

Report To: Cabinet

Date of Meeting: 16 December 2014

Lead Member / Officer: Councillor Eryl Williams, Lead Member for Education

Report Author: Head of Customers and Education Support

Title: Consultation – Ysgol Esgob Morgan, St Asaph

1. What is the report about?

- 1.1 This report informs Cabinet members of the findings of a formal consultation carried out between 8 September and 21 October 2014 into the following proposals (the **Proposals**):

Denbighshire County Council (DCC) will close Ysgol Esgob Morgan on 31 August 2015; and

The Anglican Diocese of St Asaph (the **Diocese**) will open a new Anglican Faith Voluntary Controlled school to be known as Ysgol Esgob Morgan Voluntary Controlled School to serve the communities of St Asaph and the surrounding areas on 1 September 2015 on the existing site of Ysgol Esgob Morgan,

- 1.2 The Governors of Ysgol Esgob Morgan (**YEM**) and the Diocese wish to change the school from a community junior school into an Anglican faith Voluntary Controlled junior school on its existing site. This can only be achieved by DCC closing the existing school and the Diocese opening the new faith school.

2. What is the reason for making this report?

Cabinet is asked to decide whether to approve the publication of a statutory notice to carry out the Proposals.

3. What is the Recommendation?

The recommendation is that Cabinet approves the publication of a statutory notice to carry out the Proposals.

4. Background to the Proposals

- 4.1 YEM is an English Medium community junior school with no religious designation; attended by children of 7 to 11 years old. The school is located on Ffordd Siarl, St Asaph, to the north west of the city centre.

- 4.2 The Governing Body of YEM approached the Diocese in 2011 to discuss becoming a church school. In addition to the discussions with the Diocese, the Governing Body asked the opinions of pupils, parents and staff. In December 2011 the school approached DCC to progress the matter.
- 4.3 Changing a community school to a voluntary controlled church school requires specific school organisation proposals. The School Standards and Organisation (Wales) Act 2013 provides that a school cannot simply change its designation or category; it must be closed and a new voluntary controlled church school opened in its place.
- 4.4 On 29 July 2014, Cabinet resolved to approve carrying out a formal consultation in respect of the Proposals.

5. Report Details: Formal consultation

- 5.1 DCC and the Diocese have carried out the formal consultation into the Proposals. The formal consultation began on 8 September and ended on 21 October 2014. During the consultation period, officers from DCC and the Diocese attended consultation meetings at the school on 11 September with the School Council, teachers and support staff, the Governing Body and Parents.
- 5.2 A consultation document containing a response form was prepared and circulated to key stakeholders. The response form contained questions designed to allow people to provide their views on the Proposals. A children's version of the consultation document was produced which also contained a children's version of the response form. The consultation document was published on the DCC and Diocese websites.
- 5.3 A total of 46 responses were received, comprising: 33 main response forms, 8 children's response forms, 3 emails & 2 letters. From the overall responses: 23 (50%) people were against the Proposals, 20 (43%) were in favour and 3 (7%) were neither for nor against or did not answer/indicate a preference. Of the people who were against the Proposals, 12 said were associated with YEM and 11 were not.
- 5.4 The comments made in the responses have been collated and the key themes which emerged against the proposals are set out below:
- Religion/Faith Education is a bad thing: causes problems, coerce/indoctrinate young minds, is discriminatory;
 - All public faith schools should be abolished/education should be secular/should be no ties with the Church/opposed to faith schools;
 - Would not send child to Ysgol Esgob Morgan if the Proposals went ahead
 - Schools should educate on all faiths and non-religious philosophies/allow children to choose their own paths.

- 5.5 Further details of the responses can be found in the Consultation Report which has been compiled jointly between DCC and the Diocese; a copy of which is attached to this report as Appendix A.
- 5.6 The St Asaph Diocesan Board of Statutory Education were due to meet on 8 December 2014 to consider the draft Consultation Report. A verbal update of the outcome of this meeting will be provided to Cabinet members.
- 5.7 During the consultation, the point was raised that the Proposals would assist with the transition of pupils from St Asaph VP Infants school to Ysgol Esgob Morgan. If the two schools had the same formal connection with the Diocese, it would make the transition smoother. The Council's Policy for Infant and Junior schools is to progress amalgamation in instances where an existing Headteacher leaves their post or as a consequence of an area review. If, in the future, the two schools were to amalgamate to become an all-through primary school, the Proposals would make this process more streamlined. The reason for this is that it is not possible to merge a church school with a non-church school. However, the amalgamation of two Anglican 'church' schools could take place.

6. How does the decision contribute to the Corporate Priorities?

- 6.1 The Proposals tie in with the 'Improving performance in education and the quality of our school buildings' corporate objective set out within the Corporate Plan 2012 – 2017. Should the Proposals be implemented, the school will benefit from an additional quality inspection. In addition to the Estyn regime, the school will also be inspected by the Diocesan Education inspectors. It is hoped that this will have a positive effect on performance in a school which is already performing well.
- 6.2 If the schools were amalgamated in the future, the decision to approve the Proposals would tie in with Modernising Education Policy Framework, Policy 4: Infant and Junior Amalgamation, which states that, "The Council is committed to amalgamating infant and junior schools".

7. What will it cost and how will it affect other services?

- 7.1 The main costs for this stage of the Proposals relate to officer time and printing & circulating the statutory notice.
- 7.2 Should the Proposals proceed and become implemented, it is anticipated that there may be a need for HR support for staff members who will be affected directly or indirectly by the proposed changes.
- 7.3 Additionally, there is a specific statutory requirement to transfer to the Diocese the land and buildings (except for the playing fields) used by the school. This would be carried out subject to a reversion clause transferring the land and buildings back to DCC should the Diocese stop using them for the purpose of running the faith school. This would inevitably result in legal costs and in DCC Finance and Assets service taking appropriate action to record the change in

ownership. The Asset Management Group received a report on these Proposals at its meeting on 6 November 2014.

8. What are the main conclusions of the Equality Impact Assessment (EqIA) undertaken on the decision? The completed EqIA template should be attached as an appendix to the report.

8.1 An EqIA has been undertaken on the decision and is attached to this report as Appendix B. Religion is a protected characteristic and the Proposals, if implemented, will result in there being a Church in Wales Junior school which pupils from the nearby St Asaph VP Infants could go to. A high percentage of such children already make this transition. However, if the Proposals are implemented, the junior school will have the same faith ethos as the infants school.

8.2 Not belonging to or believing in any religion or holding a belief that is not religious is also a protected characteristic. Accordingly, those people who would rather not send their children to a faith school will be negatively impacted by the Proposals. However, as only 24% of those who responded to the formal consultation made the point that education should be secular, it is not felt that the Proposals would have a disproportionate negative impact on such beliefs.

9. What consultations have been carried out with Scrutiny and others?

Consultation has been undertaken with all stakeholders and the findings from the Formal Consultation period are summarised in the main body of the Consultation Report (see Appendix A).

10. Chief Finance Officer Statement

The proposals have no major financial implications.

11. What risks are there and is there anything we can do to reduce them?

11.1 There is a possibility that the Proposals could result in adverse publicity for DCC and in adverse public comments.

11.2 To minimise this risk DCC will seek to ensure clear communication with all stakeholders.

12 Power to make the Decision

School Standards and Organisations (Wales) Act 2013 Modernising Education Policy Framework (approved by Cabinet January 2009)