

Agenda



Cabinet

Date: Friday, 17 July 2015

Time: 10.30 am

Venue: Committee Room 1 - Civic Centre

To: Councillors R Bright (Chair), P Cockeram, D Davies, G Giles, R Poole, J Richards, R Truman, M Whitcutt and D Wilcox

Item		Wards Affected
1	<u>Apologies</u>	
2	<u>Declarations of Interest</u> Test	
3	<u>Proposal to establish a new Welsh-medium Secondary School</u> (Pages 3 - 26)	All Wards

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Report

Cabinet

Part 1

Date: 17th July 2015

Item No:

Subject **Proposal to establish a new Welsh-medium Secondary School**

Purpose To note the conclusion of the full statutory consultation process, the contents of the "Objection Report" and the final Fairness & Equality Impact Assessment (FEIA) in order to take a final determination on this school reorganisation proposal.

Author Amanda B Davies, Assistant Head of Education (Resources & Planning)

Ward All

Summary This report seeks to fully appraise full Cabinet of the findings of the statutory consultation process on the school reorganisation proposal to establish a new Welsh-medium secondary school in Newport:

- To note that the full statutory consultation process has now concluded.
- To note that the findings include two objections set within the statutory notice stage – detailed within the "Objection Report" attached at Appendix One – that the detail of the objections are considered against the 21CS programme education case and the regional planning of school places case.
- To note the Final FEIA assessment attached at Appendix Two.
- To note that full Cabinet have the delegated responsibility to take this decision.
- To note that when considering the final decision on this proposal, Cabinet are invited to review sections 4, 5 and 6 and the Objection Report before taking the determination on the proposal for whether this new school should be established.

Proposal **To note the contents of the report and to take a final determination on the proposal to establish a new Welsh-medium secondary school in Newport**

Action by Chief Education Officer

Timetable Immediate

This report was prepared after consultation with:

- Cabinet Member for Education & Young People
- Strategic Director – People
- Strategic Director – Place
- Head of Finance
- Group Accountant
- Capital Finance Accountant
- Senior HR Business Partner

Signed

1. Background

Welsh-medium secondary school provision is currently available across the South East Wales Consortium area at Ysgol Gyfun Gwynllyw in Torfaen and Ysgol Gyfun Cwm Rhymni in Caerphilly.

However pupil forecasts show that from September 2016 there will be insufficient places to accommodate Welsh-medium secondary learners across the region, with additional pressures emerging by September 2019.

The four authorities of Blaenau Gwent, Monmouthshire, Newport and Torfaen have all included a commitment within their 21st Century Schools Strategic Outline Programme (SOP) to work together to secure additional and sufficient Welsh-medium secondary provision within the region in the medium to longer term.

Newport City Council submitted a Strategic Outline Case, an Outline Business Case and a Full Business Case to develop a new Welsh-medium secondary school in Newport. Welsh Government has approved all levels of this business case process and the sum of £17m has been allocated for regional Welsh-medium secondary education funded by Newport City Council, Monmouthshire County Council and Welsh Government.

The next step was to secure the legal permission to establish the new school – this was taken through the full statutory consultation process as a school reorganisation proposal by the Cabinet Member for Education & Young People – first through Formal Consultation and then through the published Statutory Notice stage. The findings of the statutory consultation process are set out in a later section of this report.

In the case of a school reorganisation proposal not receiving any objections, the final determination can be taken by the Cabinet Member for Education & Young People. The outcome of this consultation was the receipt of two formal objections. Where objections against proposals are received a local determination panel must take the final decision. The basis for this follows within the next section explaining the statutory school organisation code.

2. Welsh Government Statutory Code: School Organisation Code, July 2013

The statutory code on School Organisation is clear that when a local authority is in the position of taking a determination on a proposal the decision makers should be cognisant of the code when taking that decision.

The code states:

“Where a local authority’s proposals have received objections, and require determination under section 53 of the 2013 Act, the local authority must not approach the determination of these proposals with a closed mind. Objections must be conscientiously considered alongside the arguments in respect of the proposals and in the light of the factors set out in section 1.3 – 1.14 of this Code. In these cases the objection report must be published at the same time as the decision is issued rather than 28 days beginning with the end of the objection period.

Where local authorities are required to approve or determine proposals which have received objections, a proposed amendment to Schedule 2 of the Local Authority (Executive Arrangements) (Functions and Responsibilities) (Wales) Regulations 2007 (as amended) will permit the local authority’s executive to exercise this function. Executives and/or Cabinet are already responsible for overseeing school organisation proposals and will have a well-developed understanding of school organisation issues. This understanding, combined with their more general experience of decision making and the fact that they are democratically accountable to the local electorate, makes executives well placed to decide whether or not contested school organisation proposals should be approved”.

With this in mind, in February 2014 the Council took the decision to delegate responsibility for the final decision of such school reorganisation proposals to full Cabinet.

3. Statutory Consultation Process

The findings of the statutory consultation process are set out below:

3.1. Formal Consultation – The formal consultation stage of the statutory consultation process was carried out from the 1st March to the 14th April 2015. A full ‘Consultation Report’ as required by the School Standards and Organisation (Wales) Act 2013 and the School Organisation Code, July 2013 was published on the Council web site and issued to all stakeholders. The ‘Consultation Report’ was also translated into Welsh to be available for wider publication as a standalone document.

A summary of the findings at formal consultation stage were:

- A total of 214 consultation responses were received
- 171 supporting the proposal – including the response from Estyn – issued to Cabinet
- 39 did not support the proposal
- 4 asked questions but neither supported nor objected to the proposal.

A copy of the consultation pack and the consultation report (including the supporting response from Estyn) has been made available under separate cover for members of full Cabinet to note when considering this decision.

3.2. Statutory Notice – The next stage of the statutory consultation process was carried out with the publication of the statutory notice for 28 days ending 1st July 2015. This was issued in accordance with the School Organisation Code, July 2013 and a copy has been made available under separate cover for members of full Cabinet to note when considering this decision.

A summary of the findings at statutory notice stage were:

- A total of 5 responses were received
- 2 formal objections
- 1 supporting the proposal and seeking job opportunities
- 1 questioning if the school is able to accept older siblings
- 1 positive response supporting the proposal

As 2 formal objections have now been received against the proposal to establish a Welsh-medium secondary school in Newport a final decision must be taken on this proposal by full Cabinet.

A summary of the statutory objections and the response to those objections has been developed into an “**Objection Report**” attached as **Appendix One to this Report**. The Objection Report will also be separately published on the Newport City Council website. Hard copies will be available on request.

When considering the final decision on this proposal, Cabinet are invited to review sections 4, 5 and 6 below and the Objection Report before taking the determination on the proposal for whether this new school should be established.

4. 21st Century Schools Programme education case (as published in the consultation documentation)

This project is being funded via the 21st Century Schools Programme as a joint enterprise through Welsh Government, Newport City Council and Monmouthshire County Council. The establishment of a new Welsh-medium secondary school in Newport from September 2016 will deliver against the 21st Century School Programme investment priorities and:

- Achieve greater economy and efficiency through appropriate sized schools, collaboration and better use of resources to improve the cost effectiveness of the education system, and in doing so will ensure that the South East Wales Consortium has Welsh-medium secondary schools of the right type and right size in the right place to support regional demand;
- Develop a sustainable education system progressing towards a position where schools meet national building standards and by reducing the recurrent costs and carbon footprint;
- Create safe learning environments for school and communities that will enable the successful implementation of strategies for school improvement and better educational outcomes and life chances for children and young people that are aligned to the Council's key strategies;
- Achieve inspirational settings appropriate for new educational developments, new technologies, adaptable to cater for the changing needs of the future;
- Secure places for Welsh-medium learners across the region through security of admission, and;
- Achieve inclusive settings, providing for the individual learning needs for all pupils, providing pleasant and appropriate spaces for all school users, and spaces in which pupils including those with additional learning needs and disabilities feel that their needs are respected.

Summary of factors to take into account for the education case:

In taking the decision on this proposal Cabinet should take into account the following factors when exercising their function or determining this proposal – taken from 1.3 to 1.14 (where applicable) of the Code:

Quality and standards in education – does this proposal place the interests of learners above all others; will the school have the ability to deliver the full curriculum

5. Regional Planning of Welsh-medium School Places Case (as published in the consultation documentation)

Newport City Council's Welsh in Education Strategic Plan has been developed in conjunction with Blaenau Gwent, Caerphilly, Monmouthshire and Torfaen Local Authorities (LAs) and the South East Wales Education Achievement Service (EAS). The five LAs and the EAS work together in partnership to plan and deliver Welsh-medium education across the region and the plan details how the Council and its consortia colleagues will aim to achieve the Welsh Government's outcomes and targets as outlined in the national Welsh Medium Education Strategy at a local and regional level.

The vision and aim is that the South East Wales consortia will lead the development of Welsh standards in education to equip a bilingual Wales with a skilled bilingual workforce supporting the Welsh Government's vision for Welsh in Education. The region will work together to equip schools and education providers across age ranges and linguistic sectors, with the capacity and sustainability to increase standards in Welsh and promote the use of the Welsh language within families, communities and workplaces. The Council will also aim to stimulate and provide local accessible and sustainable community-focussed provision to meet the growing demand for Welsh-medium education.

As part of the Welsh in Education Strategic Plan, Newport City Council is committed to working with colleagues across the South East Wales LAs to ensure sufficient Welsh-medium secondary provision by September 2016 when Ysgol Gyfun Gwynllyw is expected to reach its full capacity.

Welsh-medium secondary school provision is currently available across the South East Wales Consortium area at Ysgol Gyfun Gwynllyw in Torfaen and Ysgol Gyfun Cwm Rhymni in Caerphilly. However pupil forecasts show that from September 2016 there will be insufficient places to accommodate Welsh-medium secondary learners across the region.

The development of regional Welsh-medium secondary education provision in Newport will deliver up to 900 school places in future years. It will consolidate and expand provision within the region and allow sustainable education provision at both Ysgol Gyfun Gwynllyw and Ysgol Cwm Rhymni to continue, and meet the demand that exists across the region.

Pupils will benefit from a local provision with reduced travelling times, therefore allowing energy to be focussed on learning. Community cohesion will quickly be established on a site that allows for integration between two schools. The expansion of Welsh-medium provision will also cater for linguistic continuity across the region.

The proposal to develop a new regional Welsh-medium secondary school will not de-stabilise Ysgol Gyfun Gwynllyw or Ysgol Gyfun Cwm Rhymni, neither is it intended to have a detrimental impact on local English-medium schools. It will underpin the delivery of the regional approach to Welsh-medium education as a whole.

The Council is continuing to carry out the statutory parental surveys every two years and to assess demand for secondary places, working with SEW regional partners it carried out a regional forecast of pupils with a trend analysis balanced against regional provision in order to determine need.

Summary of factors to take into account for the planning of school places case:

In taking the decision on this proposal Cabinet should take into account the following factors when exercising their function or determining this proposal – taken from 1.3 to 1.14 (where applicable) of the Code:

Need for places and the impact on accessibility of schools – local authorities must ensure there is a sufficiency of school places; has planning taken place; has there been a demonstration of engagement with relevant partners serving the area; is there evidence of future need / demand in the area for additional places, with reference to the proposed school's language category

Resourcing of education and other financial implications – in the delivery of much needed places, does this proposal have any detrimental impact on other regional Welsh-medium secondary schools; does the proposal form part of the 21CS programme and better strategic management of the school estate; does this proposal remedy the very small surplus demonstrated in Duffryn High over recent years; revenue implications; the transport impact would need to be considered against the same pupils travelling to YGG; capital implications;

Other general factors – deprivation; equality of access;

6. Factors to be taken into account in determining school organisation proposals

The Statutory Code for School Organisation asks when approving or determining proposals, relevant bodies should take into the account the following relevant factors and the qualifying comment against each:

- **Must** consider whether there are any other related proposals – there are none
- **Must** ensure that the statutory consultation has been conducted in accordance with this Code – the full statutory consultation process has been carried out according to the requirements of the School Organisation Code, July 2013
- **Must** consider the consultation document and the consultation report – both have been made available to Cabinet Members under separate cover during the process and before the date of determination

- **Must** consider the objections and the objection report and any responses to the notice supporting the proposal – Objection Report attached at Appendix One, Cabinet advised of the two supporting responses

7. Financial Summary

7.1 Capital – the regional Welsh Education financing to deliver this school has been secured via the submission of the five case business models to WG – Strategic Outline Case; Outline Business Case; Full Business Case all approved by the WG Capital Panel. This provides for a total of £17m to be financed by Newport City Council; Monmouthshire County Council including match funding by Welsh Government.

7.2 Revenue – the establishment of this new Welsh-medium secondary school would require a school budget through the Scheme of Financing Schools. The council has a policy of attributing the sum of £35,000 to all new schools in order to facilitate operational set up of any new school. At the same time, this new secondary school is likely to require revenue support in advance of the date of the new school opening, in order to fully organise the new secondary school to accept circa 90 pupils in September 2016.

8. Risks

Risk	Impact of Risk if it occurs* (H/M/L)	Probability of risk occurring (H/M/L)	What is the Council doing or what has it done to avoid the risk or reduce its effect	Who is responsible for dealing with the risk?
Not to approve the establishment of this new school	H	L	<p>The 21CS education case and the regional planning of school places case have been previously detailed within the WG business case submissions and throughout the statutory consultation process.</p> <p>Consideration of the objections is being given alongside the education case and the planning of schools places case for the region before taking this decision.</p>	Chief Education Officer

* Taking account of proposed mitigation measures

9. Links to Council Policies and Priorities

Newport City Council Improvement Plan
 Education Service Plan
 Welsh Government Statutory Code: School Organisation Code, July 2013
 21st Century Schools Strategic Programme

10. Options Available

10.1 Option 1: To note the contents of this report and in particular to note the contents of the Objection Report attached as an appendix to this report. Whilst so doing to recognise that the objections to this proposal have been made and to confirm the responses set out by this Council are appropriate.

In taking this decision Members of the Cabinet have had sight of the consultation pack and the report and the Objection Report and have reviewed sections 4, 5 and 6 above.

On balance, this option is to support the school reorganisation proposal and to move to establish a new Welsh-medium secondary school in Newport.

10.2 Option 2: To note the contents of this report and in particular to note the contents of the Objection Report attached as an appendix to this report. When doing so, take the view that the Objections outweigh both the education case and the regional planning of school places case set out in the proposal and therefore, not to support this proposal.

10.3 Preferred Option and Why

Option 1 is the preferred option as it provides regional Welsh-medium school places to meet increased demand for Welsh-medium secondary education. The objections are noted, however, on balance the education case and the regional planning of school places case are both sound and this proposal should be approved.

11. Comments of Chief Financial Officer

The proposal to establish a new Welsh-medium secondary school in Newport will require significant Capital expenditure from the Council, which is match funded by Welsh Government. This is detailed in the business cases that have been approved by Welsh Government and are included in the approved Capital Programme. The business case assesses, along with other factors, whether the option is affordable, provides good value for money and an appraisal of the costs and benefits.

On-going revenue costs will be funded through the Scheme of Financing Schools – ISB overall budget. Education will need to identify the allocation of these budgets in year to cover the revenue support required.

12. Comments of Monitoring Officer

In accordance with the School Standards and Organisation (Wales) Act 2013 and the School Organisation Code, Cabinet are required to take the decision as to whether or not to proceed with the proposal to establish this new Welsh Medium education secondary school, in the light of the unresolved objections. In accordance with the requirements of the Code, these proposals have been the subject of both formal and statutory consultation and the attached Objection Report sets out the basis of the two unresolved objections received. Because of these objections, the matter cannot be determined by the Cabinet Member and has to be decided by a Local Determination Panel. In accordance with the Functions and Responsibilities Regulations (as amended) this is a “local-choice” issue that can either be treated as an executive function or devolved to a non-executive Panel or Committee of the Council. In February 2014, Council determined that this should be an executive function delegated to Cabinet.

If Cabinet are satisfied that the educational benefits of the proposed new school outweigh the objections received, then a decision can properly be taken to proceed with the proposal.

13. Staffing Implications: Comments of Head of People and Business Change

There are no HR implications arising from this report. Recruitment to the new school will take place at the appropriate time that approval is given. The Head teacher designate will work with the Temporary Governing Body to establish a staffing structure that is suitable to deliver the curriculum.

14. Comments of Cabinet Member

I have monitored this proposal closely throughout the statutory consultation and am confident that the 21st century schools education case and the regional planning of school places case are sound. To the extent where I cannot detect any unanswered point or issue within the two objections set against this proposal. There has not been anything new or different to challenge our justified approach. This is a sound solution to meeting the immediate demand for regional Welsh-medium education.

15. Local issues

None

16. Scrutiny Committees

None to report

17. Equalities Impact Assessment

A final assessment has been carried out and is available for members of full Cabinet to note before taking their final decision on this proposal. **The Final FEIA is attached as Appendix Two to this report.**

18. Children and Families (Wales) Measure

As part of the statutory consultation process a full consultation was carried out with Children & Young People, with a separate “everyday summary version” of the document produced and meetings held with pupil councils at the affected schools. There were no adverse comments or formal objections received from Children or Young People.

19. Consultation

Statutory consultation has been carried out in accordance with the requirements of the WG School Organisation Code, July 2013.

20. Background Papers

Distributed in hard copy to all Members:

Consultation Pack
CYP Consultation Pack
Consultation Report
Statutory Notice

Dated: 17th July 2015

Attached:

Appendix One: “Objection Report” in accordance with School Organisation Code, July 2013
Appendix Two: Final FEIA Assessment for the proposal to establish this new school



Ysgolion yr 21ain Ganrif 21st Century Schools

Newport City Council – Objection Report

Proposal to establish a Welsh-medium secondary school in Newport

Purpose

This report is published in line with the requirements of Section 49 of the School Standards and Organisation (Wales) Act 2013 and the School Organisation Code, July 2013. This is a summary of the statutory objections and the proposer's response to those objections – otherwise known as, the Objection Report. **This is the provisional response of the authority which is being provided to Cabinet for discussion, a final view and objection report will be published before the end of 7 days beginning with the day of determination.**

Publication of the Statutory Notice

Following the Formal Consultation period and the publication of a consultation report, the Cabinet Member for Education & Young People took the decision to proceed to publish the proposal by way of a statutory notice for 28 days from the 3rd June to the 1st July 2015.

The 2013 Act requires that anyone wishing to make objections to a school organisation proposal has the opportunity to do so. Two Formal Objections have been received against the proposal to establish a Welsh-medium secondary school on the site of Duffryn High School.

The tables that follow set out each of the objections points lodged by each of the two proposal objectors. There are two columns of responses: one column refers to how information was previously made available during the consultation, within the consultation pack and the report, the minutes of the consultation meeting of 3rd March 2015 and the website Frequently Asked Questions (FAQ) document. The second column of responses is a supplementary response by Newport City Council to further clarify the position in order to answer each of the objection points.

Proposal Objector		Objection point	Response – information previously made available during the consultation	Supplementary NCC Response
1 & 2	1	Mixing two Schools and Mediums on one site is going to lead to issues, especially bullying on the way to and from school. Who is going to take responsibility for the health and well-being of the Welsh Medium Pupils?	The behaviour of school pupils is a matter for the schools, but Newport is a culturally diverse city. Mixing with and understanding different cultures is to be encouraged, and diversity embraced.	Your comments are noted, all stakeholders involved in this project are very keen to assure parents and pupils that behaviour strategies will be employed and well-being is the focus of their attention as the two schools move forward.
1 Page 12	2	Capacity – How do you expect to house 900 plus Welsh Medium Pupils in one building when it currently houses approx. 400 English Medium Pupils?	The existing Lower Block will be used to accommodate the initial intake to the Welsh-medium school. The proposal is to build a new extension to this block to enable the school's capacity to grow up to 900 places.	The current building will be extended and an assurance is being given that the final school premises will be able to deliver education to circa 900 children.
	3	Toilet / Changing Facilities – Are there going to be adequate facilities for 900 Welsh Medium Pupils?	The new school will have all the usual facilities you would expect in a secondary school in order to deliver the full spectrum of the curriculum, including subject-specific learning spaces for science, ICT and technology, kitchen and dining rooms and a gymnasium.	The existing Lower Block building already has new toilets and a gymnasium for the pupil cohorts who will attend the school. The proposal is to build a new extension to this block to enable the school's capacity to grow up to 900 places. This work will include a sufficiency of toilets / changing facilities for 900 pupils.

Proposal Objector	Objection point	Response – information previously made available during the consultation	Supplementary NCC Response	
Page 13	4	Building – The building is 56 years old and is in condition “C” Grade. At the meeting we were told that the building was not in a good condition under the grading, but when asked what was the life expectancy of the building an answer was not given. On a sliding scale, where does the building sit within that C grade category, to the top or bottom? Given the age of the building, it is full of asbestos and poses a health risk to the pupils and staff on a daily basis that’s without any remedial work being carried out. Has a full risk assessment been carried out?	We are aware that the building contains asbestos. An asbestos survey conducted in 2014 identified the vast majority of samples taken as being low risk. As part of the design process, a full refurbishment and demolition survey will be undertaken to ensure asbestos present is managed or removed as necessary during the development.	There is no ‘sliding scale’ within the condition grade categories. The project has a Risk Register which includes Asbestos remediation during the build scheme. The school will have an Asbestos Register when it opens and the premises management policies for the school will be in line with all other schools maintained by the Council.
	5	Canteen / Dining Facilities – Has this been factored in for the Welsh Medium Pupils as there was no mention of it?	The new school will have all the usual facilities you would expect in a secondary school in order to deliver the full spectrum of the curriculum, including subject-specific learning spaces for science, ICT and technology, kitchen and dining rooms and a gymnasium.	The existing Lower Block building already has a canteen for the pupil cohorts who will attend the school. The proposal is to build a new extension to this block to enable the school’s capacity to grow up to 900 places. This work will include a sufficiency of dining facilities for 900 pupils
1 & 2	6	Costs – What is going to be the split between the two mediums of the funding available for the project? No one at the presentation could answer that. Surely the costs are known otherwise what is the point of the project and consultation?	The £17m project budget will provide two new buildings and the necessary access and ground works required to enable effective operation of the two schools. Each school will have a new build addition to accommodate a similar number of pupils. While we do not know the exact cost split, the money is being used to provide similar facilities for each school.	NCC wish to reassure all the consultees and stakeholders that the project is on track to budget and that any split in financing of the separate schools is not known at this time as it is a whole site project from which two new schools will emerge.

Proposal Objector	Objection point	Response – information previously made available during the consultation	Supplementary NCC Response
1 & 2	<p data-bbox="250 266 304 293">7</p> <p data-bbox="320 266 880 400">Access and Egress to the proposed new school – Has this been risk assessed considering that the volume of traffic in the area at school opening and closing times?</p> <p data-bbox="320 437 880 1347">Playing Fields - Access to the playing fields, is there going to be a bridge? Are the playing fields going to be made secure? As currently the playing fields are used by dog walkers who's dogs foul the pitches (Public Health Issue), Off Road Bikes and Quads currently tear up the pitches day and night (Health and Safety Issue), Fly Tipping (Health and Safety Issue), Used by other sporting clubs, is that still going to happen? Used for Rabbiting and Hare Coarsing with individuals armed with guns (Health and Safety Issue), Gypsies using the playing fields as a temporary camp (Health and Safety Issue), Currently being policed by British Transport Police due to cable theft from the railway line adjacent to the playing fields (Health and Safety Issues). Vandalism of the fence on the Cycle Path that runs adjacent to Edney View is constant too. (Please check with Gwent Police as they are currently investigating this and are liaising with the Head of Duffryn High School, 17th June 2015) Has a full Risk Assessment of the area been carried out?</p>	<p data-bbox="900 266 1556 368">The governing body for the new school will decide the start and finish times for the school can best fit with neighbouring schools.</p> <p data-bbox="900 405 1556 603">Ensuring the safety of children crossing Lighthouse Road is of paramount importance and proposed arrangements for the new Welsh-medium secondary school includes a review by the Highways Department, who in turn will make recommendations.</p> <p data-bbox="900 639 1556 805">Traffic issues will be considered within the design process. Traffic plans will be submitted with the planning application and will be reviewed by the highways department, to ensure traffic is manageable.</p> <p data-bbox="900 842 1556 1209">The current proposal for Lighthouse Road is to remove the existing crossing near the junction to Duffryn Way and relocate the crossing closer to the Duffryn High School site entrance. Highways feel this will provide a safer and more suitable crossing for pupils accessing both schools, it will also be key in providing safer access to the sports pitches on the opposite side of the road. The sports pitches will be secured with fencing for the provision of timetabled curriculum sports activities.</p>	<p data-bbox="1576 266 2125 464">Highways officers have attended design team meetings and planning officers have also been consulted. Funds to address traffic issues have been earmarked from within the total project envelope.</p> <p data-bbox="1576 501 2125 635">A full Risk Register is held for this project through which assurance is given that the delivery of two school settings suitable and safe for our pupils.</p>

Proposal Objector	Objection point		Response – information previously made available during the consultation	Supplementary NCC Response
1	8	Project Completion Date – Is it doable? Bearing in mind it is nearly half way through April, by the time the Formal Consultation Period, Publication of Statutory Notice, Determination of Proposal, Construction Tenders and build time, what will happen to the Welsh Medium Pupils if the September 2016 deadline is missed?	<p>The new build section for Duffryn High will be complete by September 2016 and the new Welsh-medium secondary school will also be operational by this date.</p> <p>The new extension to the Welsh-medium school will then be complete before September 2018.</p>	<p>The project is on target to be delivered on time.</p> <p>Contingency planning has been developed as part of this major project.</p>
	9	Outside / Communal Area – Will there be enough outdoor space for 900 Welsh Medium Pupils?	This proposal allows the reconfiguration of the layout of the English-medium school at Duffryn which will make better use of the available space. The size of both sites will be in excess of the Building Bulletin (BB98) guidelines for schools.	<p>Stakeholder engagement is key in such design stages, it is hoped that the Temporary Governing Body would support and influence the design of the communal areas.</p> <p>The permanent Governing Body and the leadership team would be well placed to influence the emerging communal areas around and about the extension which will be completed by September 2018.</p>
	10	Catchment Area – Has this been taken into account for both mediums given the nature of the catchment area and the proposed new build home developments in the area?	The catchment area for the new Welsh-medium secondary school is proposed as the whole of the city of Newport, plus the area of south-Monmouthshire denoted as the catchment area for Ysgol Y Ffin (subject to MCC consultation). A copy of the proposed catchment area for the new Welsh-medium secondary school is included within this consultation pack. The new catchment areas will be applied to those applications received for the September 2016 admissions round and beyond with priority of admission given to those residing within the catchment areas of the respective schools.	<p>The WM2 catchment area formed part of the consultation. There is no change for Duffryn High School.</p> <p>Education planning includes noting planned housing developments across the city and the impact on the delivery of education is identified through the development of legal agreements including the calculation of Section 106 Planning Contributions.</p>

Proposal Objector	Objection point		Response – information previously made available during the consultation	Supplementary NCC Response
1	11	Health – How is the new M4 Relief Road going to impact on the health of both English and Welsh Medium Pupils?	The land across the road is for timetabled curriculum sports and the final notification on the M4 relief road is yet to emerge.	The M4 relief road is a separate consultation exercise by Welsh Government. NCC has not been given to understand that the proposal to host two school settings in this area will be compromised by the M4 Relief Road.
	12	Expenditure – Is this going to be money well spent given the fact that Duffryn High School was going to be the next Super School for Newport as it was not fit for purpose? As stated earlier, the building is 56 years old, and to be honest, is a money pit. It has been in a state of disrepair for years, and to bring it up to code is going to drain the funds available, excluding the new build costs? Surely other avenues should be investigated before a final decision is made.	Other options were developed and considered by officers over four years, with assets and estate across Gwent being reviewed for suitability. The long list of options was detailed in the 21CS Regional Strategic Outline Case and the long list of options were tested and reduced to a shortlist of three options. The three options were further tested to give us our preferred option. The recommendation that Duffryn High School site is the preferred option and the principles of working towards the delivery of this preferred option has been accepted by Welsh Government to date. They approved the Outline Business Case further qualifying this preferred option and have now requested a Full Business Case to that effect.	Since that date the Full Business Case has been approved by WG which detailed the preferred option.
	13	Options – Are there any other available sites in Newport that would provide a safe and suitable environment for the Welsh Medium High School Pupils?		

Proposal Objector	Objection point		Response – information previously made available during the consultation	Supplementary NCC Response
1	14	When is the planning application being submitted as I have not yet seen it published anywhere?	The recommendation that Duffryn High School site is the preferred option and the principles of working towards the delivery of this preferred option has been accepted by Welsh Government to date. They approved the Regional Outline Business Case further qualifying this preferred option and have now requested a Regional Full Business Case to that effect.(OBC and FBC set out the timelines) – Minutes of the Meeting	The planning application is scheduled for submission in August 2015.
2 Page 17	15	At the consultation on 3rd March I felt it impossible to make valid judgements on many of the issues raised and subsequently responded to due to the lack of concrete information.	<p>A full Consultation Report was produced with all details of the school reorganisation proposal available at the time of going to press.</p> <p>Since the public meeting on the 3rd March a Frequently Asked Questions document was produced and published on the Newport City Council web site.</p> <p>This document was frequently updated as and when questions emerged from all consultees during the process.</p>	<p>The level of information available at the time was set out in the consultation report.</p> <p>There are many project based issues yet being developed which depended upon approval of WG funding at FBC stage.</p> <p>Other issues raised are to be determined by the Temporary Governing Body should the school be established.</p>
	16	The proposals as to how the new school would be staffed was not answered, as many other points raised were also unanswered, as this would be the responsibility of the new board of governors.	The Minutes of the meeting dated 3 rd March set out how the new school governors would select the staffing structure of the new school, commencing with the Headteacher.	This is an operational question in respect of setting up the new school. If the decision is to establish the new school, then the Council will arrange for a Temporary Governing Body to be appointed. It is the function of the temporary governing body to set up and recruit to the structure.

Proposal Objector	Objection point		Response – information previously made available during the consultation	Supplementary NCC Response
	17	During the consultation there was quite a heated and extended exchange regarding the design and form of the barrier and whether it would be in place by next September. This seems not to have been recorded in the minutes of the meeting or responded to in any detail subsequently.	The schools sites will be separated by a fence from day 1 and the children will not be able to traverse the site. (Minutes of meeting)	At the time of the public meeting the project was in very early stages. Since that time the design team have been engaging stakeholders. Final decisions on the type, style and structure will be discussed with the Temporary Governing Body of the new Welsh-medium secondary and the Governing Body of the Duffryn High School.
2 Page 18	18	I am not confident at all that this process concerning such a vital area of our children's lives has been carried out as it should have been.	The public meeting on the 3 rd March was the opportunity to ask questions and provide feedback. This process continued throughout the consultation period with a Frequently Asked Questions document published on the NCC web site – this was frequently updated as and when questions were asked with their NCC response.	Your comments are noted, following the full statutory consultation process a final determination will be taken by reviewing the case for change against the objections.
	19	I would like to know in more detail the timeline for the remainder of the project such as when the design will be completed, a detailed schedule of the building works, budget allocation etc. I'm sure many of the parents do too and I hope this information will become available. In addition, I would expect information such as a concrete staffing plan to be available.	The recommendation that Duffryn High School site is the preferred option and the principles of working towards the delivery of this preferred option has been accepted by Welsh Government to date. They approved the Regional Outline Business Case further qualifying this preferred option and have now requested a Regional Full Business Case to that effect.(OBC and FBC set out the timelines) – Minutes of the meeting	Design and build contractors will be appointed by the end of July 2015 Planning application will be submitted in August 2015 Design finalised by November 2015 Building works planned to begin in January 2016

In accordance with the School Organisation Code (2013) this Objection Report is published electronically on Newport City Council's website at www.newport.gov.uk

To request a hard (paper) copy of this document please write to the Chief Education Officer, Newport City Council, Civic Centre, Godfrey Road, Newport or email educationbusiness.support@newport.gov.uk

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Newport City Council Fairness and Equality Impact Assessment Form (F&EIA)

This form provides an assessment of policy or proposed change to see whether it promotes fairness and equality, and that outcomes for the people of Newport have been fully considered. The result of this Impact Assessment should influence future policy and service planning decisions.

In Newport we focus on fairness through the following themes: Health Inequalities, Child Poverty, Skills and Work, Tackling Domestic Violence, Alcohol and Substance misuse, Homelessness, former armed forces personnel
Our Equalities focus is taken from the Equalities Act 2010: we consider the 9 protected equalities characteristics- age, gender, disability and carers and the Welsh Language and assess whether the policy or change promotes the General Equality Duty to:

- Eliminate unlawful discrimination, harassment and victimisation
- Advance equality of opportunity
- Foster good relations

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Service Area Education Service	Head of Service: Chief Education Officer	Person responsible for the assessment: Assistant Head of Education (Resources & Planning)	Date of FINAL Assessment: July 2015	
Name of the proposal to be assessed: Proposed new Welsh-medium Secondary School to be based in Newport, for pupils across the region.			Is this an existing policy/ practice or is it a proposed change?	This is a proposed change.
1. Briefly describe the outcomes wanted from policy / practice / proposal. If the policy / practice/ proposal is under review, please list any options being considered		The proposal is to open a new Welsh-medium secondary school for pupils across the region to manage increased demand. The process of establishing a Welsh-medium Secondary involves: securing capital investment and following the statutory consultation process. NCC has submitted all WG business cases which have been approved by the WG Capital Panel – Strategic Outline Case; the Outline Business Case and the Full Business Case. The statutory consultation process was taken forward with the outcome of two formal objections to the proposal. Full Cabinet are now to take the final determination on whether to approve this proposal and establish the school.		

<p>2. Name any associated policy, legislation, corporate objective etc.</p>	<ul style="list-style-type: none"> • Single Integrated Plan • Prospectus for Change – Improving People’s Lives • Welsh Government Welsh-medium Education strategy • Welsh Government School Organisation Statutory Code, July 2013 • Welsh Education Strategic Plan – updated as at May 2015 • NCC Improvement Plan • NCC Corporate Plan • Education Service Improvement Plan • School Organisation and POSP (Planning of school places) • 21st Century Schools Strategic Outline Programme (SOP) • 21st Century Schools Strategic Outline Programme Extension (SOP Ext) • 21st Century Schools Regional Strategic Outline Case • 21st Century Schools Outline Business Case • 21st Century Schools Full Business Case • Children & Young People’s Plan
<p>3. Who are the main stakeholders in relation to the policy / practice?</p>	<ul style="list-style-type: none"> • SEWC Directors • Cabinet Member for Education and Young People, Newport City Council • Cabinet Member for Education, Monmouthshire County Council • Local authority Cabinets to support capital investment in a regional option • Welsh-medium Primary Schools staff / pupils / parents / governors • Welsh-medium Secondary Schools staff / pupils / parents / governors • Regional Headteachers / School staff / pupils / parents / governors • Coleg Gwent • Duffryn High School / School staff / pupils / parents / governors • Community in the vicinity of the proposed school location • WM Regional Planning Group

<p>4. Who delivers the service?</p>	<ul style="list-style-type: none"> • Relevant Local Authority (in terms of decision making, planning, admissions, transport and consultation and engagement hosting the proposal) • Temporary Governing Body for the new WM School • Head teacher / Staff / pupils / parents at proposed new Secondary School site • Welsh-medium primary schools staff / pupils / staff / parents for transition
<p>5. What factors could contribute / detract from the outcomes (risks / opportunities)?</p> <p>Please list the factors for each separate policy / process options under consideration</p>	<p>WG and LA Funding – all is now in place with full approvals of financing Objections to proposals – two formal objections received during the process Recruitment of staff – to be considered if the school is to be established Location of proposed new Welsh-medium secondary school</p> <p>In the event that the Welsh-medium Secondary School is not delivered each of the South East Wales local authorities would not meet their priority to ensure that all children seeking Welsh-medium secondary provision across the region are able to continue to do so and that it is of a high standard. Contingency planning is therefore in place across the region.</p>
<p>6. Describe the steps you have taken to carry out this assessment e.g. consultation and engagement</p>	<p>Full option appraisal and scoping has been undertaken in conjunction with advisors in the specialist field of Welsh-medium education.</p> <p>NCC gained approval for:</p> <ul style="list-style-type: none"> • a 21CS Strategic Outline Programme Extension to support the capital financing of a preferred option in Newport • a regional Strategic Outline Case to support the capital financing of a Newport solution which would also support Ysgol Y Ffin in south Monmouthshire • a regional Outline Business Case • a regional Full Business Case. <p>The full statutory consultation process was carried out under the requirements of the WG School Organisation Code: Statutory Code, July 2013.</p>

<p>7. Give a summary of the information the council has taken into account for this assessment</p>	<p>Primary to Secondary Planning of School Places data – Identifies projected numbers until 2016 using data on pupils currently within Welsh-medium education together with any planned expansion.</p> <p>Community Impact / Welsh Language impact assessments.</p> <p>Welsh Government Statutory School Organisation Code, July 2013</p> <p>ALN / Inclusion & GEMS services to be provided through the preferred option</p>
<p>8. Does the proposal promote Equality by:</p> <p>1. promoting good community relations (community cohesion)</p> <p>2. promoting equality</p> <p>3. eliminating discrimination</p> <ul style="list-style-type: none"> • Age • Gender • Gender reassignment • Disability • Marriage / civil partnership • Pregnancy and Maternity • Race • Religion / belief • Welsh language • Sexual orientation 	<p>NCC is committed to ensuring equality of access to its schools and services for all its stakeholders. It is critical that any new school is accessible to everyone regardless of gender, disability, race, religion, martial / civil partnership status, pregnancy & maternity, sexual orientation or ability.</p> <p>The proposed development of a Welsh-medium secondary school will be accessible to all pupils of secondary school age across the South Gwent region, regardless of gender, disability, race, religion, pregnancy, sexual orientation or ability.</p> <p>It will initially however, be a seedling or growing school and in the first year of establishment take pupils of Year 7 age group circa 90 in total. The school will grow each year up to a full school population of circa 900.</p> <p>This proposal will not have any significant impact or adversely affect any other stakeholder regardless of gender, disability, race, religion, martial / civil partnership status, pregnancy & maternity, sexual orientation or ability.</p> <p>This proposal promotes community cohesion, equality, and eliminates discrimination specifically with regard to Welsh Language provision.</p>

<p>9. Does the proposal affect fairness in relation to:</p> <ul style="list-style-type: none"> • Health Inequalities • Child Poverty • Skills and Work • Tackling Domestic Violence • Alcohol and Substance misuse • Homelessness • Armed Forces • Other fairness concerns 	<p>The business case submissions to the WG Capital Panel propose the preferred option of a Newport solution. All business cases were approved by WG.</p> <p>The proposed development of a Welsh-medium secondary school in Newport will assist in improving outcomes and life opportunities for people in Newport and south Monmouthshire specifically with regards to Health Inequalities, Child Poverty and Skills & Works.</p>
<p>10. Does proposal affect local areas differently?</p> <p>If so, does it have a positive or negative impact in terms of fairness and addressing local area deprivation?</p>	<p>The proposed new Welsh-medium Secondary School will be accessible to all pupils within Newport and south Monmouthshire regardless of deprivation levels so will not affect local areas differently.</p>

<p>12. Summary Provide a summary of the last 3 answers (8,9 and10) Does the proposal have a positive outcomes for all people and communities on the groups on the ground of Equalities and Fairness If not why, and what are the mitigating actions?</p>	<p>The proposed new Welsh-medium Secondary School will have positive outcomes for the people and communities, not only of Newport and south Monmouthshire but across the South East Wales region.</p>
<p>13. Reporting, monitoring and evaluating outcome. Where is the Fairness Impact Assessment reported? How will resulting actions be monitored? When will the outcomes be evaluated?</p>	<p>This Fairness and Equality impact assessment has been revised and reported to the Cabinet Member for Education and Young People at each stage. It will also be viewed by full Cabinet before taking the final determination on the proposal to establish this new school.</p> <p>All issues and in particular formal objections raised during the statutory consultation have been evaluated before Cabinet take the final decision.</p> <p>This FEIA has been published following each update on the Council web site and be in the public domain. This is the final FEIA for this proposal.</p>

AB Daniel

Signed (lead officer) _____

7th July 2015

dated _____

James Harris

7th July 2015

Signed (Chief Education Officer) _____

dated _____

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