

CABINET

Date of Meeting	Tuesday, 19 April 2016
Report Subject	School Modernisation – School Standards and Reorganisation Act 2013 – Ysgol Llanfynydd
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 Llanfynydd.

To invite Cabinet to determine on the statutory proposal for school organisational change at Ysgol Llanfynydd.

RECOMMENDATIONS

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

REPORT DETAILS

1.00	EXPLAINING SCHOOL ORGANISATIONAL CHANGE AT YSGOL LLANFYNYDD
1.01	In June 2015 Cabinet determined that we enter into formal consultation on closure and other school organisation options for Ysgol Llanfynydd 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 Llanfynydd as at January 2015 (based on the Pupil Level Annual School Census or PLASC) had 42 full time pupils with unfilled places at 47.5%. As of September 2015 the school population had 34 full time pupils with unfilled places at 57.5%. • 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); for 44% of pupils attending Ysgol Llanfynydd is not their nearest school, and • Small School Criteria – the school population and capacity of Ysgol Llanfynydd 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.
1.03	The formal consultation period for Ysgol Llanfynydd 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 Education and Youth Overview and Scrutiny 6 th January 2016 and Cabinet 19 th January 2016.
1.05	Cabinet determined that a Statutory Proposal be issued for Ysgol Llanfynydd. 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 Llanfynydd is determined by the Council's Cabinet, rather than Welsh Ministers.
1.07	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.

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 the consultation document, accuracy of data & evidence (including cost of repair work) and concerns that the Council haven't followed process. • Impact on the community/future use of site should the school close. • Opinion that federation is a viable option, concern that the Council are not actively encouraging federation. • Opinion that closing schools should not be about money. • Traffic and transport. • Admission and transition arrangements. • Potential Housing developments not taken into consideration. • Impact on children. • Parental preference is being taken away. • Opinion that there is not sufficient places in other schools in the area.
1.09	<p>Responses also focussed on the strengths of the school, i.e. standards of provision, the school remaining stable through the consultation process, professional staff, being a 'close knit' school and being valued by the community.</p>
1.10	<p>The Council has issued consultation documents and the Statutory Proposal in accordance with the School Organisation Code.</p>
1.11	<p>The 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).</p>
1.12	<p>The Council would take all practicable steps to ease the transition for all pupils, most especially for vulnerable learners such as those with Additional Learning Needs (ALN). As part of implementation plans 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>
1.13	<p>The Council has demonstrated in its consultation documents that there is sufficient capacity within the local school network to accommodate pupils from Ysgol Llanfynydd should it close. This view is upheld by Estyn in its response. However, additional places if required can be established at Ysgol Parc Y Llan, Treuddyn for that school to be available to all current pupils at Ysgol Llanfynydd. This would be at either no cost or minimal cost.</p>
1.14	<p>Transport eligibility is determined by the Authority in which the pupil resides. Seventeen pupils who live in Flintshire would be entitled to free home to school transport based on the assumption that pupils transfer to their nearest school (Ysgol Parc Y Llan, Treuddyn) on the following grounds:</p>

	<ul style="list-style-type: none"> • that the nearest appropriate available school is more than 2 miles away; • that the route to the alternative schools would be considered to be hazardous by the Council due to its rural location which has limited footpaths in and out of the village.
1.15	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.
1.16	The percentage of surplus places in Flintshire schools continues to remain above the Welsh Government target of 10%. Since funding for schools is largely driven by pupil numbers, surplus capacity means a disproportionate amount of funding is spent on infrastructure (such as buildings) and the "fixed costs" of running a school (such as leadership and administration). This funding could be used to ensure that pupil teacher ratios are minimised to make a direct difference to learners. As public service funding reduces over forthcoming years the case for reprioritisation and change becomes even more compelling.
1.17	Estyn's formal response to the consultation confirms the independent inspectorate's view that this proposal is likely to at least maintain the present standards of education provision in the area. Overall, pupil outcomes in all four alternative schools are currently good, with all schools judged as having the necessary capacity to improve further.
1.18	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 Llanfynydd has not been able to identify a willing partnering school or schools with which to pursue a federation. There is no prospect of a federation (see appendix 4 – response from Ysgol Parc y Llan, Treuddyn Governors).
1.19	The community impact assessment identified that the school was not widely used for community purposes. It did identify a number of possible areas where the proposal could have some negative impact on a small number of local families and on the local community. There are however other community facilities in the areas, i.e. Ffrith and Llanfynydd Community Hall and Cymau Community Centre in which activities can be accommodated.
1.20	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.

1.21	Previous and current school leaders have worked hard to maintain stability within the school's operations and should be commended for this. However, pupil numbers have dropped from 43 full time pupils in January 2015 to 36 full time pupils at January 2016. This will not provide sufficient income to sustain high quality provision at the school. With such exceptionally low numbers maintaining the quality of the social experience within the school will also be challenging.
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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 Llanfynydd, 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 £16,150. 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 – Compliance statement Appendix 2 – Objection report Appendix 3 – Estyn response Appendix 4 – Response from Ysgol Parc y Llan, Treuddyn Governors

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	<p>All responses from the objection period are available for 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</p>

schools, staff and pupils in that federation.

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.