

## **RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

### **CABINET**

**18<sup>TH</sup> JULY 2017**

### **21<sup>ST</sup> CENTURY SCHOOLS PROGRAMME – NAMING OF THE NEW SCHOOLS**

#### **REPORT OF THE TEMPORARY DIRECTOR OF EDUCATION AND LIFELONG LEARNING IN DISCUSSIONS WITH THE RELEVANT PORTFOLIO HOLDER, COUNCILLOR J ROSSER**

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#### **1. PURPOSE OF THE REPORT**

- 1.1 The purpose of the report is to consider the recommendations made by the temporary governing bodies/governing body of the schools indicated in this report in respect of the names to be chosen for their schools.

#### **2. RECOMMENDATIONS**

It is recommended that the Cabinet:

- 2.1 Agree to the names put forward by the temporary governing bodies of the 'all through' 3–16 and 3–19 schools at Tonypany, Porth and Tonyrefail in respect of their new schools, which are due to open in September 2018.
- 2.2 Agree to the further request received from the governing body of Ysgol Gyfun y Cymer to rename their school Ysgol Gyfun Cwm Rhondda, effective from 1<sup>st</sup> September 2017.

#### **3 REASONS FOR RECOMMENDATIONS**

- 3.1 In April 2012, Cabinet approved the re-naming of Ysgol Llanhari (previously Ysgol Gyfun Llanhari), following the decision to extend the age range of the pupils who could attend the school, from 11–18 years to 3–18 years. At the same time as this report was considered, Members also agreed a protocol document produced by the Director of Education on Council policy for the changing and setting of school names. This protocol document is attached for information, as Appendix 1.

3.2 The headteachers and temporary governors of the three new 3–16/19 schools, and the governors of Ysgol Gyfun y Cymer have all been provided with this protocol document, and have followed its guidance when undertaking consultation on new names for the four schools.

#### **4. BACKGROUND**

4.1 Cabinet agreed at their meeting held on 24<sup>th</sup> September 2015 to formally confirm the proposals to create new 3–16 ‘all through’ schools at Tonypany and Porth and a 3–19 ‘all through’ school at Tonyrefail. These decisions followed an extensive consultation process and the publication of statutory notices, all conducted in accordance with statutory guidance contained in the Welsh Government’s School Organisation Code.

4.2 Following these decisions, temporary governing bodies were appointed at all three schools, to undertake the work of establishing the schools. Since then, the temporary governing bodies have appointed headteachers and deputy headteachers at the schools; they have worked with our HR division to create new staffing structures and Management of Change documents for the schools and these documents are currently undergoing the necessary consultation with school staff and trades unions. It is anticipated that the process of appointing all other staff will commence in earnest in the Autumn Term, following the adoption of the agreed staffing structures.

4.3 There is also a need for the three headteachers to commence the preparation of documentation for their schools, including a new school prospectus; they are also keen to commence work around the ‘branding’ of the schools, i.e. the designing of school signage and logos, school uniform choices and school colours. All of this work is however dependent on new school names being determined and put in place.

4.4 Consultation has been undertaken at all of the three new schools and Ysgol Gyfun y Cymer in line with the guidance in the protocol document at Appendix 1. The outcome of these consultations and the recommendations for the new names are outlined below.

#### **4.5 Tonypany 3–16 School**

4.5.1 The headteacher has undertaken consultation with in excess of 1600 stakeholders, including the pupils of all five schools that will close to create the new school, their parents, the wider community, school staff and the temporary governing body.

4.5.2 The pupils were asked to consider a selection of names and were also given the opportunity to select their own. A shortlist of five names was

drawn up. This was then subjected to further consultation and a vote amongst the pupils. The top two selections were then put to a further consultation and final vote.

4.5.3 The pupils from all five schools produced a written naming report and a short film presentation that outlined the consultation they had undertaken and the outcome of their work. The name that they wish to recommend for the new school, which attracted over 70% of the final vote is **Ysgol Nantgwyn**. The origin of this name is that it is the name of the colliery that formerly stood on the school site; it is also the name of a stream that runs adjacent to the school site. This final choice has been endorsed by the temporary governing body.

#### 4.6 **Porth 3–16 School**

4.6.1 The pupils from all four schools that will close to form the new school were asked to come up with one recommended name per school, which would then be the subject of further consultation with parents and the temporary governing body. This process was led by the School Council of each school, with assistance from the school staff.

4.6.2 Details of the four names selected by the schools were then circulated to all parents and carers (over 1,000 in total) for their comment. Only five responses were received, which was disappointing.

4.6.3 The temporary governing body then met to consider the four options put forward by the pupils and the comments received from the parents. Following discussion and a slight modification to one of the names under consideration, the name they wish to recommend for their new school is **Porth Community School**.

#### 4.7 **Tonyrefail 3–19 School**

4.7.1 The headteacher has discussed this matter with school staff, the School Councils of both schools and the temporary governing body. The unanimous recommendation from all parties is that the new school should be called **Tonyrefail Community School**. As this name is very similar to those of the current schools (Tonyrefail Comprehensive and Tonyrefail Primary), it was felt that further consultation on it was not required.

#### 4.8 **Ysgol Gyfun y Cymer**

4.8.1 The governing body of the school and its sub-committees have been considering a possible change to their school name since last year and have met several times to discuss this issue.

4.8.2 Consultation has also been undertaken with pupils, parents and the wider school community regarding possible options for a new name for the school from September 2017. Following receipt of feedback from all parties, the governing body met to consider these options and to come to a decision on a recommendation moving forward. The new name they wish to put forward for the school is **Ysgol Gyfun Cwm Rhondda**.

4.8.3 As Ysgol Gyfun y Cymer is the only Welsh Medium Secondary School serving the Rhondda district of RCT, this proposed name meets all of the criteria outlined in the attached appendix.

## **5. EQUALITY AND DIVERSITY IMPLICATIONS**

5.1 An Equality Impact Assessment is not required in this instance. With regard to the Welsh Language, all school signage, logos and other materials will be produced bilingually in accordance with legislation.

## **6. CONSULTATION**

6.1 Although there is no statutory requirement to undertake consultation, the attached protocol document clearly outlines the Council's requirements in this regard, in particular it highlights the need for consultation with school pupils. All four schools have undertaken thorough and proper consultation with the key stakeholders associated with their schools, with pupils being at the forefront of this work.

## **7. FINANCIAL IMPLICATION(S)**

7.1 There are no financial implications for the Council in respect of this issue. All costs associated with the 'rebranding' of the schools, such as design of logos and badges, new uniform and colour schemes is to be met from the delegated budgets of the schools themselves.

## **8. LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED**

8.1 There are no legal implications in respect of decisions on school names; however, any changes to an existing name will require an amendment to the Instrument of Government, in accordance with the requirements of the Government of Maintained Schools (Wales) Regulations 2005. This can be undertaken for Ysgol Gyfun y Cymer by a delegated decision prior to the introduction of the new name in September, should this be agreed by Cabinet.

8.2 New Instruments of Government will be required for the three new schools also; these will be prepared next summer in readiness for the opening of the schools in September, 2018.

9. **LINKS TO THE COUNCILS CORPORATE PLAN/OTHER CORPORATE PRIORITIES/SIP**

9.1 There are no links in relation to this report.

10. **CONCLUSION**

10.1 Members are asked to consider the names that have been put forward for the four schools detailed in this report by their respective temporary governing bodies/governing body, and to agree to their implementation, noting that all the appropriate consultation that is required has been undertaken.

**Other Information:-**

***Relevant Scrutiny Committee***

***Background Papers***

***Contact Officer : Julie Hadley tel 01443 744227***

**LOCAL GOVERNMENT ACT 1972**

**AS AMENDED BY**

**THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

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Item: 21<sup>ST</sup> CENTURY SCHOOLS PROGRAMME – NAMING OF THE NEW  
SCHOOLS

**Background Papers**

The background paper included as an appendix to this report is:

- **RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL POLICY  
ON THE SETTING AND CHANGING OF SCHOOL NAMES**

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## **RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL POLICY ON THE SETTING AND CHANGING OF SCHOOL NAMES**

1. This policy relates to the official names of schools meaning the name set out in the Instrument of Government (“IOG”).
2. School names must be consistent with legal requirements the Government of Maintained Schools (Wales) Regulations 2005. Paragraph 35 of the Government of Maintained Schools (Wales) Regulations 2005 is especially relevant: a copy is attached as part of this policy.
3. School names must not be misleading. Therefore, the Council shall expect that:
  - Where a school is a voluntary school and has a religious character, this is clear from the school’s name;
  - Where a school serves all or part of the primary age-range (ages 5-11) and is not a special school, one of the following phrases is used:
    - Infant School
    - Junior School
    - Primary School
  - Where a school has “Primary” in its name it will serve all age-groups in nursery, Key Stage One and Key Stage Two;
  - Any implication or perceived implication in the school’s name is accurate;
  - Where a school is relocated, on a permanent basis, from a location in one electoral ward and/or community to a different electoral ward and/or community, the Council will request that the governing body review the IOG and the name of the school and shall not retain a name linked to its previous location that may mislead or confuse any interested parties. The governing body will have 60 calendar days to complete the review of the IOG.
    - If the governing body determines that there should be no change to the IOG and school name, it is required to inform the Council of the reasons why. Where the Council’s Cabinet has concerns over the proposed name, or if it does not meet the requirements in the Council’s policy, it will refer the matter back to the governing body for reconsideration with an explanation of their decision.
    - If the governing body does not comply with this request, the Council will review the IOG and recommend to the governing body a suitable new name for the school. The Council will notify the governing body of the proposed change to the school name and the reasons for the change. The governing body will have 90 calendar days or at the discretion of the Council “reasonable time” to discuss the proposed changes with the Council in order to come to an agreement on the name. If no agreement can be reached the Council’s Cabinet will determine the change of name of the school;

4. If the governing body decides that the name of the school should be changed it has to consult with pupils, parents and other stakeholders, all consultees shall be informed that the new name must not mislead or confuse anyone as to the schools location. Best practice suggests that pupils of the school should play the lead role in determining a suitable school name. After a period of consultation with pupils, parents and other stakeholders the process for determining a school's name shall be as follows:
  - a) An item shall be placed on the agenda of a meeting of the full governing body making clear that a change of the school's name is proposed and specifying the proposed new name (or options);
  - b) A change to a school name must be decided by the governing body.
  - c) Where the school is a voluntary school, the new name must also be approved by the relevant diocesan authority (for Church of Wales and Roman Catholic Schools);
  - d) If the governing body agrees to the proposed school name, they shall inform the Council so that the Instrument of Government can be changed;
  - e) Where the above stages have been completed satisfactorily, the Council's Cabinet will consider the proposed new name in accordance with the Council's policy and arrange for the school's Instrument of Government to be changed;
  - f) Where the Council's Cabinet has concerns over the proposed new name, or if it does not meet the requirements in the Council's policy, it will refer the matter back to the governing body for reconsideration, with an explanation of their decision.
5. For new schools, the role of the governing body outlined in 4(a) – (f) above shall be undertaken by the temporary governing body until the permanent governing body has been set up.

## **Extract from the Government of Maintained Schools (Wales) Regulations 2005**

### **Review of instruments of government**

35. (1) The governing after it is made.

(2) Where on any body or the local education authority may review the instrument of government at any time review the governing body or the local education authority decides that the instrument of government should be varied, the governing body or (as the case may be) the local education authority must notify the other of its proposed variation together with its reasons for proposing such a variation.

(3) Where the governing body has received notification under paragraph (2), it must inform the local education authority as to whether or not it is content with the proposed variation and, if not content, its reasons.

(4) Where the school has foundation governors, the governing body must not—

(a) give the local education authority any notification under paragraph (2),  
or

(b) inform the authority under paragraph (3) that it is content with the authority's proposed variation,

unless the persons listed in regulation 34(2) have approved the proposed variation.

(5) If—

(a) whichever of the governing body and the local education authority is the recipient of a notification under paragraph (2) agrees with the proposed variation, or

(b) there is agreement between the local education authority, the governing body and (if the school has foundation governors) the other persons listed in regulation 34(2) that some other variation should be made instead,

the local education authority must vary the instrument of government accordingly.

(6) If, in the case of a school which has foundation governors, at any time the persons listed in regulation 34(2) disagree with the proposed variation any of those persons may refer it to the National Assembly for Wales; and on such a reference the National Assembly for Wales must give such direction as it thinks fit having regard, in particular, to the category of school to which the school belongs.

(7) If neither sub-paragraphs (a) and (b) of paragraph (5) applies in the case of a school which does not have foundation governors, the local education authority must—

(a) inform the governing body of the reasons—

(i) why it is not content with the governing body's proposed variation, or as the case may be,

(ii) why it wishes to proceed with its own variation, and

(b) give the governing body a reasonable opportunity to reach agreement with it with regard to the variation;

and the instrument of government must be varied by it either in the manner agreed between it and the governing body or (in the absence of such agreement) in such manner as it thinks fit having regard, in particular, to the category of school to which the school belongs.

(8) Nothing in this regulation is to be taken as requiring the local education authority to vary the instrument of government if it does not consider it appropriate to do so.

(9) Where an instrument of government is varied under this regulation—

(a) the instrument must set out the date on which the variation takes effect; and

(b) regulation 33(3) applies in relation to any variation relating to the manner in which the governing body is to be constituted as if it referred to the date when the variation is made rather than the date when the instrument is made.