

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 Llanfair Dyffryn Clwyd on 31st August 2016,
- The closure of Ysgol Pentrecelyn on 31st August 2016,
- The Diocese of St.Asaph to open a new dual-stream Category 2, Church in Wales Voluntary Controlled primary school from 1 September 2016.

1.2 At the Cabinet meeting in September Cabinet agreed that we could consult with the Diocese, the 2 governing bodies of Ysgol Llanfair DC and Ysgol Pentrecelyn and the Welsh Government in regards to modifying the proposal- to change the date of implementation; both schools to close on the 31st August 2017, rather than 2016, and the new area school to open from 1st September 2017, rather than 2016.

1.3 We have consulted with the Diocese of St.Asaph as joint proposers to the proposal. The School Organisation Code states that we have to also consult with both Ysgol Llanfair DC and Ysgol Pentrecelyn governing bodies prior to the submission to the Welsh Government. A verbal update will be provided at the meeting.

1.4 The Council has considered a number of factors in relation to the modification. Concerns were expressed during the initial consultation over the length of time the area school would be in existence over two sites. In addition a potential delay to the timescale for implementation could arguably assist in delivering the leadership and management changes required for a new school. It is considered that a delay in implementation of 12 months would give a greater period of consolidation of the school. This would also have the potential to bring the timescale for implementation in line with other proposals in the Ruthin area.

1.5 The modification will result in no change to the final outcome. However it will reduce the time that the new area school will operate over the 2 separate sites, which from an educational view can only benefit the children. This modification will also allow further time for the 2 schools to work closely together before the amalgamation and could result in the Area school being on 2 separate sites for a shorter amount of time, i.e. should the new build be ready for January 2018 the period would only be 1 term.

1.6 It is recommended that this proposal is approved for implementation with the proposed modification. This proposal will ensure the effective provision of primary places within the Ruthin area.

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 were:

- 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 encompassed the following 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
- Rhos Street School
- 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 January 2015, Denbighshire County Councils Cabinet approved recommendations to start a formal consultation on the proposal to close Ysgol Llanfair Dyffryn Clwyd and Ysgol Pentrecelyn from the 31st August 2016 and the Church in Wales to establish a new Area school on the existing sites from the 1st September 2016.
- 4.2 A period of formal consultation started on the 3rd February 2015 and closed on the 16th March 2015. A formal consultation document (Appendix 5) was published which provided details of the proposal.
- 4.3 During the formal consultation, parents, staff, governors, children and young people were consulted along with other statutory consultees. The findings of the formal consultation were collated in the Formal Consultation Report (Appendix 6) and presented to Cabinet on the 2nd of June 2015.
- 4.4 At this meeting, Denbighshire County Councils Cabinet approved a recommendation to publish a statutory notice to close Ysgol Llanfair DC and Ysgol Pentrecelyn from 31st August 2016 and for the Diocese of St. Asaph to open a new dual-stream Category 2, Church in Wales Voluntary Controlled primary school from 1 September 2016.

5.0 Statutory Notice

- 5.1 A Statutory Notice was published on the 18th June 2015. A copy is attached in Appendix 7. The notice period came to an end on the 15th July 2015.
- 5.2 In total 30 objections were submitted during the objection period. The points raised and the responses provided are included in the Objections Report. (Appendix 3)

6.0 Determining School Organisation Proposals

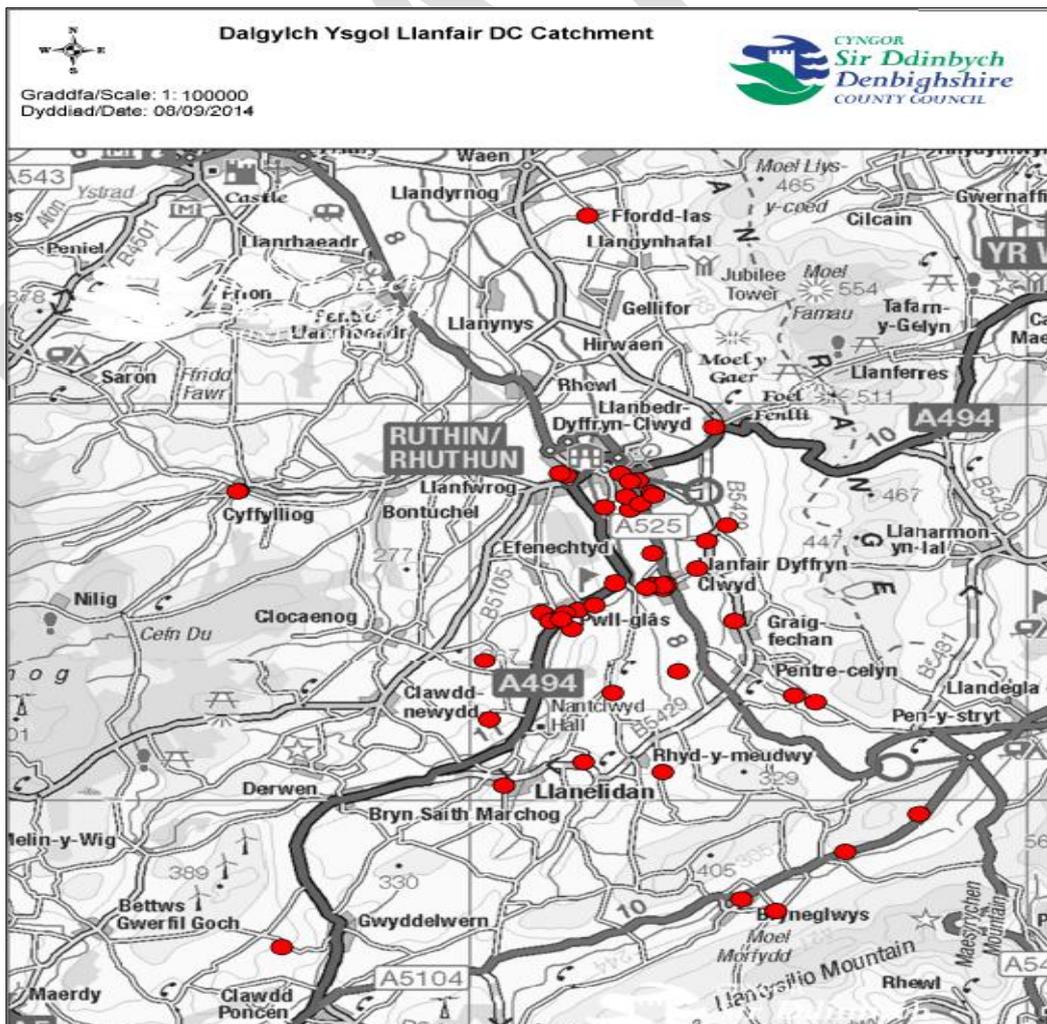
- 6.1 When approving or determining proposals, relevant bodies:
- **must** consider whether there are any other related proposals;

- **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 Llanfair DC

Ysgol Llanfair DC is located in the centre of the village of Llanfair DC and serves an age range of 4 – 11 years old. The school is identified as a Category 2 Dual stream primary school- this is where two types of provision exist side-by-side and parents/pupils opt either for the mainly Welsh-medium or mainly English-medium provision. It is a voluntary controlled school predominately serving the villages of Llanfair DC, Pwllglas and the surrounding area. This is illustrated in the diagram below which shows the postcode location of the home address for each pupil (based on September 2014)



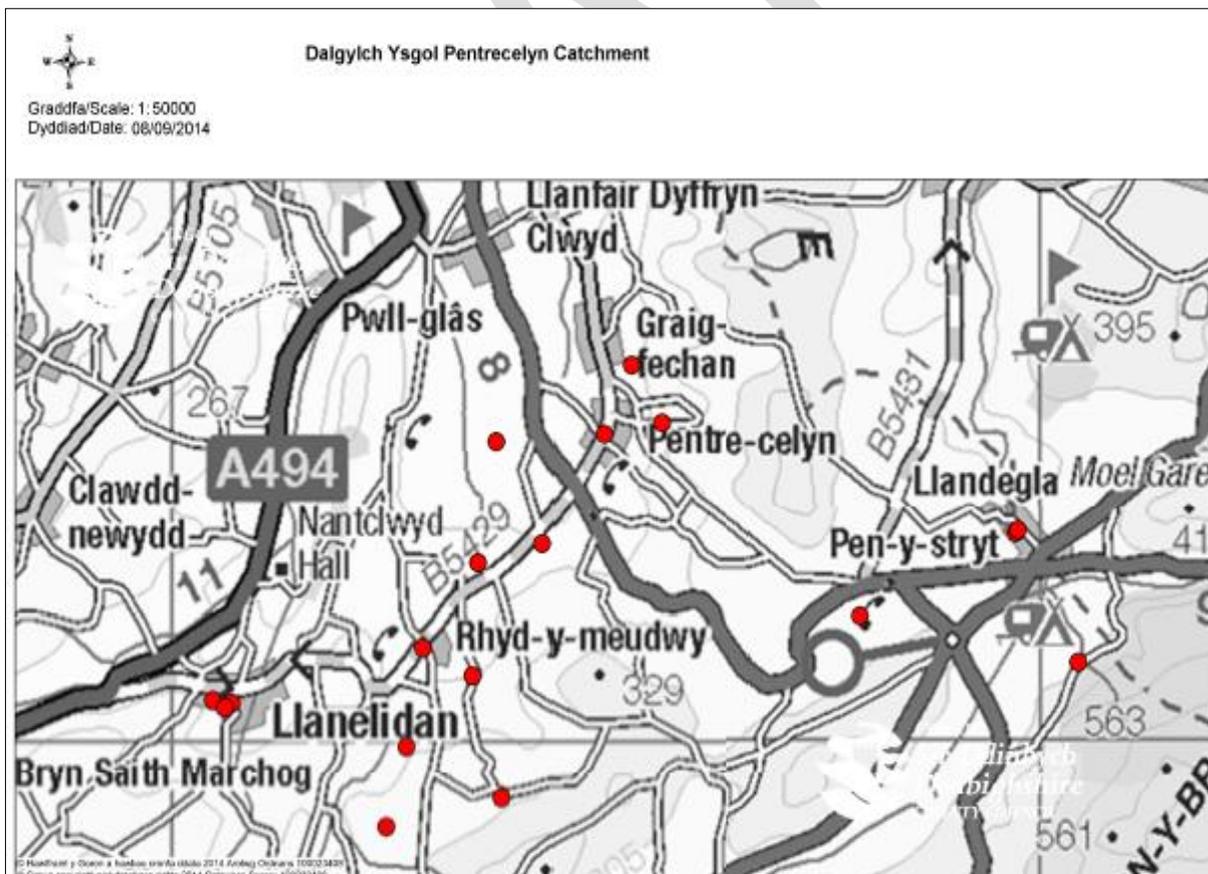
As of September 2014 Ysgol Llanfair DC had 92 full time pupils, and there are currently 13 part time pupils in nursery.

The council's forecast of future pupil rolls, based on January 2014 data, suggests that a steady increase in future pupil numbers will occur at the school as illustrated below:

Projected Full Time pupil numbers –January 2014 PLASC				
2015	2016	2017	2018	2019
82	80	83	87	87

7.2 Ysgol Pentrecelyn

Ysgol Pentrecelyn is located on the outskirts of the village of Pentrecelyn and serves an age range of 4-11. The school is currently identified as a Category 1 – Welsh medium primary school where all pupils in the Foundation Phase experience the areas of learning through the medium of Welsh. The school predominately serves children from Graigfechan, Pentrecelyn, Llanellidan and the surrounding areas. This is illustrated in the diagram below which shows the postcode location of the home address for each pupil.



As of September 2014 Ysgol Pentrecelyn had 35 full time pupils and there are currently 12 part time pupils in nursery.

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

Projected Full Time pupil numbers – January 2014 PLASC				
2015	2016	2017	2018	2019
37	40	40	42	41

8.0 Determining Factors

Quality and standards in education

8.1 It is the view of Estyn that the current proposal is likely to at least maintain the current standards of provision in the area. In addition Estyn has commented that;

- For the long term, the authority asserts appropriately that partnership working between both schools would provide greater stability. It claims that this proposal would formalise the joint working between the schools and provide the foundation for moving towards one school on a modern, purpose built accommodation.
- The authority has appropriately considered the impact of the proposal on the quality of the outcomes and provision as well as leadership and management. The proposal is considered to have distinct advantages. The proposal predicts greater opportunities for the two schools to work together to improve staff expertise that would lead to raising standards.

8.2 Educational standards at both schools over the past five years are shown below:

	% achieving Level 4+ at Key Stage 2				
	2010	2011	2012	2013	2014
Ysgol Llanfair DC	88.9%	91.7%	100.0%	94.1%	93.3%
Ysgol Pentrecelyn	66.7%	*	*	*	80.0%
Sir Ddinbych/Denbighshire	78.1%	82.3%	83.5%	86.0%	86.6%
Wales – Average	78.2%	80.0%	88.6%	84.3%	86.1%

*However as a result of very small cohorts in each year a meaningful comparison with local and national averages is not possible

8.3 The Local Authority believe that the quality of outcomes, provision and leadership and management would at least maintain provision.

- Outcomes-** standards and wellbeing- It is anticipated that during the amalgamation phase the Temporary Governing Body will review the curriculum to be adopted for the new school and the local authority would work with the Temporary Governing Body to ensure that the

strengths of both schools are developed, alongside external advice to ensure that the framework for improved standards are in place for the new school.

The proposal will offer greater opportunities for the two schools to work together to improve staff expertise that will lead to raising standards.

- ii. **Provision-** learning experiences, teaching, care support and guidance, learning environment- The proposal could allow provision to be maintained as it is anticipated that during the amalgamation phase the majority of pupils will be educated in their current learning environment with existing staff. An Area school 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.

Small schools are limited in their abilities to respond to fluctuations in pupil numbers by their schools structural and teaching capacity. A larger area school will be able to respond to fluctuations in pupil numbers that are a feature of rural schools.

- iii. **Leadership and management-** leadership, improving quality, partnership working and resource management- The proposal could lead to improvements in respect of leadership and management. The amalgamated phase should provide stability in terms of resource management, improve partnership working and provide an opportunity for strengthening leadership. There will be more opportunities for the teachers to share good practice and develop leadership skills during the amalgamated phase.

8.4 Estyn commented that “the proposal is likely to maintain the present standards of educational provision in this area of Denbighshire and based on current provision, the proposal reasonably claims that maintaining the status quo could provide greater risks than any proposals for change.” In regards to the Welsh language they agreed that, the proposal acknowledges appropriately the possible perception that the Welsh language and ethos would be affected negatively. It emphasises the essential role of the new Governing Body and Denbighshire Council in ensuring that the current strong Welsh ethos is retained.

Additional Learning needs Provision

8.5 If the Current Proposal is approved the two existing schools will become one new school but the pupils will continue to be taught on the existing sites. The most significant change for a pupil would be a change in site and teacher. Accordingly, any pupils with additional learning needs (ALN) who currently attend the schools will continue to receive the same education and support but the environment may change. The Council will take all practicable steps to minimise disruption and assist pupils with any transfer.

Language of Provision

8.6 The decision by Cabinet on the 2nd June 2015 to issue a Statutory Notice was called in for further scrutiny on the 11th June 2015. It was agreed that the impact

on pupils choosing to leave either school would be closely monitored and the impact of Ysgol Pentrecelyn's closure on the other two Category 1 schools in the area was manageable.

8.7 The majority of objections to the Ysgol Llanfair DC and Ysgol Pentrecelyn proposals were on the grounds of language categorisation. Objectors to the proposal have stated that in terms of the Welsh language that there is a difference between Category 1 and Category 2 schools. Objectors have stated that there is more to Welsh medium education than pupil attainment only- ethos, management, administrative and social language are equally important.

8.8 For a school to operate as a Category 2 school they need to be able to deliver Category 1 outcomes and ensure that the ethos is delivered in both languages. The importance of the Welsh language and ethos will ultimately be the responsibility of the schools Governing Body, they will need to ensure that the Welsh offer at the school does not weaken.

8.9 It is important that we do not lose sight of the categorisations and the 3 criteria set around categorisation- Curriculum, Language of the school and the Outcomes:

Category 1 primary schools are 'Welsh – medium primary schools'- 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 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 of 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 school pupils, 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.

8.10 The proposal put forward had been identified as the best solution for the delivery of education in the Llanfair DC and Pentrecelyn areas as it delivers a school 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.

8.11 As Ysgol Llanfair DC has a Welsh medium stream, this delivers the curriculum the same manner 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 DC. The educational offer, therefore, meets the needs of both sets of pupils to an equivalent standard – which is what the School Organisation Code requires.

8.12 Not all pupils at Ysgol Llanfair start in the Welsh stream, the way Ysgol Llanfair deliver Category 2 outcomes is very successful. Figures from February 2015 showed that of the 103 pupils; 76 pupils (73.8%) were in the Welsh stream and 27 pupils (26.2%) in the English stream. 18 (17.5%) of the 76 pupils in the Welsh stream started off in the English stream.

Transport

8.13 Objectors have identified that some Ysgol Pentrecelyn pupils who choose to attend another Category 1 school maybe separated due to the Council's transport policy. The power to award discretionary transport resides with the Head of Education and any such applications for a category 1 school will be considered on a case by case basis, from existing pupils of Ysgol Pentrecelyn for the remainder of their Primary 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.
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 Denbighshire County Council has adopted a balanced approach to developing proposals for the future primary provision to serve the Ruthin area for the future. 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 could impact slightly on Ysgol Pen Barras and Ysgol Bro Elwern- both category 1 schools who may receive some pupils from Ysgol Pentrecelyn, who wish not to attend the area school. Figures from September 2014 show that

there are 29 surplus places in Ysgol Pen Barras and 13 in Ysgol Bro Elwern- therefore a total of 42 places.

9.4 At the commencement of the Ruthin Review 28.8% of the capacity for the area was provided in Category 1 schools. We have a number of proposals in terms of the Ruthin area and these are;

- i) Ysgol Cyffylliog and Ysgol Clocaenog amalgamated as Ysgol Carreg Emlyn (this was implemented in September 2014)
- ii) Ysgol Rhewl- To Close
- iii) Ysgol Llanbedr- To Close
- iv) Ysgol Llanfair and Ysgol Pentrecelyn amalgamated to form a new area school

These proposals for the overall Ruthin area reflect the need to reduce overall capacity in the area whilst maintaining the current mixture of provision in the area, albeit from a lower number of schools. The proposals provide a balance of choice of language, faith, town and rural schools.

Should all the proposals be adopted there will be an increase in capacity for Welsh medium schools (Category 1) of approximately 17 places (34.4% of all places in the Ruthin area) and a reduction in the capacity of Dual stream schools (Category 2) of 97 places in the Ruthin area.

9.5 There is expected to be limited impact in secondary provision in the area. Both schools currently feed Ysgol Brynhyfryd as will the new area school.

10.0 Resourcing of Education

10.1 Currently Ysgol Llanfair DC receives a budget of £4,296 per pupil and Ysgol Pentrecelyn receives a budget of £5,364 per pupil, both are higher than the Denbighshire average of £3,931.

10.2 The potential gain to the new area school whilst amalgamated on the two sites, taking into account funding losses, gains and potential savings would be £22,026. This figure is based on the best available information and assumes current funding level would apply and that no other material changes take place at the school, i.e. increase/ decrease in pupil numbers.

10.3 Once the schools are amalgamated the budget share per pupil will be £4,274.

11.0 Other general factors

11.1 An Equality Impact Assessment has been conducted and has identified that very little will change during the first phase when the new area school will operate from the 2 current sites. The full Equality Impact Assessment is in Appendix 4.

11.2 Ysgol Pentrecelyn is in the freehold ownership of Denbighshire County Council. Ysgol Llanfair DC is owned partly by Denbighshire County Council and the Diocese of St.Asaph.

12.0 Specific factors in the consideration of school closures

12.1 In preparing the proposal consideration was given to other alternatives:

Option 1.1	Maintain the status quo
Option 1.2	Undertake extension works at Ysgol Llanfair DC
Option 1.3	Extend Ysgol Llanfair DC on a new site and close Ysgol Pentrecelyn
Option 1.4	Close both schools and establish a permanent new Dual-site Area school on the existing sites.
Option 1.5	Close both schools and initially establish a dual site area school prior to building a new area school in Llanfair.
Option 1.6	Federate the 2 schools.

12.2 The advantages and disadvantages of each option which were considered by the Council were detailed in the consultation report.

12.3 Option 1.5 was the preferred option when considered against the investment and critical success factors.

12.4 Option 1.6 of federation was initially considered. However, new regulations published in May 2014 state, "Neither LA's nor governing bodies have powers to federate voluntary (VA and VC) or foundation schools with community schools, community special schools and maintained nurseries." With this in mind federation is no longer a viable option and has to be discounted.

13.0 Community and Welsh Language Impact Assessment

13.1 The following sources of information have been used as part of the Community Impact Assessment;

- Impact Assessment Questionnaires returned by the headteacher of the 2 affected schools;
- PLASC September 2014 data;
- Statistical data stored by Denbighshire County Council;
- Census Information;
- Denbighshire's Welsh Education Scheme 2010-13; and
- Informal consultation responses.

13.2 In order to assess the potential impact on families and the local community consideration has been given to the following area;

- School designation;
- School links to the local community;
- Impact on neighbouring schools;
- Impact on parents and families;
- Travelling implications for pupils/ parents;
- Impact on community activities;

- Impact on community facilities;
- Impact on community demographics.

13.3 To summarise; initially the proposal would have limited impact on families and the local communities when utilising the existing school sites based in both communities. The proposal may have a positive impact on pupils through an improved education provision. The way in which the sites will be used be a decision for the headteacher and Governing Body to discuss and implement. Options that could be considered are keeping the pupils and staff as they are with increased opportunity for the 2 sites to come together for specific events. Pupils would benefit from interacting with a larger group of children and large peer groups.

13.4 Denbighshire County Council is committed to working with local communities and has an external funding advisory service to assist local communities in accessing funding for community projects.

13.5 In order to assess the potential impact on the Welsh Language, consideration has been given to the following;

- Language of the schools;
- Access to Welsh Medium Education;
- Education Provision/ Educational Standards;
- Access to non-statutory provision;
- Access to pre/after school activities;
- Use of Welsh within the community.

13.6 Data taken from the 2011 Census demonstrates that 44.1% of the population of the 3 wards of Efenechtyd, Llanfair DC/ Gwyddelwern and Ruthin ward can speak Welsh. The spread of Welsh speakers is relatively even across the area where the 2 schools are located.

13.7 To summarise, the proposal will be neutral in terms of its impact on the Welsh language. Even though the proposal would reduce the amount of Category 1 places in the area, we believe that increasing the dual stream offer could ensure more pupils are educated in Welsh as well as English. Pupils who choose to access Welsh medium education will be thoroughly bilingual in the use of both Welsh and English on leaving primary school and have an appreciation of the cultural heritage of Wales.