



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

### **CABINET**

**9 APRIL 2019**

### **21<sup>ST</sup> CENTURY SCHOOLS PROGRAMME - PROPOSALS TO IMPROVE EDUCATION PROVISION IN CYNON VALLEY**

#### **REPORT OF THE CHIEF EXECUTIVE IN DISCUSSION WITH THE CABINET MEMBER FOR EDUCATION (COUNCILLOR J ROSSER)**

**Authors:** Andrea Richards, Head of 21<sup>st</sup> Century Schools and Lisa Howell, Business and School Organisation Manager.

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

1.1 The purpose of the report is to advise Members of the outcome of the recent publication of a Statutory Notice in respect of proposals to:

- Improve and increase education provision in Hirwaun by investing in a new school for Hirwaun Primary School;
- Improve Welsh medium education provision by increasing the supply of places in the Upper Cynon Valley by making Penderyn Community Primary School, currently a dual language school, a Welsh medium Primary School;

#### **2. RECOMMENDATIONS**

It is recommended that the Cabinet:

2.1 Note the information contained within the attached Objection Report at Appendix A, which includes a summary of the 9 objections received during the Statutory Notice period, and the comments given in response to the objections.

2.2 Agree to implement the proposals as published in the Statutory Notice which will:

- create a new school for Hirwaun Primary School by September 2021;
- change the category of Penderyn Community Primary School from a dual language school to a Welsh medium school from September 2021;
- continue to allow new English medium admissions to Penderyn Community Primary School until such time that the change in category of Penderyn Community Primary School, from a dual language school to a Welsh medium school, comes into effect.

2.3 Note that a separate report on funding arrangements will be presented to Council in due course.

### **3 REASONS FOR RECOMMENDATIONS**

3.1 To progress the proposal in accordance with the process outlined in Welsh Government legislative guidance (the School Organisation Code).

### **4. BACKGROUND**

4.1 Members will recall that, at the meeting of the Cabinet held on 20<sup>th</sup> September 2018, approval was given to begin a process to formally consult on a proposal to improve and increase education provision in Hirwaun by investing in a new school for Hirwaun Primary School; and improve Welsh medium education provision by increasing the supply of places in the Upper Cynon Valley by making Penderyn Community Primary School, currently a dual language school, a Welsh medium Primary School.

4.2 Following the conclusion of the consultation period, and at a subsequent meeting of the Cabinet held on January 24<sup>th</sup> 2019, a decision was taken to progress to the next phase of the statutory process and to publish the Statutory Notice.

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

5.1 Equality, Community and Welsh Language Impact Assessments were prepared in respect of this proposal and were published on the Council's website together with the Consultation Document that outlines the proposal in detail. Copies of all impact assessments are attached as an appendix to this report.

### **6 CONSULTATION**

6.1 The consultation process in respect of this proposal has been undertaken under the arrangements outlined in the Welsh Government's School Organisation Code, which was introduced on 1<sup>st</sup> October 2013 and recently updated in November 2018.

6.2 Consultation took place between 1<sup>st</sup> October 2018 and 31<sup>st</sup> December 2018 and full details of this process were published in a Consultation Report, which was presented at the meeting of Cabinet held on 24<sup>th</sup> January 2019 and subsequently published on the Council website.

### **7. THE STATUTORY PROCESS**

7.1 The Statutory Notice for this proposal referred to:

- create a new school for Hirwaun Primary School by September 2021;
- change the category of Penderyn Community Primary School from a dual language school to a Welsh medium school from September 2021;

7.2 If the proposals are agreed, the Council must publish a Decision Notice that formally outlines the reasons for the implementation of these proposals.

### **8. FINANCIAL IMPLICATIONS**

- 8.1 If the proposal proceeds, it is proposed that a new school building be constructed to accommodate the new Hirwaun Primary School and it is estimated that the cost of this work will be approximately £10.4m. This will be funded by the 21<sup>st</sup> Century Schools and Education Programme, which includes a 65% contribution from Welsh Government. The Council's 35% share of the capital costs will be met through prudential borrowing which will be subject to a further report to Council.
- 8.2 Any revenue and capital costs that accrue in completing the consultation and preparing financial business cases for Welsh Government approval will be met from within existing budgets.
- 8.3 The Welsh Government has approved in principle the Strategic Outline financial business case to construct a new Hirwaun Primary School. A Full Business Case will be submitted to the Welsh Government in April.

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

- 9.1 The Council's Corporate Plan commits to "Continue to invest in improving school buildings, to ensure the County Borough's pupils have the learning environment fit for the 21<sup>st</sup> Century." The proposals considered in the report contribute to all 7 well-being goals within the Future Generation (Wales) Act 2015.

## **10 CONCLUSION**

- 10.1 Members are asked to formally approve the proposal as consulted upon and agree to:
- create a new school for Hirwaun Primary School by September 2021;
  - change the category of Penderyn Community Primary School from a dual language school to a Welsh medium school from September 2021;

**LOCAL GOVERNMENT ACT 1972**

**AS AMENDED BY**

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

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**CABINET**

**09.04.19**

REPORT OF THE CHIEF EXECUTIVE IN DISCUSSION WITH THE CABINET MEMBER  
FOR EDUCATION (COUNCILLOR J ROSSER)

Item: 21ST CENTURY SCHOOLS PROGRAMME - PROPOSALS TO IMPROVE  
EDUCATION PROVISION IN CYNON VALLEY

**Background Papers**

Cabinet – [20.09.18](#)

Officer to contact:

# **RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

## **OBJECTION REPORT**

### **PROPOSAL: TO IMPROVE EDUCATION PROVISION IN CYNON VALLEY**

#### **1. Purpose of the Objection Report**

This report is prepared in accordance with the Welsh Government's School Organisation Code, statutory document 006/2013. Its purpose is to:

- Inform the outcome of the publication of the statutory notice published for this proposal, which were published on February 13th 2019 for a period of a minimum of 28 days; and
- Include a summary of the statutory objections received and the local Authority's response to them.

#### **2. The Statutory Notices**

The Statutory Notice to progress this proposal, which was published on February 13<sup>th</sup> 2019 is reproduced below:

#### **RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL** Education and Inclusion Services, Ty Trevithick, Abercynon CF45 4UQ

Notice is given in accordance with section 42 of the School Standards and Organisation (Wales) Act 2013 and the School Organisation Code that Rhondda Cynon Taf County Borough Council (RCTCBC), having consulted such persons as required, proposes to:

1. Increase the capacity of Hirwaun Primary School and construct a new school building. School to continue to be maintained by RCTCBC, to be located on the existing Hirwaun Primary School site, for boys and girls aged 3-11 years:  
Hirwaun Primary School, Glannant Road, Hirwaun, Aberdare CF44 9NF
2. Amend the language category of the current Penderyn Community Primary School from a dual language status to a Welsh medium primary school. The school will continue to be maintained by RCTCBC, and will be for boys and girls aged 3-11 years.  
Penderyn Community Primary School, Pontprenllwyd, Penderyn, Aberdare CF44 9JW

RCTCBC undertook a period of consultation before deciding to publish these proposals. A consultation report containing a summary of the issues raised by consultees, the proposer's responses and the views of Estyn is available on the Council's website at <https://www.rctcbc.gov.uk/EN/GetInvolved/Consultations/SchoolConsultations/SchoolsConsultations.aspx>

It is proposed to implement the proposals by 1<sup>st</sup> September 2021.

The current capacity of Hirwaun Primary School is 265 plus Nurse, and the increased capacity of Hirwaun Primary School shall be 390 plus Nursery. The admission number for pupils aged 4 to the Reception Class at the new school, in the first school year in which the proposals have been implemented, will be 55. There will be 60 nursery places.

There will be no change to the capacity of Penderyn Community Primary School, this will remain at 231. The admission number for Penderyn Community primary School will remain at 33.

Pupils will be provided with transport in accordance with RCTCBC's Transport Policy. At present, RCTCBC provides free transport for pupils who attend their relevant Primary, Infant or Junior School, if they reside beyond 1.5 miles walking distance to that school, or if there is no available walking route. The relevant school is the catchment school or the nearest school.

Within a period of 28 days of the date on which these proposals were published, that is to say by March 15<sup>th</sup> 2019, any person may object to the proposals. Objections should be sent to the Director of Education and Inclusion Services, 21<sup>st</sup> Century Schools, Ty Trevithick, Abercynon, Mountain Ash CF45 4UQ, e-mail [schoolplanning@rctcbc.gov.uk](mailto:schoolplanning@rctcbc.gov.uk).

RCTCBC will publish a summary of any such objections made (and not withdrawn in writing) within the objection period, together with their observations thereon, within 7 days of the determination of the proposal.



Signed:  
Gaynor Davies  
Director of Education and Inclusion Services  
For Rhondda Cynon Taf County Borough Council  
Date: 13<sup>th</sup> February 2019

### **3. Details of Objections Received**

During the Statutory Notice period a total of 9 objections were received by the closing date of March 15<sup>th</sup> 2019. They consisted of letters, e-mails and 3 petitions. Details of which are listed below:

- Parents of pupils currently attending Penderyn Community Primary School (4)
- Parent of pupils attending Hirwaun Primary School (1)
- A pupil currently attending Penderyn Community Primary School (1)
- A petition from parents (47 signatories)
- A petition from residents (171 signatories)
- An on-line petition via Change.org (176 signatories)

Cabinet members will have to opportunity to read and digest all of the objections received during the Objection Period prior to the meeting of Cabinet on April 9<sup>th</sup> 2019. All objections will be conscientiously considered alongside the arguments in respect of the proposals and the factors as set out in the Code.

#### 4. The Objections and our Responses

- **Penderyn will not be a true community 'village' school.**

There is no reason why any community links will be adversely affected by these proposals. A Community Impact Assessment has been undertaken and was appended to the Consultation Document. This is available to view on the Council's website.

- **Hirwaun's Estyn Report was poor. Hirwaun's School Categorisation is red where as Penderyn's is yellow and so RCT are not complying with the Code as 'like for like' education is not being offered**

This process has been undertaken in full compliance with Code. As specified within the School Organisation Code Estyn are a statutory consultee and their full response in relation to the proposals was included within the Consultation Report. A summary of their conclusion is below.

##### ***Summary/ Conclusion***

*The proposer is Rhondda Cynon Taf County Borough Council, and the proposal relates to the construction of a new school building for Hirwaun Primary School (Hirwaun PS) and a change of language medium status - to Welsh medium only - at Penderyn Community Primary School (Penderyn CPS) from September 2021.*

***Overall, the proposal is likely to have a beneficial impact on the standard of education provision in the area.***

Hirwaun Primary School has continued to make good progress and continues to be closely monitored by the Director of Education and Challenge Advisors. Ongoing support and monitoring is being provided and Estyn will return to re-inspect this year.

- **Concerns were raised that pupils will be unsettled if they move to a new school midway through the primary phase**

Meaningful and successful transition is an integral part of ensuring that pupils settle into their new school environments with little disruption. Advice and support will be provided by the local authority to both Hirwaun Primary School and Penderyn Community Primary School to ensure that the transition process is as smooth and worry free as possible for the pupils.

- **Children are being discriminated against as they cannot be taught English in their local school**

School Organisation and School Admissions are administered through Statutory Codes and are requirements of the School Standards and Organisation (Wales) Act 2013. We ensure that all of our procedures are in line with this code which ensures we undertake

due diligence so that no pupil is unfairly disadvantaged or discriminated against. This consultation has been carried out in accordance with this code.

- **It is likely to result in job losses for the English medium staff currently employed at Penderyn. This is not acceptable.**

The impact upon staff is still unknown, however RCT's Human Resources Department will discuss any concerns with staff members on an individual basis.

- **Limited Public Transport would prevent parents picking up their children from school in an emergency.**

There is an hourly direct bus from Penderyn to Hirwaun.

The need for emergency collections should be infrequent, however all schools have statutory responsibilities to ensure the safety and well-being of children is paramount, as stipulated in the Education Act 2002.

All schools and staff members are aware of their responsibilities in terms of safeguarding, and schools have procedures in place to deal with issues should they arise. Staff have a duty of care to make sure that all pupils are cared for and will act appropriately under any circumstances, emergency or not.

- **Why can't the English medium catchment area change to keep English medium education at both schools?**

RCT have a statutory obligation to manage school places to meet demand where required. The demand in this area does not justify this.

- **There will be an increase of traffic and therefore pollution**

There is no evidence that traffic and therefore pollution levels will increase as a result of these proposals.

- **Why are class sizes in the new school so large? I don't want my child in a class of 50 or 60 pupils.**

The capacity of the school and class sizes will be designed for 30 pupils in line with Welsh Government guidance.

- **The pupils will be disrupted while the new school is being built.**

The contractors that will be undertaking the works on site will be experienced in working on live school sites.

The health and safety of the pupils and staff will be paramount at all times, and the contractors will work collaboratively with the school and the Council to ensure that



any disruption is minimised. The Council has significant experience in managing construction on operational school sites, and the processes and procedures that we have adopted on other projects have been very successful.

- **The Council has engineered the situation so that the number of pupils being taught in English in Penderyn has reduced.**

This is categorically not the case, and there is no evidence to support this claim.

The school admission policy and associated criteria that is applied in Penderyn is consistent throughout RCT, and is fully compliant with the statutory School Admissions Code. In addition, all current transport arrangements in this area, and transport arrangements that will be delivered in the future, are in line with RCT's Home to School Transport Policy. Again, a consistent approach has and will continue to be adopted.