

Report To: Cabinet

Date of Meeting: 27th October 2015

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

Report Author: Head of Customers and Education Support

Title: Proposed closure of Ysgol Llanbedr DC

1. What is this report about?

- 1.1. This report is to inform Cabinet members of the findings of the formal consultation that took place from the 16th of June 2015 to the 28th of July 2015 regarding the following proposal;

“Proposal to close Ysgol Llanbedr Dyffryn Clwyd as of the 31st of August 2016 with existing pupils transferring to Ysgol Borthyn, Ruthin subject to parental preference”

2. What is the reason for making this report?

- 2.1. A decision is required by Cabinet whether to approve the publication of a statutory notice for the proposal to close Ysgol Llanbedr DC as of the 31st August 2016.

3. What are the recommendations?

- 3.1. To approve the publication of a statutory notice on the proposal to close Ysgol Llanbedr DC as of the 31st of August 2016 with existing pupils transferring to Ysgol Borthyn, Ruthin subject to parental preference.

4. Report details

- 4.1. In January 2015 the Minister for Education and Skills rejected the Council’s proposal to close Ysgol Llanbedr DC stating “the Minister has decided that although he can reasonably conclude, on educational and strategic grounds, that the proposal could be approved, he must nonetheless reject the proposal because the consultation undertaken by the local authority was flawed in an important respect”. The Minister stated that information relating to standards and quality in education was limited. The Minister commented that he was “concerned about the future of Ysgol Llanbedr in the light of the relatively low number of children on roll, and the temporary nature of current leadership”.
- 4.2. The authority, following consideration and assessment of the situation in the Ruthin area, were minded to commence a consultation for closure as issues such as surplus places remained.

- 4.3. To address these concerns a period of consultation with the Diocese of St Asaph was agreed by Cabinet. This took place between April and May 2015. The Diocese wished to pursue an option for federation and change of legal status however, following careful consideration and assessment of the situation in the Ruthin area, officers were of the viewpoint that closure would meet the key strategic drivers for the Ruthin review including the safeguarding of the quality and standards for all pupils in the area. In the absence of any named partner and supporting details, Cabinet decided on the 2nd of June 2015 to approve the commencement of a formal consultation relating to the proposal outlined in para 1.1. The formal consultation period would allow the Diocese to work with officers to assess the viability of federation in more detail. The option presented by the Diocese was included in the formal consultation document.
- 4.4. As the proposal relates to the closure of a Church in Wales Voluntary Controlled school the Council has identified Ysgol Borthyn as the proposed alternative provision which is of the same religious and language designation.
- 4.5. The formal consultation took place between the 16th of June 2015 and the 28th of July 2015 inclusive. A total of 539 responses were received during the consultation period. This included 112 letters and emails and 427 standard response forms. The majority of these responses were against the current proposal.
- 4.6. Members need to consider the consultation report and the supporting documents which have been produced following the formal consultation period in regard to proposal to close Ysgol Llanbedr, and in response to the Diocese request to consider federation. For ease of reference these have been detailed below:-
- Appendix 1 includes:
 - the timeline in respect of the federation option (1.4),
 - the general response to federation (2.2), and
 - an assessment of the benefits of federation specific to Ysgol Trefnant (3.1).
 - Appendix 2 contains the formal consultation report. In the report we have to:
 - Summarise each of the issues raised by consultees;
 - Respond to these issues by means of clarification, amendment to the proposal or rejection of these concerns, with supporting reasons; and
 - Set out Estyn's view of the overall merits of the proposal.The appendices, as listed below address these three points:
 - Appendix A: The written response from the Diocese of St. Asaph and Governing Body of Ysgol Llanbedr
 - Appendix B: Full list of recipients of the consultation documents
 - Appendix C: Issues and comments submitted by pupils
 - Appendix D: Issues raised via letter and email
 - Appendix E: Issues raised via standard response form

Appendix F: Issues raised by the Diocese of St. Asaph
Appendix F (i): Covering letter from the Diocese of St. Asaph
Appendix G: Issues raised by the Governing Body of Ysgol Llanbedr
Appendix H: Estyns' response

- 4.7. The option of federation was considered by the authority when the proposals were at a formative stage. The Diocese and Chair of Governors were invited to present their case to Cabinet members prior to the consultation document being considered formally by members. Following the presentation and in advance of June's Cabinet meeting the lead member wrote to the Diocese with clear guidance as to what would assist cabinet in considering the option of federation.
- 4.8. Discussions at Cabinet in June 2015 included reference to the alternative option suggested by the Diocese of St Asaph and the Governing Body of Ysgol Llanbedr DC for the school to federate with another Church in Wales school in Denbighshire and a change in the legal status of the school from Voluntary Controlled (VC) to Voluntary Aided (VA). However, Cabinet were of the view that due to the lack of detail only a general assessment of federation could be made as no school had been named at this stage.
- 4.9. Both the Diocese and Governing Body have stated there are a number of benefits that the proposed alternative option would offer. These are explored in Appendix 1 together with the timeline of events.
- 4.10. The Council broadly agrees that benefits can be realised through federated school models. However, some of the issues in relation to the Ruthin area would not be addressed by federation. Namely, reducing surplus places, achieving a fairer and more equitable distribution of school funding and providing greater efficiency and effectiveness of the school estate. In summary, although federation would achieve some benefits, closing Ysgol Llanbedr would achieve more of our objectives.

5. The Way Forward

- 5.1. Members need to consider the consultation report which documents the responses received during the consultation period. In addition further information regarding the federation option as submitted by the Diocese and the school should be considered by Cabinet prior to determining whether to proceed.
- 5.2. From reviewing this information it is recommended that the Council proceeds to publish a statutory notice based upon the current proposal. The Statutory Notice will be required to be published for 28 days. During this 28 day period anyone wishing to make objections to the proposal has the opportunity to do so. It is intended that subject to approval this proposal will be published on the 10th November 2015 with the objection period ending on the 7th December 2015. To be considered as statutory objections, they must be

made in writing or by e-mail, and sent to the proposer within 28 days of the date on which the proposal was published.

- 5.3. Following this date the Council will need to publish an objections report and the Cabinet will be asked to utilise its powers under the School Standards and Organisation (Wales) Act 2013 to consider any objections submitted and to determine whether to implement the proposal.

6. How does the decision contribute to corporate priorities?

- 6.1. The proposal supports the priority of “improving performance in education and the quality of our school buildings” and has been highlighted as a workstream as follows;

“We will continue to review school provision across the County to ensure we provide the right number of school places, of the right type, in the right location.”

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

- 7.1. The proposal will not have an impact upon other services within the organisation.
- 7.2. The proposal will result in a school budget saving of £126k, however the proposal may result in an increase of an estimated £26k should all pupils eligible for home to school transport transfer to Ysgol Borthyn. A further £4k revenue saving would be made from the disposal of the mobile classroom. The proposal overall will lead to greater effectiveness and efficiency of the school estate and a fairer and more equitable distribution of school funding.

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. The EqIA undertaken in relation to the proposal highlights that Ysgol Llanbedr is a Church in Wales primary school. Should the proposal be implemented this provision would cease within the Llanbedr area.
- 8.2. The proposed receiving school, Ysgol Borthyn, is a school of the same faith designation which would allow existing pupils of Ysgol Llanbedr to continue to access faith based provision of the same designation and language medium.

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

- 9.1. A formal consultation has been carried out in line with the requirements set out in the School Organisation Code. The findings of the formal consultation are set out within the formal consultation report (Appendix 2).

10. Chief Finance Officer Statement

- 10.1. The costs around the consultation process have been contained within existing resources. The delay in implementation of the proposal has resulted in a pressure that is being funded within existing resources for 2015/16. A permanent solution may be required depending on Cabinet's consideration of the outcome of the Statutory Notice period recommended in this report.

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

- 11.1. There is strong possibility that the proposal could result in adverse publicity for the Council. To minimise this risk the Council will seek to ensure clear communication with all stakeholders.

12. Power to make the decision

- 12.1. School Standards and Organisation (Wales) Act 2013.
- 12.2. Modernising Education Policy Framework (approved by Cabinet January 2009).