

# RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

## MUNICIPAL YEAR 2018 - 19

### CHILDREN AND YOUNG PEOPLE SCRUTINY COMMITTEE

Date: 20th March 2019

### REPORT OF: DIRECTOR OF EDUCATION AND INCLUSION SERVICES

Agenda Item No.5

School Organisation Proposals – The  
Process and Outcomes

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#### 1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to inform Members of the new statutory processes as published within the new edition of the School Organisation Code (Nov 18), and of the progress and work undertaken in this regard since the last report to Committee.

#### 2. RECOMMENDATIONS

It is recommended that Members:

- 2.1 Scrutinise and comment on the information contained within this report

#### 3. REASONS FOR RECOMMENDATIONS

- 3.1 To raise Members awareness of the updated processes required to be undertaken to make any regulated alterations to the provision, or character of a school; and to provide an update on the continuation of the work to deliver the Council's School Modernisation Programme in collaboration with Welsh Government's 21<sup>st</sup> Century Schools and Education Programme.

#### 4. BACKGROUND

- 4.1 Members will be aware that, since the last update was provided to Scrutiny Committee, the Council has continued to deliver on its commitments and make significant changes to school provision, as well as delivering improvements to the school building stock within Rhondda Cynon Taf.
- 4.2 The proposals to reorganise schools within the Rhondda and Tonyrefail areas, together with the amalgamation of Cwmaman Infants and Glynhafod Junior Schools, are complete. Two 3-16 schools, one 3-19 school and a new primary school opened in September 2018, these were Porth Community School,

Ysgol Nant Gwyn, Tonyrefail Community School and Cwmaman Primary School, respectively.

- 4.3 Delivering these new schools freed up a number of school sites allowing the strategic reallocation of the Council's educational assets. These opportunities afforded the provision of a more modern and refurbished school building for YGG Tonyrefail, YGG Llwynceilyn was improved and extended, and the Tai Centre was rehomed on the site of the former Ysgol Yr Eos, providing significantly improved facilities. In addition to these, and also funded as a part of the Band A 21<sup>st</sup> Century Schools Programme, the Council also remodelled and improved Cymmer Primary and Ferndale Community School. Further details relating to Band A projects is included at Appendix A.
- 4.4 The school organisation complementary physical works, being delivered through Band A investment, is still ongoing on a number of school sites.
- 4.5 The Council's ambitious school modernisation programme will continue with projects identified as part of our Band B Strategic Outline Programme (SOP) which will run between 2019-2024/26. The Council has secured an 'approval in principle' from the Welsh Governments' 21<sup>st</sup> Century Schools and Education Programme for a funding envelope totalling £168m. These projects will build upon the success of the Band A investment and will enable delivery of the Band B investment priorities of:
- Addressing growth in demand for Welsh medium education
  - Reducing surplus capacity and inefficiency in the system
  - Expansion of schools in areas of increased demand for educational services
  - Addressing condition of educational assets
  - Making assets available for community use where demand exists, to optimise the infrastructure and resources for public services
  - Addressing specific demand for places in Faith Based provision

## **5. CURRENT SCHOOL ORGANISATION CONSULTATIONS**

- 5.1 The Council is currently consulting on a number of school organisation proposals which if approved will form part of the Council's Band B proposals. There are a number of schools affected by these particular consultation proposals, Hirwaun and Penderyn in the Cynon Valley, Dolau Primary in the Taf Ely Valley, and a number of schools in the wider Pontypridd area.
- 5.2 The school organisation proposals are at various stages in the statutory consultation process. Cabinet has considered the Consultation Reports for Hirwaun and Penderyn, and Dolau Primary, and agreed to progress to the Statutory Notice period on these proposals. The Consultation Report for the Pontypridd reorganisation proposals is planned to go before Cabinet on March 21<sup>st</sup>.

## **6. THE SCHOOL ORGANISATION CODE – 2<sup>ND</sup> EDITION**

- 6.1 The 2<sup>nd</sup> edition of the School Organisation Code was issued in November 2018. There are very few amendments between the 1<sup>st</sup> and 2<sup>nd</sup> edition, and the fundamental processes within both Codes are the same, with the exception that the 2<sup>nd</sup> edition of the Code permits electronic copies of the statutory documentation to be disseminated to statutory consultees.
- 6.2 When undertaking any formal review of school provision, the Council has to follow statutory guidance arising from the School Standards and Organisation (Wales) Act 2013. This Act produced the School Organisation Code (the Code), which outlines how proposals must be consulted upon, published and implemented and the statutory process that must be followed to achieve this.
- 6.3 Any proposal to make any change to a school must follow the statutory process outlined in the aforementioned Code. Such changes would include:
- The opening of a new school, or closure of an existing one;
  - The transfer of a school to a new site over 1 mile away;
  - Changing the age range of a school (such as creating an ‘all through’ 3–16/19 provision);
  - Introduction of or ending sixth form provision at a school;
  - Enlargement of a school’s premises which increases capacity by at least 25%, or 200 pupils, whichever is fewer;
  - Addition or removal of SEN provision or any change in the type of such provision.

The process this Council follows when amalgamating or merging schools is to formally close the existing schools and open a new one in their place. This approach ensures that the staff of all schools involved in the process are given equal and fair consideration when the recruitment process for the new school is undertaken.

- 6.4 The actual process and timeline that has to be followed is summarised below:
- A Consultation document is prepared and presented to the Council’s Cabinet for consideration with a report outlining the proposal and the rationale behind it. Cabinet consider the report and agree that consultation may commence. Community Impact, Equality Impact and Welsh Language (if applicable) Impact Assessments are also prepared at this time, and are published alongside the Consultation document.
  - The Consultation Document is then circulated to all prescribed consultees as outlined in the Code. A period of at least 42 days is then allowed for all consultees to consider the document and provide the Education Department with their comments or observations on the proposal(s).

- As part of the consultation process, we organise meetings of the relevant pupil School Councils, staff and governors of the schools directly affected by the proposal. We also organise a drop in session/open evening for all interested parties to attend. The Code does not specify that any meetings at all must be held, this is done as it is considered to be good practice and of benefit to all stakeholders.
- At the conclusion of the consultation process, a Consultation Report outlining the outcome of the process is presented to Cabinet for consideration. If Cabinet agree to progress the proposal; a Statutory Notice is published after the Consultation Report has been published for 2 weeks. This Notice has to be published for a minimum period of 28 days, during which time any person may object to the proposal, for any reason.
- At the conclusion of the Statutory Notice period, an Objections Report is prepared and presented to Cabinet, again with a covering report for further consideration. This Report follows the same format as the Consultation Report, but it responds to all objections received. Cabinet then consider the objections received and the responses given to them, and decide whether to implement the proposal or not.

Any proposals that involve the addition, or removal of sixth form provision in a school has to be forwarded to the Welsh Ministers for approval, unless the Welsh Government confirm otherwise.

## **7. EQUALITY AND DIVERSITY IMPLICATIONS**

- 7.1 Equality Impact, Community Impact and Welsh Language Impact (if applicable) Assessment documents are prepared, and published as part of the initial consultation processes for each proposal consulted upon.

## **8. CONSULTATIONS**

- 8.1 Consultation is undertaken as outlined in section 6.

## **9. FINANCIAL IMPLICATIONS**

- 9.1 These are summarised as part of the information contained within the consultation documents referred to in section 6.

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

- 10.1 The statutory guidance summarised within the School Organisation Code, which is in place as a consequence of legislation contained within the School Standards and Organisation Act 2013 is adhered to at all times.

**11. LINKS TO THE COUNCILS CORPORATE PLAN/CORPORATE PRIORITIES/SIP**

- 11.1 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 and the information provided contribute to all 7 well-being goals within the Future Generation (Wales) Act 2015.

**12. CONCLUSION**

- 12.1 Members are invited to scrutinise the content of this report and to consider receiving further information and associated reports on completion of the Council's current school organisation consultations. This will provide further information on the Council's Band B investment programme which will be delivered in collaboration with Welsh Government's 21<sup>st</sup> Century Schools and Education Programme.



## **APPENDIX A**

Education Asset Update (since last report):

### **Schools Closed – September 2018**

- **Tonypandy Primary**
- **Penygraig Infants**
- **Penygraig Juniors**
- **Ysgol Yr Eos**
- **Porth Infants**
- **Porth Juniors**
- **Llwynceilyn Infants**
- **Cwmaman Infants**
- **Glynhafod Juniors**
- **Tonyrefail Primary**
- **Porth County Comprehensive School**
- **Tonypandy Community College**
- **Tonyrefail Comprehensive School**

### **Schools Relocated to new Sites (former sites closed)**

- **YGG Tonyrefail to site of Tonyrefail Primary**
- **YGG Llwynceilyn extended on site of Llwynceilyn Infants**
- **Tai Centre to site of Ysgol ys Eos**

### **New School Opened – September 2018**

- **Tonyrefail Community 3 - 19 School**
- **Ysgol Nant Gwyn 3 - 16 School (Ysgol Nantgwyn)**
- **Porth Community 3 - 16 School**
- **Cwmaman Primary School**

Band A Investment Update (since last report):

- **Creation of Tonyrefail Community 3 - 19 School – construction of new secondary and primary buildings, full refurbishment of listed building and new sports facilities and external spaces**
- **Creation of Ysgol Nant Gwyn 3 - 16 School – construction of new primary building, refurbishment/ remodelling of secondary building and new sports facilities and external spaces**
- **Creation of Porth Community 3 - 16 School – construction of new primary building, refurbishment/ remodelling of secondary building, new sports facilities and external spaces**
- **Treorchy Comprehensive – construction of new science block, major refurbishment of existing school building, improved 6<sup>th</sup>**

**form facilities, sports facilities and improvements to onsite traffic management – works still ongoing**

- **Creation of the new Cwmaman Primary School**
- **Completion of refurbished and remodelled primary school facilities at Cymmer**
- **Completion of remodelling and improvement works to relocate YGG Tonyrefail to the former Tonyrefail Primary building**
- **Completion of improvement works to YGG Llwynceilyn (incorporating the former Llwynceilyn Infants' building)**
- **Completion of refurbishment/remodelling of Ferndale Community School and new sports facilities**