

# Appendix 1: Determination Report

## 1.0 Summary

1.1 The purpose of this report is to inform members about the decision required in relation to the publication of a statutory notice for:

- The closure of Ysgol Clocaenog on the 31<sup>st</sup> August 2014,
- The closure of Ysgol Cyffylliog on the 31<sup>st</sup> August 2014
- The opening of a new Welsh medium split site school for 4 – 11 years old on the two current sites.

1.2 It is recommended that this proposal is approved for implementation. This proposal will ensure the retention of primary provision in the rural area to the west of Ruthin. By 2018 it is projected that there will be 83 pupils requiring primary provision in the area. The establishment of the area school will provide a sustainable provision.

## 2.0 Background to the proposal

2.1 Denbighshire County Council's Cabinet approved the Modernising Education Policy Framework in January 2009 to provide a platform upon which to review existing school provision.

2.2 The council is committed to providing a first class education for all children and young people in the county. As part of this commitment, the Council has agreed that 'modernising education provision' is a priority because we recognise the importance of having school buildings, learning environments and resources that meet the needs of 21st century Wales.

2.3 The objectives of the review are:

- To ensure the sustainability of high quality education provision
- Improve the quality of school buildings and facilities;
- Provide the right number of places, of the right type in the right location;

## 3.0 Ruthin Review – Informal Consultation

3.1 In November 2012, Denbighshire's Cabinet approved the commencement of a review of primary school provision in the Ruthin area. The review included eleven primary schools in the area:-

- Ysgol Borthyn
- Ysgol Bro Famau (Llanarmon yn Ial and Llanferres)
- Ysgol Clocaenog
- Ysgol Cyffylliog
- Ysgol Gellifor
- Ysgol Llanbedr
- Ysgol Llanfair Dyffryn Clwyd
- Ysgol Pen Barras

- Ysgol Pentrecelyn
- Ysgol Rhewl
- Ysgol Bryn Clwyd was also considered at the request of the Federated Governing Body of Ysgol Bryn Clwyd and Ysgol Gellifor.

3.2 The informal consultation document highlighted a number of issues that needed to be addressed to achieve long term sustainability. These included:

- a. Sustainability of Schools and High Quality Provision
- b. Surplus Places
- c. Condition and Suitability of School Buildings (incl. use of Mobile Accommodation)
- d. Recruitment of Head Teachers
- e. Demand for Welsh Medium Education

3.3 Following careful consideration of the issues raised during the Informal Consultation stage, the following six proposals were approved by the Cabinet. These were:

- Creation of new area school to serve the communities of Clocaenog and Cyffylliog.
- Closure of Ysgol Llanbedr with transfer of pupils to Ysgol Borthyn, Ruthin subject to parental preference.
- Ruthin town area detailed feasibility.
- Proposed federation of Ysgol Llanfair Dyffryn Clwyd and Ysgol Pentrecelyn.
- Support for the Federation of Ysgol Bryn Clwyd and Ysgol Gellifor.
- Retention of Ysgol Bro Famau.

#### **4.0 Formal Consultation**

4.1 In June 2013, Cabinet approved recommendations to start a formal consultation on the proposal to amalgamate Ysgol Clocaenog and Ysgol Cyffylliog from the 1st of September 2014. Formal consultation started on the 9<sup>th</sup> of September 2013 and came to an end on the 22<sup>nd</sup> of October 2013. A formal consultation document (Appendix A) was published which provided details of the proposal.

4.2 During the formal consultation, parents, staff, governors, children and young people were consulted along with other statutory consultees. The findings of the formal consultation can be found in Appendix B and were presented to Cabinet on the 17<sup>th</sup> of December 2013.

4.3 At this meeting, Cabinet approved a recommendation to publish a statutory notice to establish a new area school to replace Ysgol Clocaenog and Ysgol Cyffylliog.

## 5.0 Statutory Notice

5.1 A Statutory Notice was published on the 7<sup>th</sup> of January 2014. A copy is attached in Appendix C. The notice period came to an end on the 3<sup>rd</sup> of February 2014.

5.2 In total 16 objections were received during the consultation period. In addition a petition was also submitted. The points raised and the responses provided are included in the Objections Report (Appendix 3).

## 6.0 Determining School Organisation Proposals

6.1 When approving or determining proposals, relevant bodies:

- **must** consider whether there are any other related proposals;
- **must** ensure that the statutory consultation has been conducted in accordance with this Code (the requirement to consult does not apply to proposals to discontinue a school which is a small school);
- **must** ensure that the proposal has been published in accordance with this Code and the notice contains all the required information; **must** consider the consultation document and consultation report;
- **must** consider the objections and the objection report and any responses to the notice supporting the proposals;

## 7.0 The Schools

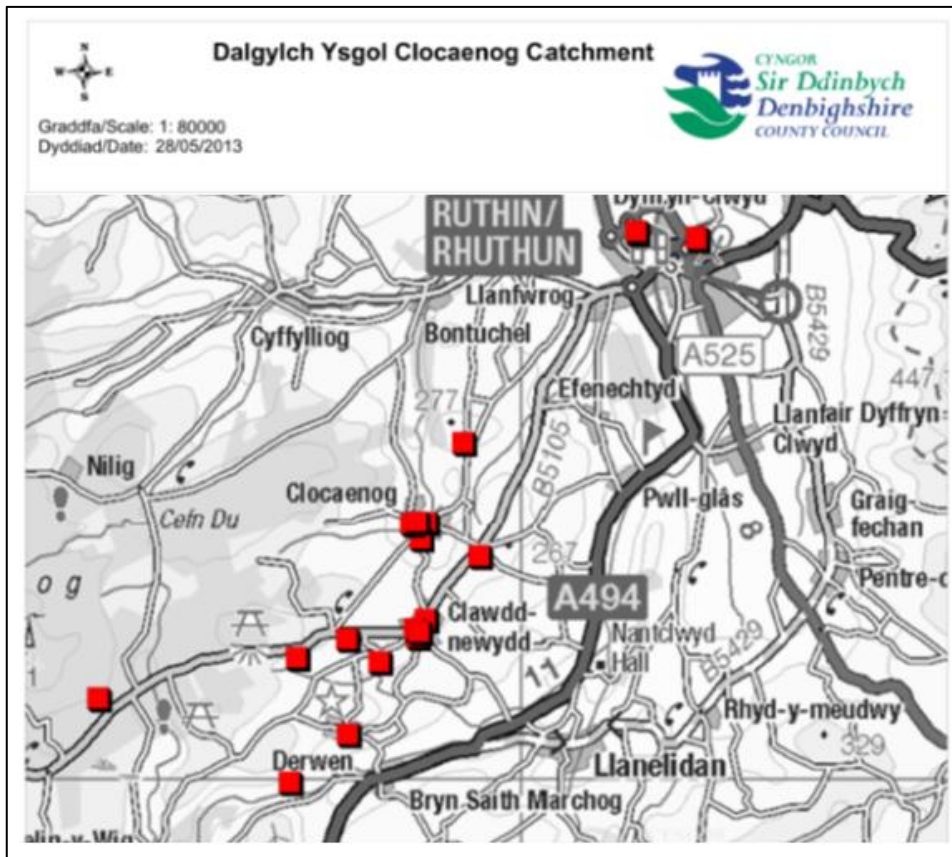
### 7.1 Ysgol Clocaenog

Ysgol Clocaenog is located in the centre of the village of Clocaenog and serves an age range of 4 – 11 years old. It is a Community Primary School predominately serving children from the villages of Clocaenog, Clawddnewydd and Derwen and the surrounding area. As of January 2013 Ysgol Clocaenog had 36 full time pupils. The council's forecast of future pupil rolls suggests an increase in future pupil numbers. The capacity of the school building has been calculated at 36 pupils. As of January 2013 the school had no surplus (empty) places. Educational Standards at the school are good. The school's last Estyn Inspection was in October 2012.

The council's forecast of future pupil rolls suggests that an increase in future pupil numbers will occur at the school as illustrated below:

Current	Projected Full Time pupil numbers – January PLASC				
2013	2014	2015	2016	2017	2018
36	39	45	47	47	48

The map on page 4 shows the catchment area for Ysgol Clocaenog based upon pupils at the school in January 2013.



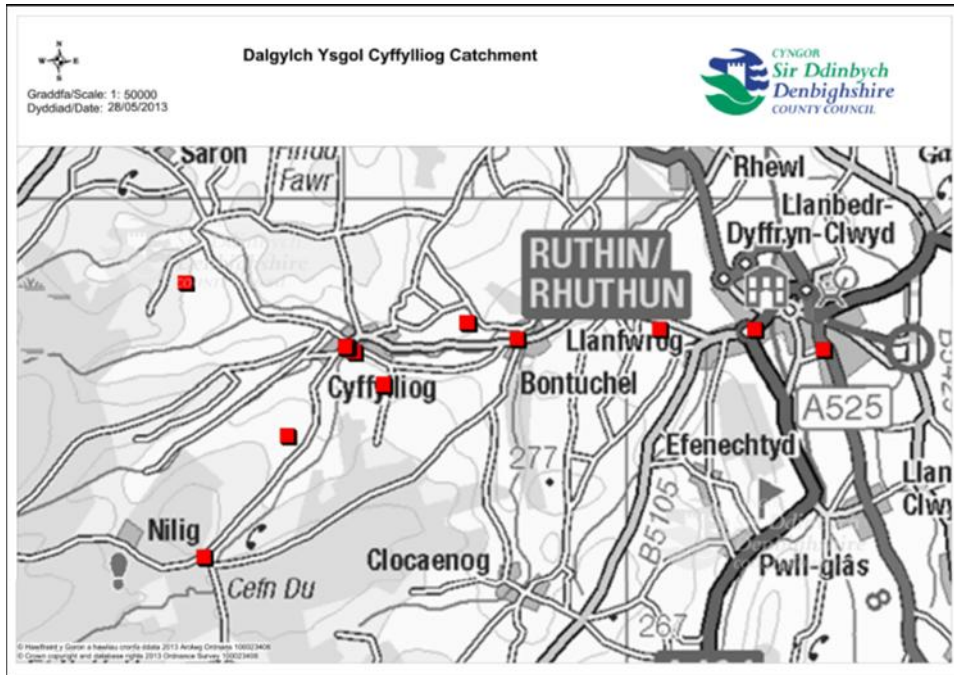
## 7.2 Ysgol Cyffylliog

Ysgol Cyffylliog is located within the village of Cyffylliog and serves an age range of 4-11. The school predominately serves children from Cyffylliog, Bontuchel and the surrounding area. As of January 2013 Ysgol Cyffylliog had 19 full time pupils. The forecast of future pupil numbers suggests that an increase will occur. The capacity of the school building has been calculated at 45 pupils. As of January 2013 the school had 26 surplus (empty) places; equivalent to 57% of the total capacity. Educational standards at the school were judged adequate when the school was inspected by Estyn in March 2011. Following a period of monitoring by Estyn the school was judged as good in November 2013 and subsequently removed from the Estyn category of 'schools that need significant improvement'.

The council's forecast of future pupil numbers suggests that an increase will occur at the school as illustrated below:

Current 2013	Projected Full Time pupil numbers – January PLASC				
	2014	2015	2016	2017	2018
19	25	29	31	35	35

The map on page 5 shows the catchment area for Ysgol Cyffylliog based upon pupils at the school in January 2013.

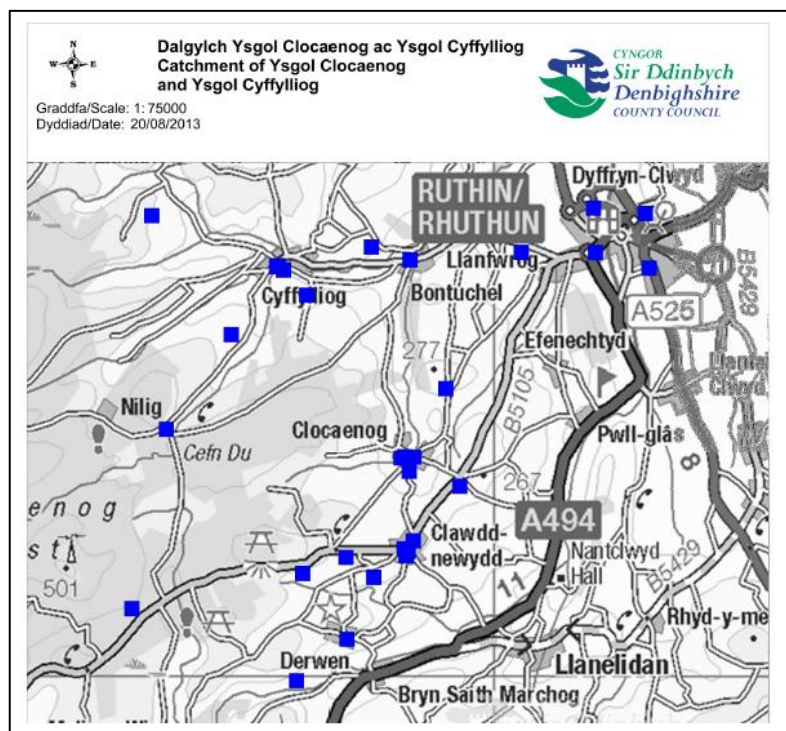


### 7.3 Combined catchment

The council's forecast of future pupil numbers suggests that the combined catchment will have an increase as illustrated below:

Current	Projected Full Time pupil numbers – January PLASC				
2013	2014	2015	2016	2017	2018
55	64	74	78	82	83

The combined catchment is illustrated below:



## **8.0 Quality and standards in education**

- 8.1 Objectors have questioned the need to close Ysgol Cyffylliog as it is now removed from the list of schools requiring monitoring by Estyn following a successful monitoring visit in November 2013. However it is Estyn's opinion that this proposal is likely to at least maintain the present standards of education provision in the area. Estyn agrees that during phase one (one school on two sites) the expected benefits include the following:
- the age range of pupils taught together will be reduced;
  - teaching capacity will increase; and
  - the development of better leadership and management structures, to provide increased opportunities for staff development and progression.
- 8.2 Following implementation of phase two (single site area school), the expected benefits include the following:
- an improved learning environment for all pupils;
  - the potential for economies of scale;
  - sufficient capacity to absorb fluctuations in pupil numbers;
  - reducing the number of Head Teachers required; and
  - ensuring the long term sustainability of the school and its ability to deliver the changing curriculum.

### **Special Education Needs (SEN) Provision**

- 8.3 Support for pupils with SEN will be provided by Denbighshire County for pupils who experience difficulties because of the proposed change. At the time of the last school census (January 2013) 7 pupils attended Ysgol Clocaenog or Ysgol Cyffylliog and were registered as requiring either school action plus or school action. There were no statemented pupils at either school. Estyn agree that the move to a Single Site Area School (Phase 2) will result in greater change, particularly for pupils with SEN.
- 8.4 Denbighshire County Council will take all practicable steps to minimise disruption for all pupils by working closely with the Head teacher and Temporary Governing Body. Additional support will be provided, if required, to assist pupils with the transition.

### **Standards**

- 8.5 In its most recent report on Ysgol Clocaenog, Estyn found that in assessments at the end of the Foundation Phase in 2012, in comparison with schools that have similar levels in terms of entitlement to free school meals, the school was performing lower than its statistical family, local authority and all-Wales averages in language, literacy and communication and in personal and social development and wellbeing and cultural diversity. The percentages who achieved outcomes 5 and 6 in mathematics were higher than family, local authority and all-Wales averages.
- 8.6 In key stage 2 over the last three years, the school's performance in english, mathematics and science had been consistently higher than the averages for

Wales and similar schools. The school's performance in Welsh, apart from in 2009, has been lower. Achievements at level 5 in all subjects have been lower than the average figures for the family and Wales in the last three years.

- 8.7 Estyn's most recent report on Ysgol Cyffylliog found that numbers in every year group were very small in key stage 1 and key stage 2, therefore end of key stage results have to be treated with care because one pupil's results can have a substantial impact on the school's performance.
- 8.8 Estyn found that over the last four years, the results of teacher assessments at the end of key stage 1 had improved, and since 2008 have been 100% in terms of the number attaining level 2 (the expected level) in every indicator. This places the school in the top 25% in comparison with schools with similar percentage of pupils entitled to free school meals, and better than the results of the family of schools, the local authority and all-Wales.
- 8.9 Over the same period, the performance at key stage 2 has been inconsistent. Results in Welsh and mathematics have placed the school in the bottom quarter of similar schools in three of the last four years.
- 8.10 It is Estyn's opinion that the proposal realistically considers that the new arrangements will provide additional teaching capacity for smaller groups of pupils who are in need of extra support; including greater capacity for more able and talented pupils. In addition, there will be opportunities for pupils to be taught within a reduced age range. The proposal does not include an evaluation of teaching; however Estyn, in its most recent reports, judged it to be good at Ysgol Clocaenog and good at Ysgol Cyffylliog (Estyn Monitoring visit November 2013).
- 8.11 It is Estyn's opinion that:
- The proposal reasonably expects that the new arrangements will lead to a raise in standards through teachers working together to plan and prepare high quality lessons, by undertaking peer observations of the best teachers and by sharing resources to enable more efficient and innovative ways of working.
  - The proposed new arrangements may reasonably be expected to see the development of better leadership and management structures, to provide increased opportunities for staff development and progression, and reduce the current difficulty in recruiting head teachers.
  - The proposal has considered appropriately the new leadership and management arrangements. The new arrangements would call for one Governing Body, one executive head teacher and one group of staff. Prior to the opening of the Area School, on 1st September, a Temporary Governing Body would be established to take key decisions such as the appointment of the head teacher.

### **Curriculum Delivery**

- 8.12 Objectors have questioned the impact of educating children on two sites and identify the disruption transporting from one site to another will have on their

children’s education. In the formal consultation document Denbighshire County Council proposed KS1 to be located in Cyffylliog and KS2 in Clocaenog as a means of accommodating all pupils and reducing the taught age range.

- 8.13 Following consideration of responses from the formal consultation, Denbighshire County Council listened to the views of parents and will now adopt a more flexible approach. Denbighshire County Council will work closely with the Temporary Governing Body and the new Head teacher to find a classroom configuration which will work for curriculum delivery and staff.
- 8.14 The proposal states that both sites are in need of significant investment to enable them to provide a learning environment fit for purpose to meet the requirements of the 21st Century Schools Programme. Objectors question this statement and have stated that the building in Cyffylliog is fit for purpose. Neither school has adequate indoor sports facilities for pupils. Both schools access nearby playing fields to use as outdoor sports facilities. The development of a new school in phase two would provide indoor sports facilities which would enable the school to offer pupils a broad range of experiences in physical education.

## **9.0 Need for places and the impact on the accessibility of schools**

- 9.1 Within the Ruthin area there are Welsh Medium, English Medium and Dual Stream provision. The outcomes from each language category are as follows:

Category	Outcomes
Welsh Medium (1)	The normal expectation is that pupils, regardless of home language, will be able to transfer easily to Welsh medium Secondary provision and by the end of Key Stage 2 will have reached a standard in English equivalent to that reached by pupils in predominantly English medium schools.
English Medium (5)	The normal expectation is that pupils will transfer to English medium secondary provision and continue to learn predominantly through the medium of English, learning Welsh as a second language.
Bilingual (Dual Stream)	For pupils in the Welsh stream, normal expectations are as for category 1. For pupils in the English medium stream, normal expectations are as for category 5.

- 9.2 The wider proposals ensure that the area will retain English, Welsh, and Faith provision in a mix of rural and town locations. The informal consultation involved all 11 schools and the diocesan authority.
- 9.3 The proposal is likely to have limited impact on other schools in the area. Denbighshire County Council anticipates that, following completion of the first



phase, the majority of pupils attending the Clocaenog and Cyffylliog sites of the Area School would transfer to the New Area School. The proposal identifies other available primary schools for those parents or guardians who choose to send their children elsewhere. These schools have 78 combined surplus places.

- 9.4 There is expected to be limited impact on secondary provision in the area. Both schools currently feed Ysgol Brynhyfryd, which the proposal states could expect to see an increase in pupils for the welsh medium stream due to the new primary school being a welsh-medium primary School where at least 70% of the teaching is through the medium of welsh.
- 9.5 In phase one; the current proposals will create additional transport costs as pupils are transported from their home to their designated site for the period that the school stays on two sites.
- 9.6 In phase two, in line with the current transport policy, pupils would receive free home to school transport, if they live more than 2 miles from the new school. Existing pupils living more than two miles away from the new school will receive free transport while they remain at the new school even if the new location isn't their nearest suitable school. This may not be the case if their home address changes.
- 9.7 It has been demonstrated that some pupils will travel further to their school as a result of this proposal due to their classroom being on an alternative site. Free home (Home School) to school transport will be provided for pupils in accordance to Denbighshire County Council Transport Policy and journey times will remain below 45 minutes which is in accordance to Welsh Government expectations.
- 9.8 Objectors have questioned the suitability of the road network for transporting pupils and have identified the congestion that this proposal will create. The Council acknowledges that the proposal will increase transport along a rural road. The road is already used by public transport buses to provide the number 70 Ruthin area service (Ruthin to Betws GG via Clawddnewydd, Clocaenog, Bontuchel and Cyffylliog).
- 9.9 Estyn state that "The proposer appears to have given reasonable consideration to the impact of the proposal on pupils' travel arrangements and their ability to access the provision".

## **10.0 Resourcing of education**

- 10.1 Currently Ysgol Clocaenog cost per pupil is £5,342 and Ysgol Cyffylliog cost per pupil is £7,857 per annum. It has been estimated that the average cost per pupil will be between £6,000 and £6,500 per pupil as a result of this proposal. This is higher than the Denbighshire average of £3,951 per pupil.

- 10.2 The budget for the new area school has been estimated as £413k a net increase of £24k on the current combined total budget of £389k (2013 – 14). The budget for every school in Denbighshire is derived from the same funding formula and the final budget will be dependent on the pupil numbers attending the school. It has been identified that revenue savings will be generated on implementing a second phase of moving the school to one site.
- 10.3 This proposal represents a more efficient use of teaching space on both sites. The area school would provide an overall capacity across all the age ranges of 81 full time places and 10 part time places. Based on current projections for 2014 and assuming all pupils transfer to the area school, this would leave a surplus of 17 places.
- 10.4 The current proposal will cost more than the current provision. Neither school are projected to be in financial deficit based upon their existing 3 year plan. Additional transport cost of up to £40k per annum would be as a result of providing additional transport between sites based upon the maximum number of pupils requiring additional transport.
- 10.5 There would not be any significant capital costs or savings from implementing this current proposal. The implementation of the second phase would require capital expenditure which has been agreed in principle in the capital plan and would generate revenue savings from the reduction of sites.

#### **11.0 Other general factors**

- 11.1 An Equality Impact Assessment has been conducted and has identified that the proposal would not result in any significant equalities issues.
- 11.2 In the most recent Estyn reports, the catchment of both schools is identified as neither prosperous nor economically disadvantaged.
- 11.3 Both schools are in the freehold ownership of Denbighshire County Council.

#### **12.0 Specific factors in the consideration of school closures**

- 12.1 Objectors stated that this proposal will have a detrimental effect on the community. The school building in Cyffylliog is currently used for weekly community activities although the school building in Clocaenog is not. As the current proposal will result in both existing school sites remaining in use Denbighshire County Council assess this as a neutral effect.
- 12.2 In preparing this proposal, consideration was given to other options:
- Option 1.1 Maintain the status quo;
  - Option 1.2 Federate both Schools
  - Option 1.3 Undertake extension works at Ysgol Clocaenog;
  - Option 1.4 Close both Schools and establish an area school on the existing sites.

Option 1.5 Close both Schools establish an Area School on existing sites prior to building a new Area School;

- 12.3 The advantages and disadvantages of each option which were considered by the Council were detailed in the consultation report.
- 12.4 When a new area school building is constructed the area school will no longer be a multi-site school. Retaining both buildings would not address the deficit in facilities that both schools currently have. This is also one of the key reasons why a federation wasn't pursued.
- 12.5 When the existing sites are closed, both properties will be declared as surplus to education requirements. Officers from Denbighshire County Council will work with the local community to understand the need and support to retain community activities.

### **13.0 Specific factors in the consideration of proposals for the change of language medium**

- 13.1 The proposal would see the new school categorised as a welsh-medium primary school where at least 70% of the teaching is through the medium of welsh. The proposal states the normal expectation is that pupils, regardless of home language, will be able to transfer easily to welsh medium secondary provision and by the end of key stage 2 will have reached a standard in english equivalent to that reached by pupils in predominantly english medium schools.
- 13.2 Objectors have stated that they will send their children to another school due to the proposed change in language category. The proposal to change the language is based upon the evidence of use with 89% of pupils assessed at the end of key stage 2 at both schools being assessed in medium of welsh and english.
- 13.3 Since 2008, the following number of pupils have been assessed at the end of key stage 2 at each school:

School	Welsh medium cohort	English medium cohort	Total
Ysgol Clocaenog	20	0	20
Ysgol Cyffylliog	13	4	17

- 13.4 Outcome 1 of Denbighshire County Council Welsh Education Strategic Plan has set a target to increase and sustain the number of seven year olds being taught through the medium of welsh. As one of only three welsh medium schools in the Ruthin area the new area school will contribute towards the objective of the strategic plan.