

CABINET

Date of Meeting	Tuesday, 19 th June 2018
Report Subject	School Modernisation – School Standards and Organisation Act 2013 – Brynford and Lixwm Area School Review
Cabinet Member	Cabinet Member for Education
Report Author	Chief Officer (Education and Youth)
Type of Report	Strategic

EXECUTIVE SUMMARY

To inform of the responses from the statutory consultation period for the Brynford and Lixwm Area School Review

To invite Cabinet to determine whether to proceed with a statutory proposal for school organisational change.

RECOMMENDATIONS

1	Cabinet is requested to consider the responses from the statutory consultation period for the Brynford and Lixwm Area School Review.
2	Cabinet is requested to consider the evidence and analysis provided by officers within the reports.
3	Cabinet is requested to determine the next steps for school organisational change for the area.

REPORT DETAILS

1.00	BACKGROUND & OVERVIEW
1.01	On 16 June 2015, Cabinet provided a mandate for officers to review education provision in the villages of Lixwm, Brynford and Rhosesmor.
1.02	The results of this informal consultation formed the basis of a recommendation presented to the Council's Cabinet on 13 December 2016.
1.03	<p>Cabinet resolved that:</p> <p>(a) Cabinet commissioned consultation on statutory proposals for school organisation change for September 2017 based on Option B – Area school on two sites – Ysgol Rhos Helyg, Rhosesmor would remain as it is, retain its name, category, budget, governors, staff and would remain in its community. Brynford Community Primary and Lixwm Community Primary would amalgamate onto one site. The amalgamated school would retain its category but would have a new name, governing body, head teacher and budget and would remain in one of the communities, either Brynford or Lixwm; and</p> <p>(b) That if proposals for a federation between Brynford Community Primary or Lixwm Community Primary 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>
1.04	In response to the Welsh Government National Strategy for Small and Rural Schools, officers met with the Chair of Governors of Brynford and Lixwm Community Primary Schools. At this meeting officers confirmed that they would be willing to support the governors through the federation process and also bid for funding to Welsh Government's Small and Rural Schools Grant in 2018/2019 via this grant (should it continue to be available) if there was mutual agreement between the governing bodies to pursue a formal federation.
1.05	The Governors of Lixwm Community Primary were in favour of federation. However, the initial view of the Governors of Brynford Community Primary was that they were not in favour of a federation. In order to gauge the opinion of their parents and carers, the Governors of Brynford Community Primary held two meetings, one at the end of the summer term 2017 and one at the beginning of the autumn term 2017. Having considered the view of parents and carers, the Governors of Brynford Community Primary confirmed in writing that they did not wish to pursue a Federation arrangement with Lixwm Community Primary School.
1.06	On 26 September 2017 Cabinet underpinned its previous decision to provide a mandate for officers to consult via statutory proposals for Brynford Community Primary and Lixwm Community Primary Schools. At this meeting Cabinet agreed to a short pause to allow officers to work with

	the Governing Bodies of Brynford Community Primary and Lixwm Community Primary Schools.
1.07	To gain a personal insight, the new Cabinet Portfolio Member requested the opportunity to meet with governors of both Brynford Community Primary and Lixwm Community Primary Schools, and governors of other school/s in the area who had been approached to form a federation.
1.08	<p>The meeting with Lixwm Governors took place on the 10 October 2017 and the Governors confirmed they had not been able to come to an agreement with the Governors of Brynford Community Primary in respect of a proposed federation. However, they were continuing to seek out other opportunities for a possible federation.</p> <p>The meeting with Brynford Governors took place on 16 October 2017 and they reasserted their position that they preferred amalgamation onto a single site rather than federation.</p> <p>The meeting with senior governor representatives from Cilcain Primary School was held on 20th October and they confirmed that while they might be interested in exploring federation in the future, this was not their priority at the current time.</p>
1.09	Attempts made by the Governors of Lixwm Community Primary to federate with Ysgol Y Foel, Cilcain and discussions held with the Church in Wales, Diocesan Authority to pursue becoming a church school were unsuccessful so it remained the case that the Governors of Lixwm Community Primary School were unable to establish a federal partner.
1.10	Therefore, Cabinet determined to proceed to statutory consultation on school organisational change on 23 January 2018 on the proposal to amalgamate Brynford and Lixwm Community Primary Schools to create one area school.
1.11	<p>The Council has issued consultation documents in accordance with the statutory School Organisation Code.</p> <p>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.</p>
1.12	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.
1.13	As part of the consultation the views of children and young people have been sought. Their views were gathered in meetings conducted with

school councils using specialist staff at Brynford and Lixwm Community Primary schools and other potentially affected schools in the area. A summary of the Lixwm and Brynford school councils' responses are as follows:

What are the positives if this happened (the schools joined)?	What are the negatives if this happened (the schools joined)?
<ul style="list-style-type: none"> • New Friends • Better Sports Teams • Bigger School / Classes • New Books • New Equipment 	<ul style="list-style-type: none"> • New rules • Property Prices may Fall • Bigger School / Classes • Sad to close • Bullying

How would you feel about meeting new people and teachers?	
<ul style="list-style-type: none"> • Nervous • Scared • Happy • Excited • Worried 	<ul style="list-style-type: none"> • Anxious • Angry • Mad • Weird

Have you got any other suggestions you would like to see happen instead?	
<ul style="list-style-type: none"> • Build a new school; • Leave the schools as they are; • Could move into a different school. 	<ul style="list-style-type: none"> • Why can't we stay in Lixwm and build up; • Use the money on something else; • We could convert the old headmasters house (Lixwm) into a classroom.

1.14 During the consultation 229 responses were received of which 20% agree with the proposal and 80% disagree with the proposal.

Consultation responses from community, staff, parents and carers whom disagree with the proposal have focused on the following, in summary:

- Impact on the community
- Impact on education
- Wellbeing of pupils

Consultation responses from community, staff, parents and carers who agree with the proposal have focused on the following, in summary:

	<ul style="list-style-type: none"> • Believe that amalgamation is in the best interest of the children • Believe that it is in the best interest of the communities • Believe investment is necessary <p>During the consultation the following alternatives were suggested. In summary:</p> <ul style="list-style-type: none"> • No alternative suggestion 41.80% • Federation 25.41% • Status Quo 15.57%
1.15	<p>Estyn has provided its statutory response to the consultation, Estyn has considered the educational aspects of the proposal and has produced the following response to the information provided by the proposer (The Council) 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.</p> <p>In summary, it is Estyn's view that the proposal will at least maintain the standards and outcomes for pupils in the area.</p>
1.16	<p>The Council would take all practicable steps to ease the transition for all pupils, most especially for vulnerable groups of learners such as those with Additional Learning Needs (ALN). Should the proposal be implemented the Council would work alongside pupils, their parents/carers and the relevant schools to make appropriate transition arrangements for pupils to familiarise themselves with their new environments (subject to parental preference).</p>
1.17	<p>The community impact assessment which formed part of the consultation documents identified the impact of closure on local families and on the local community within Lixwm. Removal of a school from one of the communities could change the social environment and the way current friendship groups interact. Longer term if the proposal to invest in an area school, the loss of the school within Lixwm would impact on a number of community activities taking place and the range of community facilities within. However, there are no activities provided by either school that require specialist facilities therefore they could be accommodated at the proposed area school or at other community buildings.</p>
1.18	<p>At the request of Ysceifiog Community Council, officers attended a Community Council Meeting on 21 May 2018 and the Community Council has also offered its response and this is included within the consultation report (Appendix 1). No formal response has been received from Brynford Community Council during the consultation period.</p> <p>Key themes from the meeting with Ysceifiog Community Council are follows:</p>

	<ul style="list-style-type: none"> • To pursue alternative models (Federation) to protect the delivery of education in the local community • Could a federation be brokered, with investment as required via WG into the current local schools given the national policy on supporting rural schools within their communities to address the accommodation shortcomings within Brynford Primary School and resolve one of the major challenges within the proposal. <p>A copy of Ysceifiog Community Council letter received post consultation period (dated 27th May 2018) is attached as Appendix 4.</p>
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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	<p>Should the current proposals be implemented, it is envisaged there will be minimal staffing implications in the short term – aside from one Headteacher post which is currently being covered by a secondment from another local school.</p> <p>In the medium term should the schools be amalgamated onto one site, the Council will support the new Governing Body to formally consult with affected staff and their trade union representatives to minimise any requirement for compulsory redundancies and develop a tailored support package as required.</p>
2.03	<p>In the short term there is no change to transportation costs. However, in the longer term, should an area school be formed, the estimated annual costs of transport, would be in the region of £52,250 (assuming 100% uptake in families applying for transport to the proposed new area school)</p> <p>However, actual transport costs can only be assessed once all families have a school place confirmed at an alternative school.</p>

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	Consultation has taken place in accordance with the statutory School Organisation Code.
3.02	If the Cabinet decision is to proceed, the Council will publish a Statutory Notice providing a 28 day notice period for objections. If objections are received, the Council must publish an objection report providing a summary of the objections and their responses to them within 28 days of the end of the objection period.

4.00	RISK MANAGEMENT
4.01	A Programme Board is set up to oversee the implementation business plans and manage risks.

5.00	APPENDICES
5.01	Appendix 1 – The Consultation Report Appendix 2 – Estyn Response Appendix 3 - Statutory proposal anticipated timeline Appendix 4 – Letter from Ysceifiog Community Council (dated 27 th May 2018)

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	All responses from the consultation period (and responses received before the consultation period) are available in the members' library.
6.02	Additionally, previous Cabinet papers in date order; 16 th June 2015, 13 th December 2016, 26 th September 2017 & 23 rd January 2017 http://committeemeetings.flintshire.gov.uk/ieListDocuments.aspx?CId=391&MId=3319&Ver=4&LLL=0 http://committeemeetings.flintshire.gov.uk/ieListDocuments.aspx?CId=391&MId=3855&Ver=4&LLL=0 http://committeemeetings.flintshire.gov.uk/ieListDocuments.aspx?CId=391&MId=4003&Ver=4&LLL=0 http://committeemeetings.flintshire.gov.uk/ieListDocuments.aspx?CId=391&MId=4007&Ver=4&LLL=0 Contact Officer: Claire Homard Job Title: Interim Chief Officer (Education and Youth) Telephone: 01352 704601 E-mail: Claire.homard@flintshire.gov.uk

7.00	GLOSSARY OF TERMS
7.01	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 conducts consultation in line with the Welsh Government's statutory School Organisation Code

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

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.

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.

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.