the terms of the School Standards and Organisation (Wales) Act 2013 and its associated Code, proposers are required to send consultation documents to Estyn. However Estyn is not a body which is required to act in accordance with the Code and the Act places no statutory requirements on Estyn in respect of school organisation matters. Therefore as a body being consulted, Estyn will provide their opinion only on the overall merits of school organisation proposals.

Estyn has considered the educational aspects of the proposal and has produced the following response to the information provided by the proposer and other additional information such as data from Welsh Government and the views of the Regional Consortia which deliver school improvement services to the schools within the proposal.

Introduction

The proposal is by Flintshire County Council.

The proposal is to close Ysgol Maes Edwin, Flint Mountain from 31st of August 2016 with existing pupils transferring to other schools in the local area, subject to parental preference.

Summary

The proposal is part of Flintshire County Council's School Modernisation Strategy, which aims to ensure that there are a sufficient number of school places, of the right type, in the right locations.

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

Description and benefits

The local authority has given a clear rationale for the proposed expected benefits when compared with the status quo in relation to finance, surplus places and the continuity and progression in pupils' learning.

The proposal clearly defines the expected benefits of the proposal which link well to the stated purpose and rationale. The local authority has provided sufficient evidence to show that the plan is likely to at least maintain the standard of education in the Flint Mountain, Flint and Northop area.

The proposal notes appropriately the advantages of the proposal, which include the efficient and effective use of resources; a reduction of unfilled pupil places within the primary school network; at least maintaining the current standards and the quality of education in the area; and the reduction in travel to school for the majority of pupils should they choose their local school.

The proposer has identified appropriately the disadvantages to the current proposal, which focus on the impact of the closure of Ysgol Maes Edwin on the staff currently employed at the school, the end of English medium primary provision in the village of Flint Mountain and the increase in travel time for a few pupils who live in this village.

The local authority has provided clear evidence to show that it has considered other alternatives to this current proposal. These include maintaining the status quo and federating Ysgol Maes Edwin with another local school. They have demonstrated clearly the advantages and disadvantages of each option and the reasons for their preferred option.

The proposer has suitably considered the impact of the proposal on pupil travel arrangements. It intends to support home to school travel in line with the council's transport policy. It further recognises that the proposal will potentially result in reduced travel for most pupils currently attending Ysgol Maes Edwin. However, the proposer recognises that the travel time would increase for a few pupils living in Flint Mountain, but this would not be in excess of the pupil travel guidelines.

The proposer has appropriately shown how the proposal will affect surplus places by providing pupil numbers and surplus places in 2015 for schools in the area.

The proposal appears to have taken appropriate account of the impact of the proposal on the Welsh language and the accessibility of Welsh medium provision in accordance with parental choice.

The proposer has considered reasonably well the impact of the proposals on the quality of the outcomes, provision and leadership and management at Ysgol Maes Edwin, Ysgol Gwynedd, Cornist Community Primary School and Ysgol Owen Jones. The proposer has considered the outcomes of the most recent Estyn inspection reports and each school's categorisation in relation to the National School Categorisation system on the quality of leadership and pupil outcomes. The proposer's summary of outcomes for all four schools is clear and compares appropriately with local, national and family of schools averages. However, the proposer has not commented on comparisons with similar schools based on entitlement to free school meals.

With the exception of Ysgol Owen Jones, Estyn inspected the other three schools between January 2014 and February 2015. The judgements for the current performance and prospects for improvement were judged as good for these three schools. Estyn inspected Ysgol Owen Jones in May 2010 and judged six out of the

seven key questions as grade 2, with one being judged as grade 1. The local authority has also evaluated each school's performance in relation to the National School Categorisation System. Under the system, schools will be in one of four standards groups (1 to 4), with schools in standards group 1 demonstrating very good overall performance and those in standards group 4 demonstrating the greatest need for improved performance. Ysgol Maes Edwin is currently in standards group 4, Ysgol Gwynedd in standards group 2 and both Cornist Community Primary School and Ysgol Owen Jones in standards group 1.

The proposer has appropriately considered the likely impact of the proposals on standards, wellbeing and curriculum delivery. The proposer reasonably asserts that the proposal would not impact unfavourably on the current standards and provision at Ysgol Gwynedd, Cornist Community Primary School and Ysgol Owen Jones.

The proposer has undertaken an appropriate equality impact assessment, which considers the impact of the proposal on vulnerable groups including those with a disability or special educational needs.

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However, actual transport costs can only be assessed once all families have a school place confirmed at an alternative school.

DECLARATIONS OF INTEREST:

Councillors: Bithell, Brown, Butler, Christine Jones, Kevin Jones and Shotton.

DISPENSATIONS

None.

DATE PUBLISHED:

20 April 2016

SIGNED

A handwritten signature in black ink, appearing to be 'P. [unclear]', written over a horizontal line.

(Proper Officer)

Insert date here.....

To Democracy & Governance Manager

We, the undersigned, wish to call in the following decision of the Cabinet:

Date of Cabinet meeting: 10th April 2016

Report title: School Modernisation - School Standards & Performance Act 2013 - School Fees EDWIN

Record of Decision number:

Reason(s) for call in:

DECISION IS AGAINST THE BEST INTERESTS OF PUPILS, PARENTS AND STAFF OF YSGO'S MAES EDWIN

In initiating this call in, we recognise that it will be regarded as a gross discourtesy to the committee if members who have requested the call in do not attend the meeting of the committee without contacting the Member Engagement Manager to explain their reasons.

We understand that the call in meeting will be held within 7 working days of this call in notice being received and accepted.

Signature 1 [Handwritten Signature]

Printed-name NICK STEVE MITCHELL

Signature 2 [Handwritten Signature]

DAVE MACKIE

Signature 3 Purnimgham

HILARY ISHERWOOD

Signature 4 Vicky Perfect

PAUL CUNNINGHAM

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Call in Notice received 19/4/2016 Accepted 20/4/2016

Signed [Signature] Democracy & Governance Manager

CHIEF OFFICER GOVERNANCE

We believe that this decision is not in the best interests of the children involved because it would mean that they would have to travel to schools which are outside their village and thus further away. Ideally, children should be able to walk to their school.

Closing this school will impair or even destroy the vitality of the local community by removing the school which is at its centre. One such facilities go, economies of scale arguments tend to be made against for their return in any form.

Rural areas, by their nature tend to have small schools. We know that their ability to attract more pupils is often hampered by house prices within those rural areas. Those house prices mean that our young people often have to leave the villages and gravitate towards the towns when they want to set up their own homes and start families. We believe that our rural and village schools need to be treated sympathetically to keep them, to prevent our villages becoming dormitories, rather than communities.