

Ysgol Llanfair Dyffryn Clwyd and Ysgol Pentrecelyn

Councillor Arwel Roberts presented the 'call-in' request on behalf of the five signatories. He outlined that the decision had been 'called in' on the following grounds:

- Lack of explanation of what Category 1 and Category 2 meant
- Were the guidelines followed for the closure of rural schools?
- Was the correct data given regarding the schools – pupil data numbers?
- The process was not followed correctly against local and national priorities

The Lead Member, Head of Education and the Programme Manager (Modernising Education) clarified the position, and answered members' questions, against each of the above points as follows:

Lack of explanation of what Category 1 and Category 2 mean

- The Council categorises its education provision in line with the Welsh Assembly Government's Information Document Number 023/2007, issued in October 2007: *Defining schools according to Welsh medium provision*. A copy of which had been circulated to all committee members in advance of the meeting. Every Council in Wales was expected to adhere to these guidelines when categorising their education provision;
- **Category 1** primary schools are 'Welsh-medium primary schools' where the curriculum delivery language is Welsh, as is the day to day communication language with the pupils. Pupil assessments are also undertaken through the medium of Welsh and the expectation is that pupils are able to easily transfer to Welsh medium secondary provision at the end of Key Stage (KS) 2. Pupils will also have reached a standard in English equivalent to pupils in predominantly English medium schools. **Category 2** primary schools are dual stream primary schools – these schools provide Welsh medium and English medium provision side by side. Dependent upon parental choice the curriculum is delivered through the medium of Welsh or English. If they choose Welsh medium the delivery language for the pupil's education, the language of communication with the pupil and educational assessments is Welsh – the same as for a Category 1 school. If the parents choose for their child to be educated through the medium of English, the curriculum is delivered in English, the communication language with the child is English and any assessments are done in English – the same as a Category 5 school. The expectation for Category 2 schools is that pupils in the Welsh medium stream would be able to transfer to Welsh medium secondary provision, the same as Category 1 schools, with the pupils in the English stream being able to transfer to English medium secondary provision the same as pupils from Category 5 primary schools. The Lead Member for Education read an extract

from the draft minutes of the Cabinet meeting held on 2 June to evidence that a full and comprehensive explanation had been given on the categorisation of primary educational provision;

- In Llanfair D C, where the majority of pupils were educated in the Welsh medium stream, there was evidence that a number of pupils were transferring from the English medium stream to the Welsh medium stream during their time at the school. This was due to the school's strong Welsh ethos which resulted in pupils educated through the medium of English becoming proficient in Welsh language skills during the course of their educational journey at the school. By the time they were ready to transfer to secondary provision they were both competent and confident in both languages to an extent that some parents were confident for them to continue their education through the medium of Welsh;
- The terminology for categorisation in primary and secondary schools was different and this had the potential to cause confusion. In the primary sector Category 2 schools were dual stream schools, whilst Category 2 in the secondary sector were known as bilingual schools;
- If a school wished to change its educational provision categorisation i.e. from 1 to 2, vice-versa, or to any other category it would be a decision for the school's governing body. However, there was a statutory process which had to be followed. This process would include a consultation process within which the local authority and Estyn would be statutory consultees;
- The Welsh Government (WG) was keen to see a bilingual Wales, which was why all schools were expected to deliver an element of Welsh language education. All Councils were obliged to have a Welsh in Education Strategic Plan(WESP);
- Denbighshire County Council was committed to improving its school pupils' proficiency in both languages. The Council's Welsh in Education Strategic Group (WESG) which monitored the delivery of the WESP also had a role in ensuring that all schools moved along the language continuum to deliver more elements of the curriculum through the medium of Welsh.

Were the guidelines followed for the closure of rural schools?

- There were no specific guidelines in place for the closure of rural schools
- The code followed for the reorganisation of educational provision was the WG's *School Organisation Code*, Statutory Code number 0006/2013, issued July 2013. This Code had been followed in the case of Ysgol Llanfair D C and Ysgol Pentrecelyn;
- The WG Minister for Education and Skills was one of the statutory consultees with respect to school reorganisation proposals
- The code states that the prime purpose of schools is the provision of education, but acknowledges that particularly in the case of rural areas schools, they are also focal points. The Code therefore requires that a

Community Impact Assessment (CIA) is undertaken with respect to any closure proposals. A CIA had been undertaken with respect to the Ysgol Llanfair D C and Ysgol Pentrecelyn proposal.

- The proposals relating to both schools were part of the wider review of primary education provision in the Ruthin area. This proposal had been put forward as the best solution for delivering education in the Llanfair D C and Pentrecelyn areas as it delivered a school within the community which would provide education to pupils in their parents' choice of language. It would also provide the area with a new school facility in due course;
- As Ysgol Llanfair had a Welsh medium stream, which delivered its curriculum and operated in the same way as a Category 1 school, the designation of the new school as a Category 2 school was deemed appropriate as it would meet the offer currently provided by both Ysgol Pentrecelyn and Ysgol Llanfair D C pupils. The educational offer would therefore meet the needs of both sets of pupils to at least an equivalent standard – which was what the Code required;

Was the correct data given regarding the schools – pupil data numbers?

- The data provided as part of the consultation on the proposals for a new area school was the WG's Pupil Level Annual School Census, which had been compiled in April 2014. This is the recognised data source for school data which is collated annually and is used for school reorganisation projects and was used as the basis for the entire Ruthin Area Review
- Whilst this data is useful for current pupil numbers, it is also quite complex in nature when projecting future pupil numbers;
- The exact transfer numbers from Ysgol Pentrecelyn to the new area school were not yet known, these would become clearer once the statutory notices were published;
- However, not all pupils may choose to transfer to the new area school. Some may choose to attend Ysgol Bro Elwern, Gwyddelwern (Category 1) if that was the nearest school to their home address. Others who wanted to attend a Category 1 school may choose to transfer to Ysgol Pen Barras, Ruthin. At present both schools had sufficient capacity to accommodate pupils from Pentrecelyn on this basis. Based on current pupil data it was estimated that, if none of the present pupils at Ysgol Pentrecelyn chose to attend the new school at Llanfair D C in due course, and chose instead to transfer to their nearest Category 1 school it was anticipated that 16 of the current pupils would be closer to Ysgol Pen Barras and 19 would be closer to Ysgol Bro Elwern or alternative provision outside of Denbighshire. ;
- A contingency 10% surplus places would be built into the planning specification for a new facility for Ysgol Pen Barras in Ruthin with a view to accommodating future pressures;

- Population fluctuations would have an impact on all future school provision. Due to the uncertain nature associated with this aspect it could impact upon any projected figures;
- The data on which the proposals were based had recently been reviewed by an independent officer, who had confirmed its validity.

The process was not followed correctly against local and national priorities

- The process followed with respect to the proposals complied with the WG's *School Organisation Code (July 2013)* and its guidance on *Defining schools according to Welsh medium provision (October 2007)*;
- The aim of the Ruthin area review, of which this proposal was an element, was to contribute towards the delivery of the Council's corporate priority of 'improving performance in education and the quality of our school buildings'

Additional points:

- It was confirmed that within Denbighshire there were Category 1, Category 2, and other categories of voluntary controlled primary schools;
- The majority of objections to the Ysgol Llanfair D C and Ysgol Pentrecelyn proposals were on the grounds of language categorisation. Very few objections had been received with respect to its proposed voluntary controlled status;
- Generally both schools welcomed the proposal to merge, it was the language categorisation of the new school that was the stumbling block. Consequently, the Committee asked officers to make enquiries on whether schools could be categorised similar to the Gwynedd Council model of 'bilingual' schools rather than the Welsh medium provision categorisation currently used which seemed to cause confusion;
- The objective of the WG's national policy and action plan 'Iaith Pawb' was to sustain and increase the number of people in the country who could speak Welsh. The Council's WESP and education policy complied with the WG's vision;

Representatives from both Ysgol Llanfair Dyffryn Clwyd and Ysgol Pentrecelyn were given an opportunity to address the meeting. They raised the following points:

Ysgol Llanfair Dyffryn Clwyd:

- Emphasised that parents at the school were not confused by the Category 1 and Category 2 definitions;

- Categorisation was not a recent phenomenon – the Governing Body had been approached a number of times with a request to change the categorisation from a 2 to a 1, but this had been turned down each time as it was felt the school would lose pupils;
- The school had a Welsh speaking staff recruitment policy. The social language of the school was Welsh and the teachers communicated with the children in Welsh;
- The school's aim was to ensure that they had the highest possible numbers of Welsh speakers at the age of 11. Consequently, the Category 2 model worked well for Llanfair D C. It contributed to community cohesion, produced more Welsh speakers and facilitated pupils from non-Welsh speaking backgrounds to transfer over to Welsh medium education if they so wished, even though they had not intended to enter that stream at the beginning of their educational journey.

Ysgol Pentrecelyn

- Concerns were raised with respect to the loss of a Category 1 rural school;
- Concerns were also registered with respect to the review of the 'N' stream (considered suitable for pupils who have learnt Welsh as a second language and who by the end of KS2 have a good understanding of the language) at Ysgol Brynhyfryd from September 2015, and the impact of this on its feeder schools

Summing up the signatories request to call-in the original Cabinet decision Councillor Arwel Roberts registered his disappointment that, under school reorganisation proposals, Category 2 provision was deemed to be on a par with Category 1 provision. He was of the view that the WG should review this. At the conclusion of the discussion the Committee, having received assurances that the impact on pupils choosing to leave either school would be closely monitored and that the impact of Ysgol Pentrecelyn's closure on the other two Category 1 schools in the area was manageable, by a majority concluded that the matter did not merit being referred back to Cabinet for reconsideration. However the Committee asked officers to explore the possibilities for the Council to designate schools as 'bilingual' schools rather than be constrained by the WG guidelines on categorisation according to Welsh medium provision – to use a model similar to the one operated by Gwynedd Council. It was:

Resolved: - having considered the reasons given for requesting a review of Cabinet's decision, and the information provided at the meeting, that there was not sufficient evidence to ask Cabinet to reconsider its decision of 2 June in relation to Ysgol Llanfair Dyffryn Clwyd and Ysgol Pentrecelyn.

Ysgol Rhewl

Councillor Merfyn Parry presented the 'call-in' request on behalf of the five signatories. He outlined that the decision had been 'called in' on the following grounds:

- That the impact on the Welsh language at the school as well as in the county, raised in the consultation, were not addressed by Cabinet
- The loss of bilingual provision in Rhewl was at odds with the Council's own Welsh in Education Strategic Plan (WESP)
- The capacity of the Glasdir site to accommodate all pupils subject to the Ruthin area review, and road safety and traffic management issues
- That the consultation process did not include the proposal of alternative arrangements and discussion on such proposals – this did not take place and Cabinet did not respond to this at their meeting on 2 June

Councillor Parry explained that parents of pupils at Ysgol Rhewl felt that their choice of school was being compromised in future as parents would have to choose between either a Welsh medium (Category 1) school or an English language (Category 5) school. The only dual stream school available to them would be Ysgol Llanfair D C, but free transport may not be available to this school, dependent on where pupils lived. He acknowledged that in recent years the school had not been delivering the education provision in line with its Category 2 designation. However, this was now being addressed with two pupils expected to be assessed through the medium of Welsh this year and 11 pupils coming through the school at present.

Councillor Parry emphasised parents' concerns for their children's safety, with potentially 25 to 30 pupils from Rhewl having to walk to the new schools on the Glasdir site. Whilst acknowledging that there was a cycle path running parallel with the road, the road itself was a busy one with a number of industrial units and the livestock market along one side of it. Another site nearby had already been earmarked for industrial use. The majority of the industrial units presently housed heavy industry which meant that large vehicles entered and departed the premises on a regular basis. Despite this the route had been classed as a non-hazardous route.

On the above basis he was seeking scrutiny to recommend to Cabinet that the decision to publish a statutory notice to close the school on 31 August 2017 be put on hold pending further clarification on the capacity of the Glasdir site to accommodate all pupils affected by the Ruthin area review, road safety and traffic management issues and to give Ysgol Rhewl sufficient time to deliver as expected against its Category 2 designation.

The Lead Member, Head of Education, Programme Manager (Modernising Education) and Design and Construction Manager clarified the position, and answered members' questions, against each of the points raised as follows:

That the impact on the Welsh language at the school as well as in the county, raised in the consultation, were not addressed by Cabinet

- The current catchment area for the school was illustrated in a map presented to Cabinet on 2 June. This illustrated that a number of pupils at the school travelled there from both the northern and southern parts of the county. If the school was to close, it was likely that a number of the pupils would not transfer to either the English or Welsh language provision on the Glasdir site, as it would not be deemed to be their nearest suitable school. They may well choose a school nearer to where they lived i.e. if they lived to the north of Rhewl and wanted to attend a Welsh medium school they may well choose to attend Ysgol Bro Cinmeirch, Llanrhaeadr or if they lived to the south of Ruthin they may well opt for either the English or Welsh provision at Ysgol Llanfair D C;
- With respect of increasing the use of Welsh at all of the county's schools and supporting them along the language continuum members were advised that the Welsh in Education Strategic Group (WESG) was currently charged with progressing this aspect of the work. Representatives from 'Mudiad Meithrin' served on the Group and they assisted the Council with its work through the establishment of 'Ti a Fi' Groups and Cylchoedd Meithrin throughout the county

The loss of bilingual provision in Rhewl is at odds with the Council's own Welsh in Education Strategic Plan (WESP)

- It was emphasised that there were no concerns on the quality of education provision at Ysgol Rhewl. Nevertheless there had been concerns with respect to the curriculum delivery not being in line with the school's Category 2 designation. This was currently being addressed and there was one pupil this year who had been assessed in the Welsh medium stream at the end of the foundation phase and one at the end of the Key Stage (KS) 2;
- Whilst there would not be another Category 2 school available as the nearest alternative for current pupils of Ysgol Rhewl to attend, there would be a Category 1 and a Category 5 school available to them;
- It was unfair to compare Ysgol Rhewl to Ysgol Llanfair D C with respect to the Category 2 designation. Ysgol Llanfair D C had a greater Welsh ethos and served a far more Welsh speaking community than Ysgol Rhewl;

- It was confirmed that issues relating to Ysgol Rhewl's language categorisation had been flagged up at a Communities Scrutiny Committee meeting in March 2015 during a discussion of a report on the 'Language Categorisation of the all Denbighshire Schools'. As a result the WESG was supporting the school and monitoring its progress.
- Whilst acknowledging that the proposal being put forward for Ysgol Rhewl did not provide a 'like for like' offer for the pupils or parents, it was in line with the requirements of the WG's *School Organisation Code (July 2013)* as the alternative "*proposals **should** ensure that the balance of school provision reflects the balance of demand*" and would provide "*at least equivalent standards and opportunities for progression in their current language medium.*" The Council was therefore of the view that the proposals being put forward for Ysgol Rhewl did reflect the current balance of demand at Rhewl

The capacity of the Glasdir site to accommodate all pupils subject to the Ruthin area review, and road safety and traffic management issues

- Road safety assessments were regularly carried out on home to school routes in light of any major developments along those routes or an increase in the volume of traffic on a route i.e. the increase in the school traffic to the proposed new school on the Glasdir site would automatically trigger a road safety assessment. This would also form part of the planning application process prior to planning consent being given;
- Discussions with the Highways Service on traffic management and safety issues were at an early stage. The Highways Service had registered some initial concerns in relation to the volume and safety of traffic for the proposed new site and a consultant had been appointed to undertake a feasibility study as part of the initial design works in advance of the compilation of the planning application;
- Concerns with respect to the safety of pupils walking from all areas of the town to the new schools' site had been raised and were being addressed. These matters would be reviewed at regular intervals during the development of the planning application and as the construction of the new facilities progressed;
- At present the route from Rhewl to Glasdir was deemed to be a non-hazardous route (the definition for 'non-hazardous' was different for primary and secondary home to school routes). However, work which would be undertaken for the planning application would include a new assessment of the route's safety;

That the consultation process did not include the proposal of alternative arrangements and discussion on such proposals – this did not take place and Cabinet did not respond to this at their meeting on 2 June

- The alternative proposals put forward had been considered as part of the consultation process and the Council's response to them was outlined in Appendix E (page 31) of the Consultation Report (Appendix 2 to the Cabinet report of 2 June 2015)
- The new schools to be built on the Glasdir site would be designed to accommodate an additional 10% capacity to that of the actual pupil numbers. This was to conform with BB99 guidance on school buildings and playing fields with a view to protecting for future needs;
- The new schools would have a one form and a one and a half form intake respectively. This safeguard, in conjunction with the rest of the Ruthin area review should be adequate to reduce the number surplus school places in certain schools to a manageable level, whilst at the same time ensuring that the educational offer of choice was available to all children in the area within a reasonable travelling distance of their home. The Council's Schools Admission Policy would also help manage availability and accessibility of school places across the county;

The Chair of Governors at Ysgol Rhewl was given an opportunity to address the Committee. He raised the following points:

- Estyn had rated the school as 'good' and had urged the Governing Body to move forward with respect to the Welsh language provision at the school. This was now being progressed and the plans for development in this area were available for all to see;
- The Governing Body felt that the Council by closing the school would be losing an opportunity to move the Welsh language forward in Denbighshire, particularly in light of the conclusions of a recent Council commissioned study on the future of the language in the county;
- Ysgol Rhewl was now working closely with Ysgol Brynhyfryd with a view to meeting their requirements for delivering bilingual education and supporting pupils to access secondary education in the language of their choice;
- Parents at Ysgol Rhewl had serious concerns with regards to the volume of traffic using the road between Rhewl and Ruthin once the new schools were built and on the capacity of the new schools to accommodate the additional pupils which would want to access the schools once the Ruthin area review had been completed;

In summing up both the Chair of Governors and the lead signatory to the call-in request, Councillor Merfyn Parry, stated that they felt that the decision to close Ysgol Rhewl was premature and that the loss of a dual stream primary school would be detrimental to the local area, and to the county as a whole. Also 23 new affordable

family homes were due to be built in Rhewl in the near future, the potential effects of this increase in population had in residents' opinion not been fully considered as part of the consultation exercise.

Officers confirmed that if the decision to close Ysgol Rhewl was put on hold it did have the potential to stall other proposals not yet implemented as part of the Ruthin area review, as each part of the review was dependent on other elements being delivered. The objective of the area review and the modernising education agenda was to redress the inequity of the amount spent per pupil on education in the county. The delivery of the Modernising Education Programme - which would see a reduction in the number of schools in the county to deal with the amount of surplus places whilst at the same time see significant investment in new state of the art school buildings – would result in the County's pupils being educated in facilities fit for the 21st Century. This should result in better outcomes for pupils and a higher level of educational attainment.

Officers offered to provide a session on safe routes to schools to all stakeholders, including children and parents to alleviate any fears which they may have.

At the conclusion of the discussion the Committee acknowledged that, in determining not to seek Cabinet to review its decision to close Ysgol Rhewl, there were challenges for members and officers of the Council to ensure that the new educational provision did deliver its expected outcomes. There was also a need for the Council to take all necessary actions to mitigate against the risk of the loss of Welsh language skills and to ensure that pupils from Ysgol Rhewl and the area in general were not in anyway disadvantaged due to the future non-availability of a Category 2 school. The Committee:

Resolved: - having considered the reasons given for requesting a review of Cabinet's decision and the information provided at the meeting determined that there was not sufficient evidence to ask Cabinet to consider its decision of 2 June to publish a statutory notice to close Ysgol Rhewl, but to recommend to Cabinet that;

- (a) it should instruct officers during the consultation period following the publication of the statutory notices to undertake work to assess and mitigate the effects of the loss of Welsh language provision on the community and to ensure that the loss of a dual stream school will not disadvantage the area's pupils in future;***
- (b) further work is undertaken with pupils, parents, staff and other stakeholders of Ysgol Rhewl to address their concerns relating to the capacity of the Glasdir site, the transport management of the new school site and road safety concerns for primary school children walking between Rhewl and the Glasdir site; and***

(c) that the findings of the work outlined in (a) and (b) above is reported to Cabinet in the autumn of 2015 when presenting the objections report in response to the publication of the statutory notice