



CABINET

Date of Meeting	Tuesday, 26 th September 2017
Report Subject	School Organisation
Cabinet Member	Cabinet Member for Education
Report Author	Chief Officer (Education and Youth)
Type of Report	Strategic

EXECUTIVE SUMMARY

The Cabinet Secretary for Education has recently announced a new funding initiative to promote innovation and raise standards in small and rural schools. The report outlines the conditions attached to the funding by Welsh Government and an overview of the Council's bid for funding for small and rural schools in Flintshire.

The Cabinet Secretary has also issued proposals to consult Local Authorities in respect of proposed changes to the School Organisation Code which will emphasise the requirement for Councils to consider federation as part of the Legal Framework for organisational change.

The report also outlines some positive developments in the creation of new school federations within the Council's school network.

RECOMMENDATIONS

1	That Cabinet acknowledges the WG intervention for small and rural schools and the proposed consultation to amend the School Organisation Code.
2	That Cabinet acknowledges the progress towards school federal arrangements.
3	That Cabinet underpins its previous decision to provide a mandate for officers to consult via statutory proposals for Lixwm & Brynford.
4	That Cabinet maintains its previous decision on Nercwys VA to allow more time for the Council, Diocesan Authority and the school's Governing Body

	to follow through strategic options for collaboration and sustainability of its school estate.
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REPORT DETAILS

1.00	EXPLAINING THE NATIONAL STRATEGY ON SMALL AND RURAL SCHOOLS
1.01	In her Oral Statement in Plenary the Cabinet Secretary for Education set out her plans for a national strategy for small and rural schools recognising that schools in different parts of Wales face different challenges. The National Strategy for Small and Rural Schools supports the Welsh Government's wider aim to strengthen and extend school to school relationships and prioritise education leadership in order to raise standards and tackle the attainment gap.
1.02	As part of the National Strategy the Cabinet Secretary announced new funding of £2.5m for 2017/18 to promote innovation and raise standards in small and rural schools in Wales.
1.03	This funding is to be used to facilitate and encourage innovation and change which is beneficial to small and rural schools, their pupils and the communities they serve. The key purposes of the grant funding are: <ol style="list-style-type: none"> 1. To encourage innovation 2. To support greater school to school working 3. To provide additional administrative support in schools where the head teacher has a significant timetabled teaching commitment of at least 10% of the timetable 4. To increase the community use of school buildings whether for education or non-education purposes
1.04	Local authorities will administer the grant on the Welsh Government's behalf. £2.5 million has been made available for the period 01 April 2017 to 31 March 2018.
1.05	The Welsh Government have determined the distribution of grant to Councils using a formula incorporating factors for sparsity and school size as follows: <ul style="list-style-type: none"> • 70% by reference to sparsity (based on the population in each local authority outside settlements above the thresholds of a specified population from the 1991 Population Census); and • 30% by reference to the number of (primary), schools maintained by the local authority with fewer than 90 pupils; <p>On that basis up to £144,599 would be available to the Council.</p>

1.06	<p>WG requested that Council's submit their pro-forma outlining their planned expenditure of this grant, indicating:</p> <ul style="list-style-type: none"> • the basis of distribution and total funding allocated to schools; • a brief description of specific projects supported and estimated costs and • under which of the four purposes the funding falls for each project.
1.07	<p>The Council submitted its application for £144, 599 with 2017/18 and in August 2017 the WG approved the Council's submission. See detailed briefing document: Appendix A.</p>
1.08	<p>There has not yet been official confirmation of this funding continuing next year but WG have inferred that they hope it will continue.</p>
1.09	<p><u>Explaining Proposed Changes to the School Organisational Code</u></p> <p>The School Standards and Organisation (Wales) Act 2013 requires that the Welsh Ministers issue a School Organisation Code. The code imposes requirements on how relevant bodies (the Welsh Ministers, local authorities, governing bodies and other promoters) must act. It also includes practical guidance to which relevant bodies must have due regard and sets out the policy context, general principles and factors that should be taken into account by those bringing forward proposals to reconfigure school provision and by those responsible for determining proposals.</p>
1.10	<p>The current School Organisation Code came into force on 1 October 2013. A recent review of the Code has resulted in a proposal to strengthen the Code in respect of a presumption against closure of rural schools.</p>
1.11	<p>WG require responses to the proposed changes in the School Organisation code by 30th September 2017.</p>
1.12	<p><u>Progress on School Federations</u></p> <p>School governors have had powers to federate by choice under provisions introduced in 2010. The Federation of Maintained Schools (Wales) Regulations 2014 gives Councils powers to federate schools.</p>
1.13	<p>Until recently there has only been one example within Flintshire of governors using their powers to federate under the Act. A formal federation between Ysgol Mornant and Ysgol Maes Garmon was agreed during the process of statutory proposals to close Ysgol Mornant.</p>
1.14	<p>The Council will endeavour to support federation when there is mutual agreement between school governing bodies.</p>
1.15	<p><u>Ysgol Treolgan & Ysgol Gronant Ysgol Gwernynmynydd & Ysgol y Waun (Gwernaffield)</u></p> <p>The Governing Bodies of Ysgol Gronant and Ysgol Trelogan and Ysgol Y Waun and Gwernynmynydd CP agreed to carry out a consultation on a proposal to establish a Federation in their respective schools/areas.</p>

1.16	In the case of Ysgol Gronant/Ysgol Trelogan, the schools shared a Headteacher in an informal arrangement and felt it appropriate to formalise this arrangement through a federal arrangement due to the planned retirement of the Headteacher. Similarly for Ysgol Y Waun and Gwernymynydd CP, the Headteacher of Gwernymynydd CP had been offered another position, therefore governors having explored all options considered that federation was the best route to offer a sustainable solution for the area.
1.17	The consultation for the federations was completed in accordance with the Federation of Maintained Schools (Wales) Regulations (2014). For of Ysgol Gronant and Ysgol Trelogan this commenced 8 th May 2017 and closed on 12 th June 2017 and Ysgol Y Waun, Gwernaffield and Gwernymynydd CP this commenced 23 rd May 2017 and ended 10 th July 2017.
1.18	The Governors of the schools were assisted by officers from the Education and Youth Portfolio who provided administrative support and guidance in respect of the process. Consultation documents for each proposed federation were developed and made available to all parents/carers and key stakeholders. A version of the consultation document for each proposed federation was produced for children and young people who were likely to be affected by the proposal.
1.19	Consultation events were arranged with the respective School Councils at the four schools and consultation meetings for parents/carers were arranged at the four schools during the consultation period. Officers from Education and Youth attended to support the Governing Bodies.
1.20	A joint meeting of the governing bodies at Ysgol Gronant and Ysgol Trelogan was held 28 th June 2017. This was replicated by the governors of Ysgol Y Waun and Gwernymynydd CP on 17 th July 2017. At both meetings the responses received during the consultation period were considered before all governors unanimously agreeing to form a federation.
1.21	For Ysgol Gronant and Ysgol Trelogan, Federation will be officially be implemented on 8 th January 2018. For Ysgol Y Waun, Gwernaffield and Gwernymynydd CP Federation will be officially implemented on 8 th February 2018. Each Federation will be managed by one Executive Headteacher.
1.22	<p><u>Brynford CP and Lixwm CP</u></p> <p>In December 2016, Cabinet, having carefully reviewed the feedback received from the consultation, determined to commission consultation on statutory proposals for school organisation change for September 2017 based on Option B – Area school on two sites i.e. Ysgol Rhos Helyg, Rhosesmor remaining as it is and Brynford and Lixwm CP Schools amalgamated to form one school on a second site.</p> <p>However, if proposals for a federation between Brynford CP or Lixwm CP were to be submitted from both governing bodies prior to consultation on statutory proposals commencing in September 2017, this would be considered by Cabinet at that time.</p>

1.23	In response to the National Strategy for Small and Rural Schools, officers met with the Chair of Governors of both schools.
1.24	At this meeting officers confirmed that they would be willing to support the governors through the federation process and also bid for funding to WG in 18/19 via this grant (should it continue to be available) if there is mutual agreement between the governing bodies to pursue a formal federation.
1.25	The Governors of Lixwm were in favour of federation. However, the initial view of the Governors of Brynford was that they were not in favour of a federation. However, the governors of Brynford held two meetings with their parents and carers one before the end of term and the other in early September to gauge opinion before formalising their response to the Council. The Governors having carefully gauged the opinion of their community not changed the opinion and have written in confirming that they do not wish to pursue a Federal arrangement with Lixwm CP. Attached governing bodies correspondence – Appendix B
1.26	Although the Council has powers to consult on federation, it would not seek to pursue a federation where there is no mutual agreement.
1.27	Should there be no mutual agreement, officers will revert to the original Cabinet determination December 2016 and statutory consultation will commence in Autumn 2017. Should a viable federation emerge during this process then Cabinet can be given the opportunity to reconsider.
1.28	<u>Nercwys VA</u> In October 2016, a report was presented to Cabinet highlighting the progress of discussions undertaken to date between the Council, Diocesan Authority and the school's Governing Body which requested a pause to the review on Nercwys VA and allow more time to follow through strategic options for collaboration and sustainability of its school estate. Cabinet resolved that that the request to pause the review and allow more time to follow through strategic options for collaboration and sustainability of its school estate be approved.
1.29	The Diocesan Authority and the Governors of Nercwys VA have held positive discussions around the potential to form a formal federation with a suitable partner and early discussions with another school have begun. Governors have agreed, in principal, to collaborate more closely with another school and to set up a joint sub-committee to foster closer collaborative working between the two schools. Following on from this, a joint governing body is to be held in the Autumn in which federation will be discussed. The recommendation would be to continue to support this collaboration and to support the development of a proposal progress the collaborative arrangements into consultation on federation.

2.00	RESOURCE IMPLICATIONS
2.01	There are no resource implications associated with this report.

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3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	Consultation for the federations was completed in accordance with the Federation of Maintained Schools (Wales) Regulations (2014).
3.02	School Organisational Change models required formal Consultation within the Legal Framework of the School Organisational Code.

4.00	RISK MANAGEMENT
4.01	Consultation and progress on School federal arrangements are reported to the Education and Youth Programme Board.

5.00	APPENDICES
5.01	Appendix 1 – Small and Rural school funding briefing paper Appendix 2 – Letters from Lixwm C.P. and Brynford C.P. Governing Bodies.

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	None. Contact Officers: Damian Hughes Telephone: 01352 704135 E-mail: damian.hughes@flintshire.gov.uk

7.00	GLOSSARY OF TERMS
7.01	Federation and Collaboration - 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. The term federation is often used to describe many forms of collaboration between schools. The Statutory process of Federation is often referred to as “Hard Federation” An informal, non-statutory arrangement between schools is often called “soft federation” or collaboration, where schools have made a commitment to work together through some form of joint governance.

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.

The Council does this in line with the Welsh Government's statutory School Organisation Code

<http://wales.gov.uk/docs/dcells/publications/130719-school-organisation-codes-en.pdf>

BRIEFING PAPER

NATIONAL STRATEGY FOR SMALL AND RURAL SCHOOLS – WELSH GOVERNMENT INNOVATION IN SMALL AND RURAL SCHOOLS GRANT FUNDING: 2017/18

The Cabinet Secretary for Education has set out her plans for a national strategy for small and rural schools, recognising that schools in different parts of Wales face different challenges. The National Strategy for Small and Rural Schools supports the Welsh Government's wider aim to strengthen and extend school-to-school relationships and prioritise education leadership in order to raise standards and tackle the attainment gap.

As part of the National Strategy the Cabinet Secretary announced new funding of £2.5m for 2017/18 to promote innovation and raise standards in small and rural schools in Wales.

Allocation and payment of funding to local authorities

The Welsh Government (WG) have determined the distribution of grant to local authorities using a formula incorporating factors for sparsity and school size as follows:

- 70% by reference to sparsity (based on the population in each local authority outside settlements above the thresholds of a specified population from the 1991 Population Census); and
- 30% by reference to the number of (primary), schools maintained by the local authority with fewer than 90 pupils.

A maximum of **£144, 599** is available to Flintshire County Council in the **2017/18** financial year.

What can the funding be used for?

This funding is to be used to facilitate and encourage innovation and change which is beneficial to small and rural schools, their pupils and to the communities they serve.

The key purposes of the grant funding are from a WG perspective are as follows:

1. To encourage innovation

This purpose is intentionally wide to encourage the development of innovative practices to raise standards and contribute to the sustainability of small and rural schools. An example might include the use of new digital technologies to combat the issue of professional isolation by harnessing the power of IT, including virtual classrooms.

2. To support greater school to school working

This purpose includes informal association, formal collaboration or federation to raise standards. Federation has been shown to be particularly beneficial in allowing rural schools to remain open and viable in their communities.

3. To provide additional administrative support in schools where the head teacher has a significant timetabled teaching commitment of at least 10% of the timetable.

The intention of this key purpose is to improve the capacity of these head teachers to provide leadership and management, and to raise standards in their schools. Consideration should be given to innovative ways of working with other schools for example to share backroom functions and/or through the use of a shared business manager. The funding should not be used to fund general administrative support in the school.

4. To increase the community use of school buildings whether for education or non-education purposes

Where opportunities exist, and where there is local demand, school facilities might be used by pre-school groups or for after school activities, adult education and sport or as ICT centres and libraries, as well as a wide range of non-educational community purposes. Funding may be used to assist with the associated costs for establishing such arrangements, whether these are administrative or associated with equipment or adaptations of the facilities.

The funding cannot be used for reoccurring teaching commitment and spending (subject to agreement) will be aligned to the WG criteria and activities below.

Deadline for Submission & Confirmation of Grant

The Deadline for submission of the Grant for 17/18 was 1st May 2017, the Council have submitted the application based on the following:

Project/Schools	Description of Proposed Activity:	Estimated Expenditure (£)
<p><u>Federation of Small Schools</u></p> <p>Trelogan CP & Gronant CP</p> <p>Gwernymynydd CP & Gwernaffield CP</p>	<p>To support small schools with additional funding to facilitate consultation with stakeholders on a federated model.</p> <p>To provide additional administration and clerking time to support the development and consultation process.</p> <p>To release the head teacher and other key staff from teaching commitment to give them capacity to develop a sustainable federated model.</p>	£35,000
<p><u>Reduction in Head Teacher Teaching Time</u></p> <p>Ysgol Gymraeg Mornant</p> <p>Nercwys VA</p> <p>Gronant C.P.</p> <p>Treuddyn, Ysgol Terrig</p> <p>Cilcain, Ysgol y Foel</p> <p>Lixwm C.P.</p> <p>Gwernymynydd C.P.</p> <p>Nannerch VC</p> <p>Caerwys, Ysgol yr Esgob VA</p> <p>Trelogan C.P.</p> <p>Brynford C.P.</p> <p>Mold, St.David's R.C.</p> <p>Ffynnongroyw Ysgol Bryn Garth</p> <p>Trelawnyd Aided</p> <p>Shotton St.Ethelwold's Aided</p>	<p>Funding for teacher supply will be made available to small schools to release head teacher's from their teaching commitment. This will give them extra capacity to attend meetings and professional groups, to develop teaching practice, to observe and assess teaching practice.</p> <p>For 2016/17 an allocation of £4,080 per school will be made.</p>	£63,260
<p><u>Business Management</u></p>	<p>To implement a study into the</p>	£12,500

Project/Schools	Description of Proposed Activity:	Estimated Expenditure (£)
<p><u>Support</u></p> <p>Across the network of small schools above</p>	<p>feasibility of establishing a business management role to support small schools. The purpose of this study would be to review the skillset which would be desirable and to identify the main areas of support which would assist schools and to consider how such a model could operate given the geographical location of our rural schools.</p> <p>The study would need to identify the cost of implementation and to identify sources of funding in addition to the grant.</p>	
<p><u>Additional Needs in Small Schools</u></p> <p>To support the network as above</p>	<p>To consider new and innovative ways of working collaboratively across schools to support small schools with the increasing demands of meeting the requirements of pupils with additional learning needs, particularly around emotional well-being.</p> <p>A review of current practice, demands and impacts on small schools.</p> <p>To identify training needs for staff to assist in catering for children with issues related to emotional wellbeing and challenging behaviours.</p>	£10,899
<p><u>Curriculum Development and Sharing Best Practise</u></p> <p>As above</p>	<p>To develop a teacher network to increase collaboration between teachers in small and rural schools by providing release time for joint working around curriculum planning, improvement and sharing best practise</p>	£22, 950

Project/Schools	Description of Proposed Activity:	Estimated Expenditure (£)
Total		£144,599

Grant Award

We hope to receive a formal award letter confirming the sum of grant and attaching the terms and conditions of grant prior to the end of Summer Term 2017.

How will the grant be administered?

We are awaiting the T&C's from WG, however WG have stipulated that end of year report covering activity and a claim for costs incurred (paid in arrears), will be required by 31 January 2018. The final performance report should to be submitted to Welsh Government by end of May 2018.

The Finance team will provide a further communication in respect of how we proposed to administer, however, it would not be our wish to create a bureaucratic process for all concerned.

Appendix 2

Response from Lixwm and Brynford Governors regarding Cabinet Proposal

Lixwm Primary School
Fford Gledlom
Lixwm
Holywell
Flintshire
CH8 8NF

22 September 2017

Dear Mrs Homard

Area School Review – Lixwm & Brynford

Further to the original Cabinet determination and the recent opportunity presented to the governors through the rural schools grant to form and foster formal federal arrangements in small rural school settings.

As you will be aware the Governors of Lixwm CP have been in consultation with the Governors of Brynford CP in order to try and broker a collaborative agreement form a school Federation in the area

However, despite our best endeavours unfortunately we have been unable to persuade the governors of Brynford as to the merits of a Federation between the two schools.

The Governors desperately wish to retain the school in its community and we believe that a school federation would provide a sustainable solution for the area. A federal arrangement is also within the spirit of the recent WG small and rural school grant initiative and the current consultation on the School Organisation Code (Wales) by the Cabinet Secretary for Education.

The 2014 Federation Regulations provide LAs with the power to federate schools. To this end, Local Authority's will be able to federate a school, including a proposed new school with another school or schools or federate a school(s) with an existing federation.

The Governors of Lixwm CP School wish to implore the Cabinet to reconsider its previous decision to start statutory consultation through School Organisation Act (Wales) and provide a mandate for consultation under the 2014 Federation Regulations instead.

Best regards,

Mark Cockburn (Vice Chair)

on behalf of Ysgol Licswm Governing Bod

Brynford C.P. School

Ysgol Gynradd Brynffordd
Brynffordd
Treffynnon
Sir y Fflint
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01352 713184



Brynford CP School
Brynford
Holywell
Flintshire
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'Every child, every chance, every day'
'Pob plentyn, pob cyfle, pob dydd'

Mrs Rachel Critchell B. A. HONS P. G. C. E
bfmail@hwmail.net

Monday September 11th, 2017

Dear Damian

As you know from my previous emails Governors have conducted two informal meetings with parents/carers following the request by Lixwm to consider federating with them. In neither of the two meetings did we detect an overwhelming appetite for federation with Lixwm.

Having now conducted the two meetings and carefully reviewed our previous decision we continue to remain committed to the concept of an area school on one site (Brynford and Lixwm). This decision is not taken lightly as we recognise this has considerable impact for the community of Lixwm as they will no longer have a school.

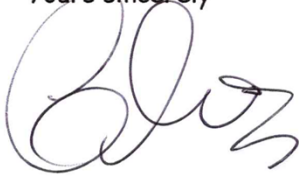
To restate some of our reasoning:

1. Federation is likely to cause additional bureaucratic issues, will probably result in a shared headteacher and is, in our view, a step on the road to an eventual amalgamation on one site. Better to miss out the steps, "bite the bullet" now and move on.
2. Brynford School building has many drawbacks and we see a new school (either a new building or an extension to the existing building) as a means to
 - a. address the inadequacies of the current structure and
 - b. potentially incorporate an accessible community facility which is currently impractical given the current layout of the building.
3. Individual Year groups will have more children resulting in the potential for a class to be composed of only one year group.
4. More staff on the **one site** will allow for improved support for them and the opportunity to easily share ideas and strategies to everyone's benefit.
5. Bringing the two schools together now gives certainty and will continue to provide a rural school of a reasonable size that will hopefully have many years of existence.

6. We are committed to the concept of small rural schools. We do not believe that forming one new school will create something that moves us away from the concept of rural schooling.
7. Federation will not achieve the cost savings in the way that merging will.
8. We believe that the additional funding may be politically inspired because of the Welsh Government's lack of a majority and may well prove to be only in place for the short term. If the funding is eventually withdrawn the authority will still be faced with the same problem as now - insufficient funding. This means we are likely to have a re-run of the last couple of years. Better to take a positive forward looking position now which will give security, certainty and stability going forward.

Our understanding is that, subject to cabinet approval of one school on one site, a formal consultation process will start in this Autumn Term.

Yours sincerely



Clive Bracewell
Chair Governors/Caderydd y Llywodraethwyr



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YSGOL LICSWM
LIXWM PRIMARY SCHOOL

Mrs C Howarth
Headteacher / Pennaeth

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Dear Mrs Homard,

Thank you for writing to us with the summary of the meeting held on the 13/06/17.

We went ahead and arranged a meeting with the governing body of Brynford school which was held on the 13/07/17. At that meeting both sets of governors were able to express their wishes and concerns. Our preferred options remains to federate with Brynford or another willing partner, Brynford appeared to prefer amalgamation but wanted time to discuss the issues were raised before offering a formal decision the week before term ends. We received feedback from Brynford on 19/07/17 stating that at a recent meeting with their parents they were unable reach a decision due to the absence of some parents "In the spirit of fairness and openness we are seeking further input from those unable to attend and will be holding a further meeting in September"

The feedback from many of our parents is that they do not wish to send their children to Brynford if amalgamation is sought and that we will continue to seek alternative schools to federate with.

We would appreciate your support and backing regarding federation and feel passionately that our school is thriving and should remain in the community.

Please do not hesitate to contact me if need be .

Regards,

Ann Rowlands.