

# Agenda



## Delegated Decisions - Deputy Leader/Education and Early Years

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Date: Saturday, 2 December 2023

To: Councillors D Davies

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### Item

### Wards Affected

- |   |   |  |
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| 1 | <u>Joint School Reorganisation Proposal – Reduction in Capacity and Extension of Age Range at Malpas Church in Wales Primary School</u><br>(Pages 3 - 54) |  |
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Date of Issue: Date Not Specified

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# Report

## Cabinet Member for Education and Early Years

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### Part 1

Date: 1 December 2023

**Subject** **Joint School Reorganisation Proposal – Reduction in Capacity and Extension of Age Range at Malpas Church in Wales Primary School**

**Purpose** To move to publish a statutory notice on a joint school reorganisation proposal being progressed with the Governing Body of Malpas Church in Wales Primary School “to reduce the capacity of Malpas Church in Wales Primary School from 378 to 315 pupil places with effect from September 2024, and to extend the age range of the school from 4-11 years to 3-11 years with effect from September 2025”.

**Author** Assistant Head of Education – Resources

**Ward** Malpas

**Summary** Formal consultation has now concluded on the school reorganisation proposal being progressed jointly by the Council and the Governing Body of Malpas Church in Wales Primary School “to reduce the capacity of Malpas Church in Wales Primary School from 378 to 315 pupil places with effect from September 2024, and to extend the age range of the school from 4-11 years to 3-11 years with effect from September 2025”. The joint proposal launched in June 2023, with a six-week period of formal consultation running between 19<sup>th</sup> June 2023 and 30<sup>th</sup> July 2023.

A consultation report, which describes the consultation process and the feedback received, has been prepared (and accompanies this report), published on the Newport City Council and Malpas Church in Wales Primary School websites, shared with stakeholders and considered by the Governing Body of the School. This decision report references the findings, the result of which recommends that the Council and the Governing Body move to publish a statutory proposal. Any legal objections lodged during the period of the statutory proposal will be considered in making the final determination.

**Proposal** **To move to publish a statutory notice for a period of 28 days in respect of the joint proposal to reduce the capacity of Malpas Church in Wales Primary School from 378 to 315 pupil places with effect from September 2024, and to extend the age range of the school from 4-11 years to 3-11 years with effect from September 2025.**

**Action by** Chief Education Officer

**Timetable** Immediate

This report was prepared after consultation with:

- Corporate Management Team
- Education Senior Management Team

- Senior HR and Finance Business Partners
- Governing Body of Malpas Church in Wales Primary School

**Signed**

## **Background**

All school reorganisation proposals are undertaken in accordance with Welsh Government's statutory School Organisation Code. Accordingly, formal consultation on the joint proposal put forward by Newport City Council and the Governing Body of Malpas Church in Wales Primary School to reduce the capacity of the school from 378 to 315 pupil places with effect from September 2024, and to extend the age range of the school from 4-11 years to 3-11 years with effect from September 2025 took place between 19th June 2023 and 30th July 2023. Following conclusion of this process, a consultation report was prepared, published on the Newport City Council and Malpas Church in Wales Primary School websites, and shared with stakeholders.

Over the past 5 years, the number of pupils that attend Malpas Church in Wales Primary School has been decreasing. In the academic year 2017/18 there were a total of 367 pupils on roll, but this decreased to 300 pupils in 2021/22; leaving 20.63% surplus places at the school. Numbers at the other schools in the cluster have remained relatively stable during this time. Pupil forecasts suggest that by 2026/27 there will only be 243 pupils at Malpas Church in Wales Primary School, resulting in 35.71% surplus places. This decreasing number of pupils will make planning and managing the school difficult, and potentially leave parts of the school unused which is not cost-effective.

Malpas Church in Wales Primary School is the only primary school in the Newport High cluster that does not benefit from an attached nursery class. Reducing the PAN of the school will enable the Governing Body to extend the age range of the school to support establishment of a nursery class. This will increase the number of funded nursery places available across the city, support positive transition from non-statutory provision to statutory education for very young learners, and provide equity of a 3-11 model across all primary schools within the Newport High School cluster.

Given the voluntary controlled status of the school, this proposal is being progressed jointly between the Council and the Governing Body. The Governing Body of Malpas Church in Wales Primary School met on 16<sup>th</sup> October 2023 to consider the Consultation Report and confirmed that it was in favour of progressing the proposal to the statutory notice stage. Whilst the consultation identified some concerns amongst stakeholders over the suitability of the facilities available, the Governing Body is committed to developing more detailed plans to address these concerns.

The Consultation Report concludes that the proposal represents the best and most achievable solution to reduce the number of surplus places that are forecasted, and to provide a manageable nursery provision that limits the potential impact on other local providers. Accordingly, the Council and the Governing Body are now required to move to the next stage in this reorganisation process, which is the publication of a joint statutory proposal. During this stage, any stakeholder can lodge a legal objection to the proposal. Any legal objections will be considered before a final determination takes place. A copy of the Consultation Report is attached at Appendix 1, but there now follows a synopsis of the feedback received.

## **Stakeholder Engagement**

An invitation to take part in the statutory consultation went to an extensive list of stakeholders, by email, with hard copies of all consultation documentation available on request. All documentation was made available bilingually in Welsh and English, and in other languages on request.

Two face-to-face drop in events were arranged to support this consultation, both of which were held at Malpas Church in Wales Primary School, on 27<sup>th</sup> June 2023 and 4<sup>th</sup> July 2023. No stakeholders attended the first session; one stakeholder attended the second session and confirmed that they were supportive of the proposal, particularly the extension of the age range of the school to enable the establishment of a nursery class. These sessions are described in more detail on pages 4 and 5 of the accompanying Consultation Report.

## **Learner Voice**

The Council is committed to gaining the views of learners. To support this, officers from the Education Service met with a group of 10 learners identified by the school on 4<sup>th</sup> July 2023, and used this session to share information about the proposal and gather their views. Further information about this session, including the questions raised and feedback received from these pupils, is included on pages 3 and 4 of the accompanying Consultation Report. The Council is grateful to the pupils who took part in this session and would like to thank them for their valuable contributions to the consultation process.

## **Consultation Responses**

Overall, a total of 35 responses were received during the consultation period from a variety of stakeholders; 33 via the response pro-forma, and 2 written responses from Estyn and a Trade Union.

Of the 33 pro-formas received, 19 (58%) supported the proposal, with a further 10 (30%) supporting the proposal in-part. The remaining 4 responses (12%) were not in support of the proposal. Further information on the feedback received, and the responses from the Council and the Governing Body on the issues raised, is referred to in detail across pages 5-8 of the accompanying Consultation Report.

## **Trade Union**

The response received from a School Trade Union was not supportive of the proposal and is included at Appendix B of the accompanying Consultation Report. The Governing Body has provided a detailed response to the comments raised, and this is outlined on pages 8 and 9 of the Consultation Report.

## **Estyn**

The full response from Estyn is included at Appendix C of the accompanying Consultation Report. However, in summary, the response states that the proposal is likely to, at least, maintain the standard of provision in the area. Estyn also suggested that further clarification was required on some elements of the proposal, and these issues have been addressed by the Council and the Governing Body on pages 9 and 10 of the Consultation Report.

## **Financial Summary**

### Capital

The proposal will require some small alterations to classrooms. These costs are not expected to be significant and will be funded from the school's revenue budget.

### Revenue

Newport City Council provides schools with a revenue budget each year from the Individual School Budget (ISB) which is delegated to the Governing Body, and all costs associated with the running of the school are to be met from this budget.

Funding for the school is based on pupils on roll not the Published Admission Number (PAN), therefore a reduction to PAN to accommodate a Nursery provision will not reduce existing funding for the school; the additional pupils in the Nursery provision will generate additional funding and the Headteacher and Governing Body are confident that the staffing costs for the nursery can be met from the school's budget.

Whilst the proposal offers more choice to families in the Malpas ward, it is possible that the new provision could divert pupils away from existing nursery provisions in both maintained and non-maintained settings. In the case of the latter group; this will put additional pressure on the ISB and dilute the funding available across the sector on a per pupil basis whilst the former group will divert funding away from existing schools where those pupils move away from. The impact as described are unavoidable and in the current financial context for schools, are very challenging though any impact from these alone is likely to be marginal relative to the overall ISB.

## Risks

It is important to identify and manage any project or scheme's exposure to risk and have in place controls to deal with those risks.

<b>Risk Title / Description</b>	<b>Risk Impact score of Risk if it occurs* (H/M/L)</b>	<b>Risk Probability of risk occurring (H/M/L)</b>	<b>Risk Mitigation Action(s)</b> What is the Council doing or what has it done to avoid the risk or reduce its effect?	<b>Risk Owner</b> Officer(s) responsible for dealing with the risk?
Failure to move to statutory notice	H	L	There has been a full consultation process in accordance with the statutory School Organisation Code. The proposal cannot be progressed without publishing a statutory notice.	Chief Education Officer
Demand for places at the school increases and the school becomes oversubscribed	M	L	This will be monitored by the Council but is unlikely due to the reducing demand in recent years. If it occurs however, the Council's over-subscription criteria will determine priority. There are sufficient places across the cluster to meet forecast demand.	Chief Education Officer
The nursery class does not receive sufficient applications	M	L	Whilst the number of applications that will be received cannot be predicted with any certainty, the Governing Body will need to consider the anticipated demand for nursery places when deciding whether to take this element of the proposal forward following formal consultation.	Headteacher and Governing Body of Malpas Church in Wales Primary School

\* Taking account of proposed mitigation measures

### Links to Council Policies and Priorities

Wellbeing of Future Generations (Wales) Act 2015  
Corporate Plan  
Education Service Plan

### Options Available and considered

Option 1: To move to the next stage in this school reorganisation process, which is the publication of a statutory proposal (notice) for a period of 28 days, and is an opportunity for stakeholders to lodge any legal objections against the proposal.

Option 2: To withdraw the proposal following consideration of the feedback received during the formal consultation period and outlined in detail within the attached Consultation Report.

### Preferred Option and Why

The preferred option is Option 1. The publication of a statutory notice is the next stage in this school reorganisation proposal. This 28-day period will provide all consultees and stakeholders with an opportunity to further consider, and if necessary lodge legal objections to, the proposal.

## **Comments of Chief Financial Officer**

### Capital

There is no capital funding available to support the small alternations noted in the report. The school will therefore need to fund these works from their existing budget.

### Revenue

As the school is funded on pupils on roll, not their Published Admission Number (PAN), the reduction to (PAN) is not expected to reduce existing funding but will likely generate additional funding due to pupils being admitted to the Nursery provision. If all places are taken, this would generate an additional £38k funding in the first year, rising to £64k thereafter (based on the Age-Weighted Pupil Unit value for a Nursery in 2023/24).

This provision will need to be appropriately staffed and the school and Governing Body have advised they are confident this can be met from the school's budget. However, it is important to note that the school's closing reserve balance in 22/23 was £43k. This is projected to reduce to c£15k in 23/24, therefore the school may need to find mitigation to absorb any additional costs as a result of this proposal in order to avoid a deficit position in the future.

Funding for the proposed nursery provision will be met from the existing ISB, however it should be noted that the establishment of the nursery, as noted above may result in a reduction in pupil numbers at other schools and reduce their funding going forward. There is also the risk that parents may choose the free nursery provision over private settings and the report highlights the closure of a non-maintained setting (NMS) in the Malpas ward, resulting in reduced capacity in the private settings hence this could result in a dilution of the ISB as pupil numbers grow. However, both scenarios are likely to result in marginal impacts compared to the overall ISB and the Nursery element given the numbers involved.

Therefore, if approved, this will become a requirement to provide recurring funding and whilst pupil numbers are subject to an annual review, which is factored into the Council's Medium Term Financial Planning (MTFP), if the Council was unable to fund pupil growth in the future, it would impact on each individual school as overall funding would be diluted, though this would be marginal relative to the overall ISB and the Nursery element.

The risks noted here and in the financial summary associated with the establishment of nursery provision are potentially challenging for schools in the current financial context and therefore should be noted, acknowledged, and considered by the Cabinet Member.

## **Comments of Monitoring Officer**

The proposed action is in accordance with the statutory school reorganisation procedures set out in the School Standards and Organisation (Wales) Act 2013 and the School Organisation Code. The proposal to reduce the capacity of Malpas Church in Wales Primary School from 378 to 315 pupil places with effect from September 2024 and extend the age range to 3 – 11 years with effect from September 2025 are regulated alterations under the Code and must therefore be the subject of formal statutory consultation under the Code. In accordance with the statutory procedures, a detailed consultation document was prepared setting out the reasons for the proposals, and meaningful consultation was carried out with key stakeholders, including children and young people, who were likely to be affected by the changes. The response to the consultation process was that 58% supported the proposal, 30% supported it in part and 12% of responses were not in support. The Estyn response is largely positive, expressing the view that the proposals will maintain the standard of provision. All of the consultation responses are set out in the Appendix to the Report. The Cabinet Member is now required to consider these consultation responses and decide whether or not to proceed with the necessary statutory notices, having regard to the educational impact of the proposals. If the Cabinet Member decides to proceed with the statutory notices, the proposal will need to be published by way of formal statutory notice, on the Council's website and by public notices, and a period of 28 days (including, at least, 15 school days) will need to be allowed for statutory objections. If no objections are received during the statutory proposal stage, the final decision can be made by the Cabinet Member. However, if there are any unresolved



objections, then the final determination must be referred to full Cabinet, acting as the Local Determination Panel.

### **Comments of Head of People, Policy and Transformation**

The progression of this reorganisation proposal continues to follow statutory requirements. There is good evidence to support the continuation of this reorganisation proposal. Evidence provided supports the report's preferred proposal Option 1 and progress to the next stage and progress the publication of a statutory notice for this school reorganisation proposal. A full FEIA has been completed along with consideration of legislative impacts in line with the Wellbeing of Future Generations (Wales) Act.

Acknowledgement of the Councils Corporate plan along with other Council targets have been considered. At this stage staffing impacts remain as previously stated with staffing for the nursery class to be managed by reorganisation of existing staff due to the reduction in capacity of the school. Human Resources would support the school with this process, ensuring compliance with existing policies and procedures.

### **Scrutiny Committees**

None

### **Fairness and Equality Impact Assessment:**

- **Wellbeing of Future Generation (Wales) Act**
- **Equality Act 2010**
- **Socio-economic Duty**
- **Welsh Language (Wales) Measure 2011**

The Council has a number of legislative responsibilities to assess the impact of any strategic decision, proposal or policy on people that may experience disadvantage or inequality. A Fairness and Equality Impact Assessment (FEIA) has been completed to support the decision to launch this proposal and will be reviewed and updated to support the decision on whether or not to progress with the proposal following consideration of the feedback received during the formal consultation period.

This school reorganisation proposal was undertaken in partnership with the Governing Body of Malpas Church in Wales Primary School, and in accordance with the legislation outlined in the statutory School Organisation Code. This Code outlines the key stakeholders that should be consulted with as part of the process, but this is not exclusive, and the Council extended this list because of feedback received in relation to previous proposals. An invitation to engage in the consultation process was emailed to identified stakeholders. The proposal was published on the Newport City Council and Malpas Church in Wales Primary School websites, and social media platforms such as Twitter and Facebook also shared information on the proposal. The consultation documents contained a consultation response pro-forma, and there was an opportunity for any questions or concerns to be submitted. All consultation documents were available bilingually in Welsh and English. The consultation involved 2 drop-in sessions with those affected by the proposal, and a Pupil Voice session was arranged for a group of learners from the school. A Consultation Report has now been prepared and published and will be used by the Governing Body of Malpas Church in Wales Primary School and the Cabinet Member for Education & Early Years in deciding whether or not to proceed with the proposal.

The FEIA has identified positive impacts of the proposal in relation to Age and Pregnancy or Maternity. The proposal will include establishing a 16- full time place nursery class in Malpas Church in Wales Primary School, the only primary school in the Newport High School cluster that does not currently provide a nursery class. This will enable children within the Malpas Church in Wales Primary catchment area to apply for nursery places at their local school, enabling them to build friendships which will grow throughout their school life. The establishment of a nursery class at the school might also have a positive impact of families with, or planning to have, children within the Malpas area. Whilst the proposal will also

result in the PAN of the school reducing by 9 places to 45 from 54, forecasts show this is still suitable to meet demand likely to arise in the future. Whilst no negative impacts have been identified, it is acknowledged that the proposal has no bearing on the Council's plans to develop and promote Welsh-medium language provision across the City and will not contribute to the Council's targets in relation to Cymraeg 2050.

The sustainable development principle and 5 ways of working set out in the Wellbeing of Future Generations Act have been considered as outlined below:

- Long term: the importance of balancing short- term needs with the need to safeguard the ability to also meet long-term needs. **The proposal will result in the capacity of the school reducing from 378 to 315 pupil places from September 2024. Over the past 5 years the number of pupils attending Malpas Church Primary School has been decreasing. Pupil forecasts indicate that numbers at the school will continue to decline over coming years. The proposed PAN is still greater than the in-catchment average annual birth rate of 35, and it is anticipated that there will still be an overall sufficiency of places in the local area. The reduction in capacity will enable the Governing Body of the school to extend the age range which will support establishment of a nursery class. This will ensure that all primary schools within the Newport High cluster have nursery classes, and deliver long-term benefits in education and development.**
- Prevention: How acting to prevent problems occurring or getting worse may help us meet our objectives. **Welsh Government guidance recommends a 10% surplus of places across schools. As of January 2023 there were 25% surplus places at Malpas Church in Wales Primary School. Forecasts indicate that this number of surplus places will continue to increase at the school over the next 5 years, and could be as high as 35.71% by 2026/27. Reducing the PAN will make planning and managing the school easier and more cost effective, and will also support the establishment of a nursery class to increase the number of funded nursery places available across the city and enable positive transition into statutory mainstream education. In turn this will contribute towards Newport City Council's Well-being Goals of improving skills, educational outcomes and employment opportunities, and to build cohesive and sustainable communities.**
- Integration: Consider how the proposals will impact on our wellbeing objectives, our wellbeing goals, other objectives or those of other public bodies. **A formal statutory consultation was carried out and the proposal is supported at each stage by a FEIA to consider impact. This proposal supports the "A prosperous Wales", "A more equal Wales" and "A Wales of cohesive communities" Well-being Goals and has no adverse effect on any of the other Well-being Goals. In addition, this proposal supports the One Newport PSB well-being plan for 2018-2023, and the Wellbeing of Future Generations Act's Wellbeing Goal to create a Wales of vibrant culture and thriving Welsh Language.**
- Collaboration: have you considered how acting in collaboration with any other person, or any other part of our organisation could help meet our wellbeing objectives. **This proposal is being progressed jointly by the Council and the Governing Body of Malpas Church in Wales Primary School. A formal consultation has been carried out with the opportunity for engagement with all stakeholders and supported at each stage by a FEIA to consider impact.**
- Involvement: The importance of involving people with an interest in achieving the wellbeing goals and ensuring that those people reflect the diversity of the City we serve. **The Council and Governing Body of Malpas Church in Wales Primary School engaged with identified stakeholders during the formal consultation process. Public drop-in sessions were held, where council officers and members of the Malpas Church in Wales Primary School Leadership team and Governing Body were on hand to explain the proposal and answer questions. The consultation documents were made available online and hard copies were**

available on request. A Children and Young Person's consultation document was made available, distributed to the school and provided at the pupil voice session where the pupils were able to share their views on the proposal.

### **Crime and Disorder Act 1998**

Not applicable

### **Consultation**

Stakeholder consultation has taken place as outlined in the attached consultation report.

### **Background Papers**

Consultation Report and Updated FEIA

**Dated: 1 December 2023**

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# **Newport City Council**

## **School Reorganisation Proposal**

### **Consultation Report**

**Proposal to reduce the Published Admission Number and extend the age range at Malpas Church in Wales Primary School**

**Formal Consultation Period:**

**19 June 2023 – 30 July 2023**

#### **Purpose**

This report is published in line with the requirements of the School Standards and Organisation (Wales) Act 2013 and the School Organisation Code, November 2018.

This consultation report includes the following sections:

- The Proposal
- Stakeholder Engagement
- Learner Voice
- Drop-in Sessions
- Consultation Responses
- Estyn's Response
- Impact on the Welsh language
- Assessment of the Proposal
- Recommendations
- Appendices

## The Proposal

This consultation report concerns a joint proposal between the Governing Body of Malpas Church in Wales Primary School and Newport City Council to reduce the published admission number of Malpas Church in Wales Primary School from 54 to 45 from September 2024; and extend the age range of the school from 4-11 to 3-11 with effect from September 2025.

## Stakeholder Engagement

An invitation to take part in the statutory consultation was issued to the stakeholders outlined below, with a link to the consultation pack on the Council's website sent by e-mail:

- The Headteacher, teachers, staff and the governing body of Malpas Church in Wales Primary School;
- Pupils at Malpas Church in Wales Primary School;
- Parents, carers and guardians of pupils attending Malpas Church in Wales Primary School;
- The Headteachers and Governing Bodies of all Newport schools;
- All Newport City Council elected members;
- All Newport Community Councils;
- The Welsh Ministers;
- Assembly Members (AMs) and Members of Parliament (MPs) representing the area served by the school subject to the proposal;
- Other Local Authorities across the South East Wales Consortium region, including relevant Transport departments;
- The South East Wales Education Achievement Service;
- The Church in Wales, Diocese of Monmouth;
- Roman Catholic Archdiocese;
- Estyn;
- Teaching and staff trade unions representing teachers and staff at all Newport schools;
- The Early Years Development and Childcare Partnership
- All non-maintained registered nursery education providers in the local area
- The Police and Crime Commissioner for Gwent;
- Gwent Police;
- South Wales Fire and Rescue Service;
- Aneurin Bevan University Health Board;
- Public Health Wales;
- Newport Serennu Centre;
- SNAP Cymru;
- Gwent Association of Voluntary Organisations;
- Preventative Services.

### Affected Schools

The school directly affected by this proposal is **Malpas Church in Wales Primary School**.

### Distribution of Information

In addition to the formal (main) consultation document, a Children & Young People's Everyday Summary version was also produced. All documents were available bilingually in Welsh and English.

Hard copies of the full consultation document and the Children and Young People's Everyday Summary version were provided to Malpas Church in Wales Primary School.

Hard copies could also be requested by emailing [school.reorg@newport.gov.uk](mailto:school.reorg@newport.gov.uk) or telephoning 01633 656656 and these were available bilingually in Welsh and English. The document was also offered in other languages on request, although no such requests were received.

The consultation information has been shared on the Newport City Council's Facebook and Twitter accounts. The information was also shared on Malpas Church in Wales Primary School's website.

### **Learner Voice**

The Council is keen to gain the views of learners, and this was facilitated with pupils from various year groups at Malpas Church in Wales Primary School on Tuesday 4th July 2023.

The following attendees were present:

- 10 pupils representing different year groups
- Deputy Headteacher
- Education Transformation Manager
- Education Information and Development Officer

The Council officers attending the session introduced themselves to the pupils, and the session was led by the Education Transformation Manager. To start, the Education Transformation Manager explained the proposal to the pupils. Pupils were asked if they had any younger siblings and the benefits they would see if a nursery was established in the school. The pupils were then given the opportunity to ask questions, which are outlined in the table below.

<b>Question/Comment</b>	<b>Council's Response</b>
Where in the school will the nursery class be set up?	The nursery will take up half of the current reception classroom with the conservatory attached. (The pupils were shown the planned layout from the main consultation document)
How will the Reception and Nursery be separated?	There will be a partition installed that will split the classroom into two rooms.
Will the Nursery class have their own outside play area?	The Nursery class will require access to an outside play area, the school leadership team and governors would decide the arrangements on how the play area is shared.

The pupils were invited to give their views on the proposal by way of a show of hands. No pupils thought the proposal was a bad idea. Three pupils were not sure, and seven pupils thought the proposal was a good idea.

The pupils who were not sure about the proposal said that this was because they weren't sure if there was enough room, and how the sharing of outdoor areas would work.

The pupils were given the opportunity to complete hard copies of the Consultation Response Pro-forma during the session, but no responses were received.

The Council is very grateful to the staff and pupils who took part in this session and would like to thank them for their valuable contributions to this consultation process.

## Drop-in Sessions

The Council facilitated two drop-in sessions as outlined below, and these were publicised via the Council's website and within all correspondence and documentation relating to the proposal. The drop-in sessions were an opportunity for attendees to ask questions and for Council officers and the Governing Body to explain the proposal in greater detail.

<b>Table 1: Drop-in Sessions</b>		
<b>Location</b>	<b>Date &amp; Time</b>	<b>Session</b>
<b>Malpas Church in Wales Primary School – Infant Hall</b>	Tuesday 27 June 2023 15:00 – 16:00	Drop-in
<b>Malpas Church in Wales Primary School – Staff Room</b>	Tuesday 4 July 2023 09:00 – 10:00	Drop-in

### Drop-in Session 1 – Tuesday 27<sup>th</sup> June 2023

The first drop-in session, held at Malpas Church in Wales Primary School was supported by the Deputy Headteacher of the school (also a member of the school Governing Body) and two Council officers from the Central Education Service. Hard copies of the main consultation document, the Children and Young People's Everyday Summary version and response forms were available at the session in both Welsh and English.

No stakeholders attended this session.

### Drop-in Session 2 – Tuesday 4<sup>th</sup> July 2023

The second drop-in session, also held at Malpas Church in Wales Primary School was supported by the Headteacher and vice Chair of Governors of the school and two Council officers from the Central Education service. Hard copies of the main consultation document, the Children and Young People's Everyday Summary version and response forms were available at the session in both Welsh and English.



One stakeholder attended this session and completed a consultation pro-forma. The stakeholder attending the session was positive about the proposal, in particular the extending of the age range which would establish a nursery class in the school.

## Consultation Responses

Overall, a total of 35 responses were received during the consultation period.

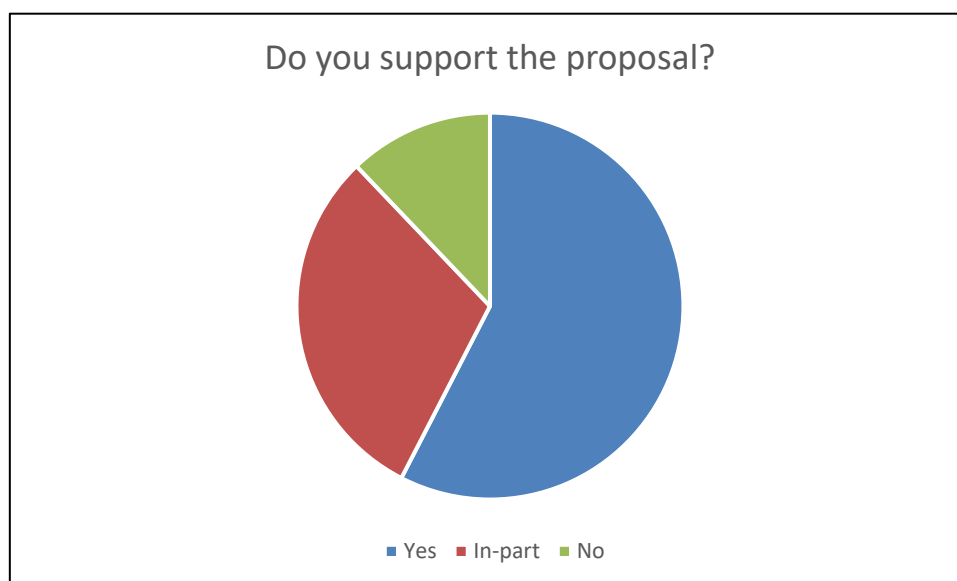
33 responses were received via the response pro-forma (see Appendix A) online and via hard copies, by a variety of stakeholders including:

- Parents/Carers
- Teachers
- Local residents

There were also 2 written responses received by email from a Teachers' Trade Union and Estyn (His Majesty's Inspectorate for Education and Training in Wales).

The response pro-forma offered the opportunity for respondents to answer a direct question in relation to the proposal, as follows:

*'Do you support the proposal to reduce the published admission number by 9 places from 54 to 45 from September 2024 and increase the age range from 4-11 to 3-11 by establishing a nursery class at Malpas Church in Wales Primary School with effect from September 2025'*



19 out of 33 respondents (58%) supported the proposal, with many of the responses also providing comments that a nursery is crucial to the school and should in fact have been considered in previous years.

10 out of 33 respondents (30%) supported the proposal in part, with the majority supporting the need for a nursery at the school. However some respondents raised some concerns, which have been outlined below:

Comment / Question	Number of Similar Comments	Council's Response
Whilst the school needs a nursery, introducing this within the current building could impact current provision, especially in the Reception year group, and other facilities such as toilets might also be unsuitable or inadequate.	2	<p>Due to low numbers at the school, there are currently empty classrooms within the school building. There would be some small alterations to classrooms to enable the school to establish the nursery class.</p> <p>The provision of a nursery class is not expected to affect the excellent provision being provided to other year groups.</p>
Concerns over mixed-age classes.	2	The school currently uses mixed-age classes as do many other schools. There is no evidence to indicate mixed-age classes have any negative impact on teaching and learning. The teachers would continue to provide education to the quality and standards aligned with the Estyn Inspection framework.
The school is situated on a large site, a nursery class could be better provided by building a separate classroom.	1	Building a standalone nursery would entail significant cost and leave insufficient outdoor space for the pupils. This would also leave an area of the school building vacant which is not cost effective.
The reduction in the capacity of the school should not impact on children currently attending the school.	1	<p>The reduced Published Admission Number (PAN) would not affect any pupils already on roll at the school. Therefore, if on the implementation date any year group contained more than 45 children, these children would continue to attend the school and would not be displaced.</p> <p>The new PAN would therefore apply to any current year groups operating at or below that number, and any future admissions only.</p>
The two elements of the proposal are contradictory	1	Whilst it is acknowledged that the proposal seeks to reduce the number of statutory school age pupils that the school is able to admit and at the same time looks to introduce an extra year group, the average intake to Reception over the last 4 years has been much less than the school's PAN of 54. Reducing the PAN will make planning and managing the school easier and more cost-effective and secure the necessary space to enable the Governing Body to extend the age range of the school to support establishment of a nursery class. This will provide Early

		Years education places and increase consistency and familiarity for pupils who then transition into Reception class the following year.
There needs to be sufficient places at the school to meet local demand	1	Applications for admission will continue to be assessed in accordance with the Council's School Admissions Policy. In accordance with this policy, parents can express a preference for any school, but there is no guarantee of admission to the chosen school, even if it is the catchment school.  Where a school is oversubscribed, preference requests will still be considered, but the Council's over-subscription criteria, which considers catchment areas and home-to school distance, will be applied to determine priority.
The reduction in school capacity will result in less funding for the school and therefore could impact on the number of teaching staff.	1	School funding is directed by the number of pupils on roll, rather than school capacity. The number of pupils on roll has been less than the proposed capacity of 315 for the last three years. It is the recent low intake of pupils that has impacted funding. The proposed addition of a nursery class therefore provides an opportunity to increase funding levels compared to the current position and mitigate the risk of staff cuts.
The Council should seek to attract more children to the school rather than reduce capacity and therefore staff.	1	In accordance with the school's admission policy, parents can express a preference for any school. The recent changes introduced by the new leadership team, combined with the proposed addition of a nursery class will likely lead to an increase in the number of pupils applying for places at the school.

4 out of 33 respondents (12%) did not support the proposal; some of these put forward additional views and questions, which have been outlined below:

<b>Comment / Question</b>	<b>Number of Similar Comments</b>	<b>Council's Response</b>
There are adequate nursery places elsewhere and therefore this proposal will impact on other settings in the community.	1	Across the Malpas and Bettws areas, there are 219 nursery places available, including at two non-maintained settings. As of January 2023, there were only 12 places available for new applicants.  The proposed nursery class will provide additional nursery education places in the community and provide the opportunity to attend a nursery closer to home and increase consistency and familiarity for pupils who

		then transition into Reception class the following year.
The proposal will require investment at the school and may also require additional staff.	1	The proposal will require some small alterations to classrooms and toilets. These costs are not expected to be significant and will be funded from the school's budget. The addition of a nursery class would provide an opportunity to retain staff whose positions could otherwise be at risk due to declining pupil numbers.
As new houses are being built, the number of school places available should not be reduced.	1	There are currently no known housing developments under construction or planned in the Malpas and Bettws area in the next 5 years. We believe the proposal provides a sufficiency of places for the local population.

The response received from a School Trade Union was **not supportive** of the proposal. The full response is included at Appendix B.

The School Trade Union noted the consultation document states the proposal would “provide stability for planning and staffing” and “the school and governing body are confident that the staffing costs for the nursery can be met from the school’s budget”. The School Trade Union found this concerning as later in the consultation document it states: “There may be staffing implications for Malpas Church in Wales Primary School in terms of reducing teaching and support staff where necessary to support the reduction in pupil numbers in Reception – Y6.” The Union stated that they would not accept any proposal that would lead to a reduction in teacher numbers at the school and that public data is clear that such a reduction in staffing is not required.

The School Trade Union provided data from My Local Schools to support their points, stating:

- “(i) The school held a financial reserve of £158,000 in 2021-22.
- (ii) The school pupil-to-teacher ratio was 21.1 in 2022, which compares less favourably to the all-Wales average (21.0).
- (iii) The school has been consistently underfunded when compared to other schools in Newport for the past six years. In 2022-23, the school received just £3,811 [per pupil] compared to the Newport average of £4,133.”

The School Trade Union then stated: “Should this proposal be realised, therefore, the NASUWT would expect that the school’s financial reserve and a review of the NCC school funding formula would be sufficient to cover staffing costs. We do not agree that there is a rationale for a reduction in teacher numbers and the NASUWT therefore rejects this proposal.”

**Response from The Governing Body of Malpas Church in Wales Primary School:**

*Unfortunately, the NASUWT objection cites inaccurate data and is based on a misreading/misinterpretation of the school’s current position.*

As of July 2023, the school has a projected end of year surplus of £40,365. Further projections show this surplus reducing to zero by the end of the 2024-25 financial year.

Reception admission numbers over the previous four years have been:

Sept 2020	Sept 2021	Sept 2022	Sept 2023
35	35	22	26

Meanwhile cohorts leaving the school have numbered:

July 2021	July 2022	July 2023	July 2024
53	52	40	54

The number of pupils in the school is therefore declining year on year and is projected to do so going forward. The proposal to incorporate a Nursery provision is therefore one that seeks to stabilise this decline; provide greater job security for school staff over time and align provision with other primary schools in the cluster.

The reduction in PAN (to incorporate a Nursery) is unlikely therefore to have any impact on overall pupil numbers as the cohorts entering the school are significantly below this number. Currently the school admits around half of the children compared to the PAN.

## Estyn's Response

The full response from Estyn is included at Appendix C of this report. However, in summary, the response states that the proposal is likely to, at least, maintain the standard of provision in the area.

Estyn states that '*the local authority has given a clear rationale for the reduction in the published admission number (PAN) at Malpas Church in Wales School due to the current number of surplus places (around 25%). The rationale for the addition of a nursery is less clear, it appears to be based on equity of provision rather than a need to meet demand.*'

*'In 2021, the availability of nursery places was reduced by 80 due to the amalgamation of Fairoak and Kimberley Nursery Schools however, it is not clear if there is now an increase in demand in the local area for an additional nursery.'*

### Response from the Council:

The Council agrees with Estyn's assessment that the proposed addition of a nursery class is based on equity of provision. Malpas Church in Wales Primary School is the only primary school in the Newport High School cluster that does not provide a nursery class. Previously, pupils attending Kimberley Nursery School would often progress to Malpas Church in Wales Primary School. In March 2021, the proposal to amalgamate Fairoak Nursery School and Kimberley Nursery School into a single nursery school on the Fairoak Nursery site from September 2021 was approved.

Across the Malpas and Bettws area (including the two non-maintained settings) there are 219 nursery places. As of January 2023 there were only 12 places available. By establishing a nursery class, this will provide greater parental choice and result in

more Rising 3 places being made available and provides the opportunity to attend a nursery closer to home and increase consistency and familiarity for pupils who then transition into Reception class the following year.

Estyn's response goes on to state that *'the alternative options considered, focus on alternative PANs for Malpas Church in Wales School and alternative nursery sizes. They do not consider any other alternative solutions across the Newport cluster. There is no indication of the possible impact on two local non-maintained settings who have recently increased their number of registered places.'*

#### **Response from the Council:**

The likely impact of the proposal on the wider cluster is considered, but the proposal is a joint proposal brought forward at the request of the school's governing body, and specifically concerns Malpas Church in Wales Primary School. The two non-maintained providers identified were sent the consultation pack for information and invited to provide comments, but none were received. There is not expected to be any significant impact on the local non-maintained settings. As the school proposal doesn't include wrap around provision, those providers that deliver early education and the Childcare Offer for Wales in the area would not likely be adversely effected. Furthermore, there has been a recent reduction in childcare places available in the Malpas cluster with the closure of a full day nursery. It is expected that children who were attending that provider have been absorbed by childcare providers in the area, which will help with overall sustainability.

Estyn also note that *'the cost of classroom alterations and additional staff for the nursery is expected to be funded from within the school budget. There is no indication within the proposal of expected costings and whether the current school budget will be able to meet these additional costs.'*

#### **Response from the Governing Body:**

The proposal to establish a nursery class will require some small alterations to classrooms and toilets. These costs are not expected to be significant, and the governing body is committed to funding these from the school's budget. The governing body is also confident that the staffing costs for the nursery can be met from funding allocated through the school's delegated budget.

A final point from Estyn notes that *'The proposal acknowledges the impact of staffing in terms of a reduction in the number of teaching staff at Malpas Church in Wales School if the PAN is reduced. It does not detail the impact in terms of the requirement to ensure appropriate staff are employed to provide a high-quality nursery education.'*

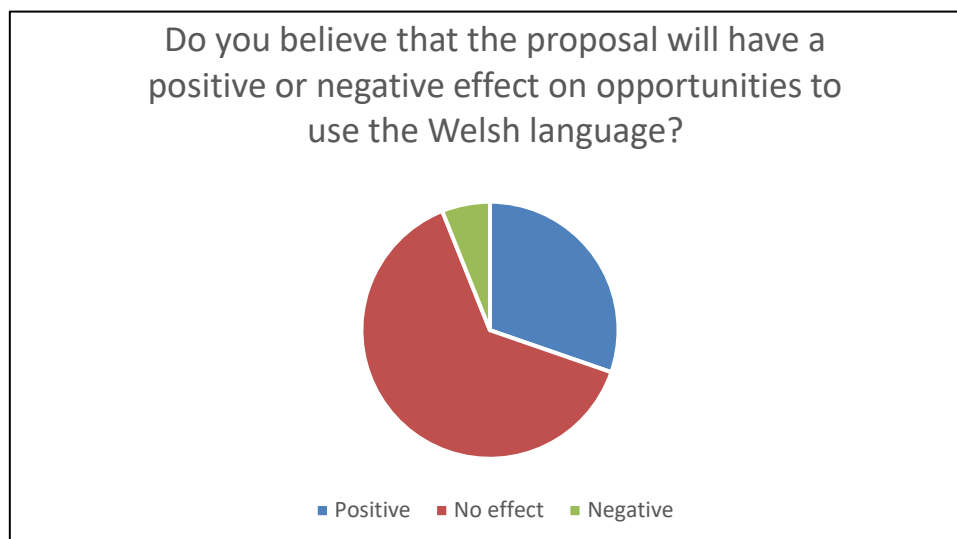
#### **Response from the Governing Body:**

Any staffing requirement for the new Nursery class will be taken initially from the school's current staff in order to mitigate against any loss of jobs due to low pupil numbers. Further recruitment would then be undertaken were it required. It should be noted that current pupil number projections are lower than the proposed PAN and as such any reduction in staff would be due to number on roll and not from reducing the PAN.

## Impact on the Welsh language

The consultation response pro-forma also asked respondents to give their views on the likely impact of the proposal on the Welsh language.

'Do you believe that the proposal will have a positive or negative effect on opportunities to use the Welsh language?'



10 out of 33 respondents (30%) answered 'Positive'. 21 respondents (64%) answered 'No effect', and 2 respondents (6%) answered 'Negative'. No further comments were received.

In response to the question 'Do you believe that the proposal will treat the Welsh language less favourably than the English language?' 1 respondent answered 'Yes'. No further comments were received.

## Assessment of the Proposal

Following the public consultation period, the Council and the Governing Body maintain the view that the proposal (option 2) represents the best and most achievable solution to reduce the amount of surplus places forecast by 2026/27 and to provide a manageable 16 place nursery limiting any potential impact on other nursery providers. The consultation has identified some concern amongst stakeholders over the suitability of the facilities available, and the Governing Body of the school should develop more detailed plans to address these concerns. Council officers will support the school in developing these plans. The proposal is still preferred over the alternative options available:

### Published Admission Number and School Capacity

Option #	PAN	Capacity	Appraisal
1 (no change)	54	378	Large number of surplus places, difficult to plan staffing and budget.
2	45	315	Usual 1.5FE arrangement. Reduced surplus places. Sufficient capacity for forecast demand and some growth, and releases

			room for nursery provision. Easier to plan and budget.
<b>3</b>	<b>39</b>	<b>273</b>	1.5FE arrangement adjusted to best fit room sizes. Reduced surplus places, but limited capacity for growth. Releases room for nursery provision. Easier to plan and budget.

Of the above options, option 2 is the preferred option. Reducing the PAN to 45 helps to manage staffing levels and the school budget and reduces surplus places. It also releases space which can be used to provide nursery places, while leaving some capacity for any future growth in pupil numbers due to demographic change, parental choice and migration.

### Age range (nursery provision)

Option #	Age range	Nursery capacity (FTE)	Appraisal
<b>1(no change)</b>	<b>4-11</b>	<b>0</b>	No nursery provision at the school; pupils start in Reception at age 4
<b>2</b>	<b>3-11</b>	<b>16</b>	32 part-time nursery places offered enabling children to start at age 3, improving familiarity with the school and learning.
<b>3</b>	<b>3-11</b>	<b>24</b>	48 part-time nursery places offered enabling children to start at age 3, improving familiarity with the school and learning. More places offered, but more staff required resulting in greater costs.

Of the above options, option 2 is the preferred option. Establishing a small nursery of 16 morning and 16 afternoon sessions will be manageable and limit any potential impact on other nursery providers, while still offering the benefits of Early Years education places in an established school setting.

## Recommendations

It is recommended that permission be sought to move this proposal forward by publishing a statutory notice. This decision will be referred to the School's Governing Body and the Cabinet Member for Education and Early Years and taken through the Council's agreed democratic process.

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In accordance with the School Organisation Code (2018) this report is published electronically on Newport City Council's website at [www.newport.gov.uk/schoolreorganisation](http://www.newport.gov.uk/schoolreorganisation)

To request a hard (paper) copy of this document please contact Newport City Council's Education Information and Development Officer on 01633 656656 or email [school.reorg@newport.gov.uk](mailto:school.reorg@newport.gov.uk)



## Appendix A - Consultation Response Pro-forma

**This response relates to the joint proposal to reduce the published admission number by 9 places from 54 to 45 from September 2024 and extend the age range from 4-11 to 3-11 by establishing a nursery class at Malpas Church in Wales Primary School with effect from September 2025.**

Your views matter. Please tell us what you think about the proposal by completing this questionnaire. **The closing date for the submission of responses to this consultation is midnight on 30 July 2023.** Please note that negative responses made to this consultation will not be counted as objections to the proposal, they will be recorded as adverse comments. Objections can only be registered following the publication of a statutory notice.

### 1) Do you support the proposal to:

Reduce the published admission number by 9 places from 54 to 45 from September 2024 and increase the age range from 4-11 to 3-11 by establishing a nursery class at Malpas Church in Wales Primary School with effect from September 2025

Yes  No  In part

**Please use the box below to provide comments or explain which element of the proposal you do/do not support.**

The Council has a duty to consider and identify all the possible effects a policy decision may have on opportunities for persons to use the Welsh language or treating the Welsh language no less favourably than the English language.

### 2) Do you believe that the proposal will have a positive or negative effect on opportunities to use the Welsh language?

Positive  Negative  No effect

### 3) If you think it will have a negative effect, what steps could we take to lessen or remove this and improve positive effects?

4) Do you believe that the proposal will treat the Welsh language less favourably than the English language?

Yes  No

Please indicate who you are (e.g. parent/carer of a child attending a local nursery)

--

Please select your Ethnic group			
White British		Asian-Bangladeshi	
White Irish		Asian-Indian	
Any other White background (please state): _____		Asian-Pakistani	
		Any other Asian background	
Gypsy or Irish Traveller		Black Caribbean	
White and Asian		Black African	
White and Black African		Any other Black background	
White and Black Caribbean		Arab	
Any other Mixed background (please state): _____		Chinese	
		Any other ethnic group (please state): _____	
Asian-Bangladeshi		Prefer not to say	
Asian-Indian			
Asian-Pakistani			

Welsh language			
<b>Do you consider yourself a Welsh speaker?</b>			
Yes		No	Prefer not to say

Caring Responsibilities			
<b>Do you care for children of school age?</b>			
Yes		No	Prefer not to say
<b>Do you care for children of pre-school age?</b>			
Yes		No	Prefer not to say
<b>Do you care for a dependent adult or child above school age?</b>			
Yes		No	Prefer not to say

If you wish to be notified of the publication of the consultation report, please supply your contact details:

E-mail: \_\_\_\_\_

Postal address: \_\_\_\_\_

## Appendix B – Response from the NASUWT

FAO: The Governing Body of Malpas Church in Wales Primary School  
Newport City Council's Cabinet Member for Education and Early Years  
(sent via e-mail [school.reorg@newport.gov.uk](mailto:school.reorg@newport.gov.uk))

RE: **Formal Consultation Response** - To reduce the published admission number of Malpas Church in Wales Primary School from 54 to 45 from September 2024; and to extend the age range from 4-11 to 3-11 with effect from September 2025;

Tuesday 20 June 2023

Dear Members of the GB and Cabinet,

Thank you for inviting the NASUWT to formally respond to the consultation above. In addition to this written response, we would be willing to enter into dialogue with the Governing Body and Cabinet Member should further clarity be required.

The NASUWT notes the consultation document states that the proposal, if realised, would "provide stability for planning and staffing" (p.4).

The consultation document also states that:

"reducing the PAN to 45 helps to manage staffing levels and the school budget and reduces surplus places" (p. 16)

"the school and governing body are confident that the staffing costs for the nursery can be met from the school's budget" (*ibid*).

It is concerning, however, that the statements above appear to contradict elsewhere in the consultation pack. Later in the pack, it is admitted that the proposal, if adopted, could have a negative impact upon staffing at the school. It is stated:

"There may be staffing implications for Malpas Church in Wales Primary School in terms of reducing teaching and support staff where necessary to support the reduction in pupil numbers in Reception – Y6." (p. 18).

The NASUWT will not accept any proposal that would lead to a reduction in teacher numbers at the school. Public data is clear that such a reduction in staffing is not required.

*My Local School* confirms that:

- (i) The school held a financial reserve of £158,000 in 2021-22.
- (ii) The school pupil-to-teacher ratio was 21.1 in 2022, which compares less favourably to the all-Wales average (21.0).
- (iii) The school has been consistently underfunded when compared to other schools in Newport for the past six years. In 2022-23, the school received just £3,811 compared to the Newport average of £4,133.

Should this proposal be realised, therefore, the NASUWT would expect that the school's financial reserve and a review of the NCC school funding formula would be sufficient to cover staffing costs.

We do not agree that there is a rationale for a reduction in teacher numbers and the NASUWT therefore rejects this proposal.

## Appendix C – Estyn’s Response

### Estyn response to the proposal to reduce the capacity (from September 2024) and extend the age range (from September 2025) at Malpas Church in Wales Primary School

#### Introduction

This report has been prepared by His Majesty’s Inspectors of Education and Training in Wales.

Under the terms of the School Standards and Organisation (Wales) Act 2013 and its associated Code, proposers are required to send consultation documents to Estyn. However, Estyn is not a body which is required to act in accordance with the Code and the Act places no statutory requirements on Estyn in respect of school organisation matters. Therefore as a body being consulted, Estyn will provide their opinion only on the overall merits of school organisation proposals.

Estyn has considered the educational aspects of the proposal and has produced the following response to the information provided by the proposer.

#### Summary / Conclusion

It is Estyn’s view that the proposal should at least maintain the standard of education provision in the area.

#### Description and benefits

There is a clear description of the proposal timetable for statutory procedures.

The local authority has given a clear rationale for the reduction in the published admission number (PAN) at Malpas Church in Wales School due to the current number of surplus places (around 25%). The rationale for the addition of a nursery is less clear, it appears to be based on equity of provision rather than a need to meet demand.

Malpas Church in Wales School is the only primary School in the Newport High School cluster that does not currently provide a nursery class. This proposal is seeking to bring equity of provision across all schools and make use of space available due to the decrease in numbers of pupils attending Malpas Church in Wales School. The proposed nursery class will use a classroom made available due to the low pupil numbers currently attending the school.

In 2021, the availability of nursery places was reduced by 80 due to the amalgamation of Fair oak and Kimberley Nursery Schools however, it is not clear if there is now an increase in demand in the local area for an additional nursery. The proposal states *‘If uptake of nursery places in the area does not improve as a result of the increased offer, then a similar number of pupils as currently attend nursery classes could be spread across more local providers. In this case some providers, including the new provision, may reduce their offer by running morning or afternoon sessions only.’*

The local authority has considered one other school which may be affected by this proposal, Malpas Park Primary School. This school may see a reduction in their

nursery places and then potentially fewer applications for their reception class if families decide to remain at Malpas Church in Wales School.

Declining pupil numbers at Malpas Church in Wales School, with particularly low reception intakes in the last three years have resulted in an increasing number of surplus places at the school, and present challenges for the school in budget management, staffing and class structure. The local authority forecast that the proportion of surplus places will increase to around 36% by 2026/27 if no action is taken. However, the proposal also identifies other schools with a surplus across the Newport cluster.

The alternative options considered, focus on alternative PANs for Malpas Church in Wales School and alternative nursery sizes. They do not consider any other alternative solutions across the Newport cluster. There is no indication of the possible impact on two local non-maintained settings who have recently increased their number of registered places.

The cost of classroom alterations and additional staff for the nursery is expected to be funded from within the school budget. There is no indication within the proposal of expected costings and whether the current school budget will be able to meet these additional costs.

As this proposal is to reduce the PAN and establish a nursery class at an English-medium school. The proposal has no impact on the Council's plans for Welsh-medium education provision.

### **Educational aspects of the proposal**

The proposal has given due consideration to the quality and standards of education at Malpas Church in Wales School, including consideration of the outcome of the 2019 inspection and monitoring visit in November 2022.

The proposal recognises that the leadership at Malpas Church in Wales School will *'receive an appropriate **level of challenge and support** to ensure that the school vision is well communicated and that the school's aims, strategic objectives, plans and policies focus on meeting the needs of pupils; so pupils achieve well and a safeguarding culture is promoted.'*

The proposal acknowledges the impact of staffing in terms of a reduction in the number of teaching staff at Malpas Church in Wales School if the PAN is reduced. It does not detail the impact in terms of the requirement to ensure appropriate staff are employed to provide a high-quality nursery education.

There is no specialist additional learning needs (ALN) provision planned for Malpas Church in Wales Primary School, and this proposal will have no effect on the existing provision within the cluster.

# Fairness and Equalities Impact Assessment (FEIA)

This is an integrated Impact Assessment which aims to ensure Newport City Council makes decisions which are fair, take account of relevant evidence, and seek to secure the best outcomes for our communities. **An FEIA should be used to inform the first steps of decision-making, at concept stage, not when a decision is already made, or at the point when it cannot be influenced.** This impact assessment considers our legislative responsibilities under:

- The Equality Act (2010), including the Socio-economic Duty
- The Wellbeing of Future Generations (Wales) Act (2015)
- The Welsh Language (Wales) Measure (2011)

The FEIA process is not intended to prevent decisions being made, but to ensure we have considered their potential impact. An FEIA also helps us to focus on how we can reduce any negative impacts, and provides us with evidence that we have met our legal duties.

*For support to complete your FEIA, please contact the [Connected Communities Team](#)*

## What do we mean by Fairness?

The Newport Fairness Commission is an independent body which advises the council on the best use of resources and powers to achieve the fairest outcomes for local people. The Fairness Commission has established four **Principles of Fairness** which should be considered as part of any decisions that the council make – the questions below are useful to reflect on before you start your FEIA.

<b>Equity</b>	Are people being treated in a consistent way, whilst acknowledging their differences (for example, need, barriers to accessing services)?
	Will the gap between those with more, and those with less be reduced?
	Have the interests of different groups affected (including minority or disadvantaged communities) been taken into account?
<b>Priority</b>	Have the needs of the most disadvantaged and vulnerable across the city been given priority?
	Have you considered possible indirect consequences for minority/disadvantaged communities when other priorities are directing decisions?
<b>Inclusion</b>	Will the voices of all those affected by your decision be heard?
	Are people able to participate in and shape a service, as well as receiving it?
	Have you considered the impact of your decision on the relationship between communities, and the spaces they share?
<b>Communication</b>	Are decisions being made transparently and consistently?
	How will decisions be communicated to people who are affected in a clear way, with the opportunity for feedback?

## Part 1: Identification

Name of person completing the FEIA	Robert Fisher
Role of person completing the FEIA	<b>Education Information &amp; Development Officer</b>
Date of completion	<b>1<sup>st</sup> September 2023</b>
Head of Service who has approved this FEIA	<b>Sarah Morgan</b>

### 1. What is being assessed? *(Please double click on the relevant box(es) (X) and select 'checked' as appropriate)*

- New or revised policies, practices or procedures (which modify service delivery or employment practices)
- Service review or re-organisation proposals which affect the community and/or staff
- Efficiency or saving proposals
- Setting budget allocations for new financial year and strategic financial planning
- Decisions affecting service users, employees or the wider community including (de)commissioning or revising services
- New project proposals affecting staff, communities or access to the built environment
- Public events
- Local implementation of National Strategy/Plans/Legislation
- Strategic directive and intent, including those developed at Regional Partnership Boards and Public Service Boards
- Medium to long term plans (for example, corporate plans, development plans, service delivery and improvement plans)
- Setting objectives (for example, well-being objectives, equality objectives, Welsh language strategy)
- Major procurement and commissioning decisions
- Decisions that affect the ability (including external partners) to offer Welsh language opportunities and services
- Other *please explain in the box below:*



## 2. Please describe the overall aims, objectives and intended outcomes of your decision

The intended outcome is to obtain permission to publish a statutory notice concerning a statutory proposal to reduce the Published Admission Number (PAN) and extend the age range at Malpas Church in Wales Primary School.

Over recent years the numbers of pupils attending Malpas Church in Wales Primary School has decreased. As of January 2023, there were 25% surplus places at the school. Pupil forecasts indicate that the number of surplus places will continue to increase at the school over the next 5 years.

Malpas Church in Wales Primary School is the only primary school in the local area without a nursery class attached. Pupils that previously attended Kimberley Nursery School (located off Malpas Road) would often progress to Malpas Church in Wales Primary School. In March 2021, the proposal to amalgamate Fair oak Nursery School and Kimberley Nursery School on the Fair oak Nursery School site from September 2021 was determined, reducing maintained nursery places in the Malpas area.

It is proposed that reducing the PAN from 54 to 45 will reduce the amount of surplus places in Malpas Church in Wales Primary School; in turn this will create space within the school to allow the establishment of a 16 place nursery class. This will provide equity of provision under a 3-11 model across the Malpas area and make good use of the available space and provide stability for planning and staffing the classes in the school.

The consultation period ran from 19<sup>th</sup> June 2023 to 30<sup>th</sup> July 2023, and enabled Newport City Council and Malpas Church in Wales Primary School to seek views on the proposal.

**3. Who are the main stakeholders who may be impacted by your decision and what data do you hold on them? Consider communities of place (people who live in the same geographic area) and communities of interest (people who share particular characteristics but may live in different geographic areas). Stakeholders may include residents, local businesses, community groups, staff or partners.**

The key stakeholders are:

- Parents and families of pupils currently attending Malpas Church in Wales Primary School.
- Teachers and staff at Malpas Church in Wales Primary School.
- Families with pre-school age children in the Malpas area.

The statutory code outlines key stakeholders, however, this list is not exclusive, and the Council has identified and added to this because of feedback received in relation to previous proposals. An invitation to engage with the consultation process was sent to the following stakeholder groups:

- Parents, carers and guardians of pupils attending all schools affected or potentially affected by this proposal.
- Pupils attending all schools affected or potentially affected by this proposal.
- Members of staff currently employed at all schools affected or potentially affected by this proposal.
- Neighbouring Local Authorities across the South East Wales Consortium area.
- The Headteacher and Governing Bodies of all Newport schools.
- All Newport City Council elected members.
- All Newport Community Councils.
- The Welsh Ministers.
- Assembly Members (AMs) and Members of Parliament (MPs) representing the area served by the school subject to the proposal.
- Other Local Authorities across the South East Wales Consortium region, including relevant Transport departments.
- The South East Wales Education Achievement Service.
- The Church in Wales, Diocese of Monmouth.
- Roman Catholic Archdiocese.
- Estyn.
- Teaching and staff trade unions representing teachers and staff at Malpas Church in Wales Primary.
- The Early Years Development and Childcare Partnership.
- The Police and Crime Commissioner for Gwent.

- The Welsh Language Commissioner.
- Gwent Police.
- South Wales Fire and Rescue Service.
- Aneurin Bevan University Health Board.
- Public Health Wales.
- Newport Serennu Centre.
- SNAP Cymru.
- Gwent Association of Voluntary Organisations.
- Preventative Services.
- All non-maintained registered nursery education providers based in the local area.

Consultation with stakeholder groups also included pupils at Malpas Church in Wales Primary School, by arrangement with the school leadership team.

The key stakeholders most likely live or access services in the Malpas area of Newport. The proposal is to reduce the PAN and establish a nursery class at Malpas Church in Wales Primary School. The school is listed as an affected school. Malpas Park Primary School is also identified as a potentially affected school.

The Malpas ward represents approximately 4.95% of Newport's total population. The table below shows the makeup of the Malpas ward population against the all-Newport population using the mid-year population estimates 2020 data from the One Newport ward profiles. The data shows that the area has a higher proportion of residents aged over 65 than the Newport-wide figure. The Malpas ward has an area of 2.1 km<sup>2</sup>, the population density within the ward is 3,689 people per km<sup>2</sup> which is ranked 6<sup>th</sup> most densely populated of the Newport wards.

Population (Mid-year population estimates 2020)					
	Total	Aged 0 to 15	Aged 16 to 44	Aged 45 to 64	Aged 65+
<b>Malpas</b>	7,746	1,359 (17.5%)	2,441 (31.5%)	2,085 (26.9%)	1,861 (24%)
<b>Newport</b>	156,447	32,050 (20.5%)	58,433 (37.4%)	39,300 (25.1%)	26,654 (17%)

The Nursery classes in local schools of Malpas Court Primary School and Malpas Park Primary School have very limited space available as of the October 2022. The local non-maintained setting on Malpas Road called Tiny Tots Nursery also has very limited spaces available as of January 2023. Tiny Tots Nursery increased the number of registered places offered from 18 to 24 in early 2020 due to demand.

6% of the primary cohort within Newport currently attend Welsh-medium primary schools. 10.5% of the primary cohort within Newport attend Faith-based primary schools. We would expect to see similar percentages of families opting for these mediums of education from the Malpas

ward. Newport City Council's Welsh in Education Strategic Plan (WESP) has recently been approved by Welsh Government and proposes to establish more Welsh-medium provision in Newport between 2022-2032 and targets to increase the percentage of primary age pupils in Welsh-medium education to 12%.

The table below shows that over the last 5 years there has been an overall increase of pupils eligible for Free School Meals (FSM) in the Malpas area. Eligibility for FSM at Malpas Church in Wales Primary School has almost doubled over the 5 year period but is less than half the Newport average. Eligibility in the other local schools has also increased over the same period.

<b>Free School Meals (FSM)</b>					
	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>
<b>Malpas Church in Wales Primary School</b>	5.4%	5.6%	5.9%	7.3%	10.7%
<b>Malpas Court Primary School</b>	35.3%	34.6%	34.5%	38.9%	41.3%
<b>Malpas Park Primary School</b>	8.8%	10.4%	12.3%	12.9%	12.9%
<b>Newport</b>	19.2%	19.3%	19.6%	21.5%	22.4%
<b>Wales</b>	18.4%	18.5%	19.3%	21.3%	23.0%

Malpas Church in Wales Primary School, Malpas Court Primary School and Malpas Park Primary School are located within the Malpas ward. The FSM data aligns with the ward profile data, Malpas Church in Wales Primary School and Malpas Park Primary School are located within the four out of the five LSOAs in the Malpas ward recorded lower working age benefits claimants than the Newport average. Malpas Court Primary School is in LSOA Malpas 2 which has a working age benefits claimant rate of 36.6% which is over twice the Newport rate, Malpas 2 is within the top 10% most deprived areas in Wales. Every other LSOA in the Malpas ward is in the top 50% least deprived.

The table below shows the percentage of children learning English as an additional language in the Malpas area.

<b>English as an additional language (EAL)</b>					
	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>
<b>Malpas Church in Wales Primary School</b>	3.5%	5.6%	6.0%	6.1%	6.8%
<b>Malpas Court Primary School</b>	14.1%	13.3%	13.5%	13.0%	14.1%
<b>Malpas Park Primary School</b>	2.9%	3.4%	4.0%	4.1%	5.3%
<b>Newport</b>	18.1%	17.8%	18.0%	17.4%	16.9%
<b>Wales</b>	6.2%	6.0%	6.1%	6.0%	6.1%

The proportion of pupils for whom English is an additional language has almost doubled in 5 years in Malpas Church in Wales Primary School and Malpas Park Primary School, this shows that the school communities are more diverse than 5 years ago, although the proportion of EAL pupils remains significantly below the Newport average.

<b>Black, Asian and Minority Ethnic Pupils</b>					
	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>
<b>Malpas Church in Wales Primary School</b>	11.3%	13.2%	13.5%	13.9%	15.6%
<b>Malpas Court Primary School</b>	19.0%	19.4%	18.8%	18.6%	19.6%
<b>Malpas Park Primary School</b>	6.5%	9.7%	13.9%	11.8%	13.6%
<b>Newport</b>	26.7%	27.5%	28.1%	28.3%	29.2%
<b>Wales</b>	12.2%	12.5%	12.7%	12.9%	13.3%

The proportion of Black, Asian and Minority Ethnic Pupils has grown in the Malpas area and doubled at Malpas Park Primary School over 5 years, but the schools remain significantly under the Newport average.

Following formal consultation, a Consultation Report was prepared and published on the Council website and will be considered when deciding whether to move to publication of a statutory notice. The FEIA has been updated at this stage. The publication of a statutory notice enables stakeholders to lodge legal objections against a proposal.

## Part 2: Engagement

When completing this section, you need to consider whether you have sufficient information about the views and experiences of people who your decision will impact upon. If you don't, you may need to undertake a period of engagement/consultation before continuing. An FEIA is a live document, so can be updated with consultation findings, and amended as needed during the decision-making process.

The council has a duty to consult and engage with people who may experience inequalities as a result of your decision. This includes people **who share Protected Characteristics** (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation) and people who **have lived experience of socio-economic disadvantage**. The council's Youth Promise also requires us to ensure **all young people in Newport are listened to and included in decisions affecting them**.

The council also has a duty to ensure that any consultation is available bilingually (in Welsh as well as English), and you may like to consider any other community languages that are spoken by people who may be impacted by your decision. Below are some questions that should be included in any public consultation relating to a decision which may impact on the use of Welsh language in Newport:

1. Do you believe that the proposed decision/policy will have a positive or negative effect on opportunities to use the Welsh language?
2. If you think it will have a negative effect, what steps could we take to lessen or remove this and improve positive effects?
3. Do you believe that the proposed decision/policy will treat the Welsh language less favourably than the English language?

### 1. How have you engaged with people who may be affected by your decision (the stakeholders you have identified)?

The consultation was undertaken in accordance with the requirements of the statutory School Organisation Code.

The consultation period ran from 19<sup>th</sup> June 2023 to 30<sup>th</sup> July 2023 and represented an opportunity for people to learn about the proposal, ask questions and make comments that have been recorded and summarised in a consultation report.

#### **Distribution of Information**

In addition to the formal (main) consultation document, a Children & Young People's Everyday Summary version was also produced, to help ensure that the consultation process was inclusive and accessible to all concerned. All documents were available bilingually in Welsh and English and questions and concerns were welcomed in both Welsh and English. Any questions or concerns submitted in Welsh would have received an answer in the same language.

Digital copies of the 2 documents were/are available online on the Newport City Council website at [www.newport.gov.uk/schoolreorganisation](http://www.newport.gov.uk/schoolreorganisation). Hard copies could have been requested by emailing [school.reorg@newport.gov.uk](mailto:school.reorg@newport.gov.uk) or by telephoning 01633 656656, although no such requests were received.

Hard copies of the full consultation document and the Children and Young People's Everyday Summary version were provided to Malpas Church in Wales Primary School to be available for staff, pupils and parents.

The consultation documents contained a consultation response pro-forma that could have been submitted to the address provided, via post or email. The responses could have also been submitted online from the link provided on the council's school reorganisation web pages. Questions and concerns could have also been submitted in writing via post or email. The response pro-forma asked respondents whether they support the proposal; partly support the proposal; or do not support the proposal; and provided a free-text box to give reasons or comments. The response pro-forma also asked whether the proposal would have a positive, negative or neutral effect on opportunities to use the Welsh language, and whether the proposal would treat the Welsh language less favourably than the English language.

An invitation to engage in the consultation process was emailed to the stakeholder list above, including parents/carers, pupils, and staff of Malpas Church in Wales Primary School. Stakeholder emails were also sent to Newport City Council education partners. The proposal was published on the Newport City Council website and Malpas Church in Wales Primary School's website. The consultation information has been shared on the Newport City Council's Facebook and Twitter pages.

### **Drop-in Sessions**

The consultation involved 2 drop-in sessions at Malpas Church in Wales Primary School with those affected by the proposal. Council officers and a representative from each the Malpas Church in Wales Primary School Leadership team and Governing Body were on hand to explain the proposal in more detail and answer any questions or concerns raised by the public. Drop-in Session 1 was held on Tuesday 27<sup>th</sup> June 2023 and no stakeholders attended.

Drop-in Session 2 was held on Tuesday 4<sup>th</sup> July 2023 and was attended by 1 stakeholder, who was a parent of a child at Malpas Church in Wales Primary School.

Hard copies of all versions of the consultation document were available at both sessions. The consultation response pro-forma was offered to all attendees to complete at both sessions, the stakeholder who attended drop-in session 2 completed the consultation pro-forma.

### **Pupil Voice Session**

The Council was keen to gain the views of learners, and this was facilitated with pupils from various year groups at Malpas Church in Wales Primary School on Tuesday 4<sup>th</sup> July 2023. 10 pupils attended the session, and they were given the opportunity to ask questions and complete surveys.

Following consultation, the Governing Body of Malpas Church in Wales Primary School and Newport City Council's Cabinet Member for Education and Early Years will consider the views expressed and then decide whether to proceed with the proposal. If the decision is taken to proceed, a statutory notice will be published on the Malpas Church in Wales Primary School and Newport City Council websites and notices posted on the school gates at all affected schools. The statutory notice period will last for 28 days following the date of publication and enables people to express their views in the form of supporting or objecting to the proposals. If no objections are received following the publication of the statutory notice, the Governing Body of Malpas Church in Wales Primary School and Newport City Council's Cabinet Member for Education and Early Years will make the final decision as to whether to proceed. If any objections are received and not subsequently withdrawn during this notice period, the Council's Cabinet will determine the final decision.

## **2. What do you know about the views or experiences of people who may be affected by your decision?**

The people affected by the decision are the parents/carers, pupils and staff of Malpas Church in Wales Primary School and young families within the Malpas ward. Teachers and staff at Malpas Park Primary School could be affected if the proposal has an impact on pupil numbers at that school.

The FSM and EAL figures for the school indicate the school community is not economically disadvantaged and the vast majority speak English as a first language. The Black, Asian and Minority Ethnic figures for the school community have increased over the past 5 years but the figures indicate the school communities are predominantly of White-British ethnicity.

Pupils attending Malpas Church in Wales Primary School and school staff are key stakeholders in this proposal as they may see changes to their class structures. There are currently 281 pupils on roll at Malpas Church in Wales Primary School in Reception – Year 6 classes. The table below shows the total pupil numbers at the school broken down by year group.



Malpas Church in Wales Primary School (Whole School)								
Pupil Numbers – January 2023 PLASC								
Year	Reception	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Total
Malpas Church in Wales Primary School	22	36	37	45	48	52	41	281

Consultation took place with the stakeholders listed above and feedback/views were gained from:

- Response pro forma (digitally and via hard copies)
- Drop-in sessions
- A pupil voice session

### **Response Pro Forma Results**

33 responses were received via the response pro-forma, with 58% supporting the proposal. Many of these responses supporting the supporting noted that the proposed establishment of a nursery would be crucial to the school and should've been considered in previous years.

30% of respondents supported the proposal 'In-part' and most commented that they support the need for an establishment of a nursery class, but some did not agree in the reduction in class sizes. There were concerns raised about mixed-age classes, the impact this could have on current children attending the school and the school funding. These concerns have been noted and addressed in the Consultation Report published on Newport City Council and Malpas Church in Wales Primary School web pages.

12% of respondents did not support the proposal and concerns were raised about the number of places in the area and the establishment of a nursery could negatively impact private providers, the staffing implications for Malpas Church in Wales Primary School, funding to adapt the necessary areas in Malpas Church in Wales Primary School and the reduction in pupil places. These concerns have been noted and addressed in the Consultation Report published on the Newport City Council and Malpas Church in Wales Primary School web pages.

### **Drop-in Sessions**

The consultation involved 2 drop-in sessions at Malpas Church in Wales Primary School with those affected by the proposal.

**Drop-in Session 1**

No stakeholders attended drop-in session 1.

**Drop-in Session 2**

One Stakeholder attended the second drop-in event who was a parent of a pupil attending the school. The stakeholder supported the proposal and was positive about the extension of the age range to 3-11.

Hard copies of all versions of the consultation document were available for attendees at both drop-in sessions. The Consultation response pro-forma was offered to all attendees to complete so their comments and views on the proposal could be recorded in this consultation report. The one attendee took up the offer of completing a hard copy pro-forma at the drop-in session.

**Pupil Voice Session**

During the session, the pupils had the opportunity to ask questions/raise comments. The pupils raised the following:

- Where the nursery class will be set up within the school?
- How the nursery and reception classes will be separated?
- Will the nursery class have access to their own outside play area?

The pupils were offered the opportunity to complete hard copies of the Response Pro-forma during the session, but none were completed.

## Part 3: Assessment

This section requires you to assess the potential impact of your decision on a range of groups who may experience specific disadvantages. Your assessment should be supported by evidence – either from your own engagement/consultation, similar or previous engagement, what you already know about the people who access your service, or from local and national sources of information.

Useful documents which set out information about how communities are impacted by inequalities include [EHRC – Is Wales Fairer?](#) and the council’s [COVID-19 Community Impact Assessment](#). Your decision may have both positive and negative impacts – if this is the case, please place a cross in both boxes.

### 1. Impact on people that share Protected Characteristics

[Protected Characteristics](#) are defined under the Equality Act 2010, and describe groups of people who are protected from discrimination, either in the workplace, or through the provision of goods and services. The council must consider how decisions may impact on people differently because of a protected characteristic, and how any negative impact could be reduced. National guidance on assessing equality impacts and the Public Sector Equality Duty can be found [here](#). You can also access further advice and examples of positive and negative impacts [here](#).

Protected characteristic	Impact:			<p><b>Provide further details about the nature of the impact in the sections below, considering the Public Sector Equality Duty that the council has to:</b></p> <ol style="list-style-type: none"> <li>1. Promote equal opportunity across different groups</li> <li>2. Promote community cohesion</li> <li>3. Help eliminate unlawful discrimination/ harassment/ victimisation</li> </ol>
	Positive	Negative	Neither	
Age	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The proposal will include establishing a 16- full time place nursery class in Malpas Church in Wales Primary School. Malpas Church in Wales Primary school is the only primary school in the cluster that does not provide a nursery class. Previously pupils attending Kimberley Nursery School would often progress to Malpas Church in Wales Primary School. A proposal to amalgamate Kimberley Nursery School and Fairoak Nursery into a single nursery school on the Fairoak Nursery site from September 2021 was approved and this reduced places in the Bettws/Malpas area by 80 places.</p> <p>The proposal will extend the age range of the school from 4-11 to 3-11, and as a result create 16 full time equivalent Nursery places in Malpas Church in Wales Primary School. This will enable children within the</p>

Protected characteristic	Impact:			<p><b>Provide further details about the nature of the impact in the sections below, considering the Public Sector Equality Duty that the council has to:</b></p> <ol style="list-style-type: none"> <li>1. Promote equal opportunity across different groups</li> <li>2. Promote community cohesion</li> <li>3. Help eliminate unlawful discrimination/ harassment/ victimisation</li> </ol>
	Positive	Negative	Neither	
				<p>Malpas Church in Wales Primary catchment area to apply for nursery places at their local school. This will enable them to build friendships which will grow throughout their school life.</p> <p>Chuckles Nursery (Bettws) and Tiny Tots Nursery (Malpas) are both non-maintained settings. Due to demand in recent years an extension has been built at Chuckles Nursery in 2021/22 which increased the number of registered places from 24 to 32. Tiny Tots has also increased their number of registered places from 18 to 24 following demand in early 2020. This shows that there is demand for nursery places within the Malpas and Bettws area and the introduction of a 16-place nursery in Malpas Church in Wales Primary would have minimal impact on the non-maintained settings which are either full or have limited space.</p> <p>The proposal will reduce the school PAN by 9 places to 45 from 54, the school forecasts show this will be suitable for demand in the future.</p>
<b>Disability</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There is no evidence that suggests the proposal will have a disproportionate impact on people that share this Protected Characteristic.
<b>Gender Reassignment</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There is no evidence that suggests the proposal will have a disproportionate impact on people that share this Protected Characteristic.
<b>Marriage or civil partnership</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There is no evidence that suggests the proposal will have a disproportionate impact on people that share this Protected Characteristic.
<b>Pregnancy or maternity</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposal seeks to establish more school-based nursery places in the local area. This could therefore have a positive impact on families with and/or planning to have children in the area.
<b>Race</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There is no evidence that suggests the proposal will have a disproportionate impact on people that share this Protected Characteristic.

Protected characteristic	Impact:			<p><b>Provide further details about the nature of the impact in the sections below, considering the Public Sector Equality Duty that the council has to:</b></p> <ol style="list-style-type: none"> <li>1. Promote equal opportunity across different groups</li> <li>2. Promote community cohesion</li> <li>3. Help eliminate unlawful discrimination/ harassment/ victimisation</li> </ol>
	Positive	Negative	Neither	
<b>Religion or Belief or non-belief</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There is no evidence that suggests the proposal will have a disproportionate impact on people that share this Protected Characteristic. Malpas Church Primary School is a Christian faith school that respects the rights of children to follow their own religion as protected under the United Nations Convention on The Rights of the Child.
<b>Sex</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There is no evidence that suggests the proposal will have a disproportionate impact on people that share this Protected Characteristic.
<b>Sexual Orientation</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There is no evidence that suggests the proposal will have a disproportionate impact on people that share this Protected Characteristic. Malpas Church Primary School is a Christian faith school that respects the rights of children and is committed to fostering positive attitudes towards gender diversity, equality, and respectful relationships.

## 2. Impact on Welsh Language

The Welsh Language (Wales) Measure specifies that for all policy decisions, the council must consider the effects (both positive and negative) on the Welsh language. For further guidance on Welsh language considerations see [here](#).

	Impact:			
	Positive	Negative	Neither	
<b>Welsh Language</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>As of Autumn 2021, there were 174 pupils from the Newport High cluster attending Welsh-medium school places within Newport’s four Welsh-medium primary schools. The Welsh-medium catchment school, Ysgol Gymraeg Ifor Hael (Established 2008) which is located within the Bettws ward, has a PAN of 30 and a capacity of 210 with 30 part time nursery places.</p> <p>The 4<sup>th</sup> Welsh-medium primary school, Ysgol Gymraeg Nant Gwenlli opened in September 2021 as a seedling school in its temporary base in Caerleon. There are currently 60 statutory age primary places available for 2022/23 across Reception and Year 1 classes. The school currently has 14 pupils on roll as of the October pupil census 2022 leaving a 76.7% surplus.</p> <p>The proposal affects an English-medium school. The proposal is to reduce the PAN and therefore space in the English-medium sector. The reduction of places would not directly affect the Welsh-medium sector.</p> <p>The proposal has no impact on the Council’s plans for growing Welsh–medium education provision across Newport as outlined in our 10-year Welsh in Education Strategic Plan. It is acknowledged that this proposal will not contribute to the Council’s targets in relation to Cymraeg 2050.</p>

**1. Please describe how you have ensured your engagement has considered the view of Welsh speakers in Newport and the impact of your decision on the Welsh language.**

The consultation ran bilingually and is shared with schools including Newport's Welsh-medium schools. The views of Welsh speakers can be captured as all consultation documentation will be translated and distributed and shared with any affected schools.

All responses were welcomed to be submitted in Welsh and if required a response would have been provided in Welsh.

To ensure that an equitable consultation was achieved in both Welsh and English, Newport City Council:

- Ensured all publicly available documentation was available bilingually
- Ensured all stakeholder emails were bilingual
- Ensured there was a Welsh language version of the consultation web page on the NCC website
- Offered translation services at drop-in sessions if required
- Encouraged stakeholders to respond to the consultation in Welsh
- Ensured the consultation questionnaire asked specific questions in relation to the project's potential positive or negative impact on opportunity to promote and use the Welsh language



33 out of 33 respondents answered the question: '*Do you believe that the proposal will have a positive or negative effect on opportunities to use the Welsh language?*' 10 respondents (30%) answered 'Positive', 21 respondents (64%) answered 'No effect', and 2 respondents (6%) answered 'Negative', although no further comments were received.

In response to the question '*Do you believe that the proposal will treat the Welsh language less favourably than the English language?*' 1 respondent answered 'Yes'. However, no further comments were received.



Following consultation, Newport City Council's Cabinet Member for Education and Early Years will now consider the views expressed and then decide whether to proceed with the proposal. If the decision is taken to proceed, a statutory notice will be published, and the list above will apply at the Statutory Notice stage.


### 3. The Sustainable Development Principle

The Well-being of Future Generations Act puts in place a sustainable development principle which helps organisations consider the impact they could have on people living in Wales in the future, and ensure they are focused on tackling long-term challenges. Below, consider how your decision promotes, advances, or contradicts the [5 ways of working](#) which underpin the sustainable development principle. You can access further guidance on considering the sustainable development principle [here](#).

<p>Long term</p> 	<p><i>The importance of balancing short-term needs with the need to safeguard the ability to also meet long-term needs.</i></p>	<p>The proposal seeks to reduce the PAN from 54 to 45 and extend the age range from 4-11 to 3-11 at Malpas Church in Wales Primary School.</p> <p>This will result in the school capacity reducing from 378 to 315 with effect from September 2024. Over the past 5 years the number of pupils attending Malpas Church Primary School has been decreasing. Pupil forecasts indicate that numbers at the school will continue to decline over coming years. The proposed PAN of 45 is greater than the in-catchment average annual birth rate of 35, and it is anticipated that there will still be a sufficiency of places in the local area and the Newport High School cluster.</p> <p>The reduction in capacity will enable the Governing Body of Malpas Church in Wales Primary School to extend the age range of the school to support establishment of a nursery class. This will ensure that all primary schools within the Newport High cluster have nursery classes and deliver long-term benefits in education and development.</p>
<p>Prevention</p> 	<p><i>Putting resources into preventing problems occurring or getting worse</i></p>	<p>The proposal seeks to reduce the PAN from 54 to 45 reducing the school capacity from 378 to 315. Within the 'Current practice on the use of surplus school accommodation' document, Welsh Government recommends a 10% surplus of school places. As of January 2023, Malpas Church in Wales Primary School had 281 pupils on roll, leaving 25% surplus places. Pupil forecasts indicate that the number of surplus places will continue to increase at the school over the next</p>



		<p>5 years. Pupil forecasts suggest that by 2026/27 there will only be 243 pupils at Malpas Church in Wales Primary school, resulting in 35.71% surplus places. The reduction in PAN will make planning and managing the school easier and more cost effective and enable the establishment of a nursery class.</p> <p>Malpas Church in Wales Primary School is the only primary school in the Newport High School cluster that does not provide a nursery class. Establishing a nursery class will increase the number of funded nursery places available across the city and enable positive transition into statutory mainstream education. The nursery class will utilise a classroom which can be made available due to the low pupil numbers currently attending. The proposal intends to provide equity of provision under a 3-11 model across the primary schools of the Newport High School cluster. The establishment of a nursery class will contribute towards Newport City Council's Well-being Goals of improving skills, educational outcomes, and employment opportunities, and to build cohesive and sustainable communities.</p>
<p>Integration</p> 	<p><i>Considering how the public body's well-being objectives may impact upon each of the well-being goals, on their other objectives, or on the objectives of other public bodies.</i></p>	<p>A formal statutory consultation was carried out and the proposal is supported at each stage by a FEIA to consider impact. This proposal supports the "A prosperous Wales", "A more equal Wales" and "A Wales of cohesive communities" Well-being Goals and has no adverse effect on any of the other Well-being Goals. In addition, this proposal supports the One Newport PSB well-being plan for 2018-2023, and the Wellbeing of Future Generations Act's Wellbeing Goal to create a Wales of vibrant culture and thriving Welsh Language.</p> <p>Newport City Council is the admissions authority for Malpas Church in Wales Primary School, and applications for admission will continue to be assessed in accordance with the Council's School Admissions Policy.</p>
<p>Collaboration</p> 	<p><i>Working together to deliver objectives.</i></p>	<p>This is a formal consultation on a joint proposal put forward by the Governing Body of Malpas Church in Wales Primary School together with Newport City Council.</p>

		<p>A formal consultation has been carried out with the opportunity for engagement with all stakeholders and supported at each stage by a FEIA to consider impact.</p>
<p>Involvement</p> 	<p><i>Involving those with an interest and seeking their view - ensuring that those people reflect the diversity of the area.</i></p>	<p>Newport City Council engaged with stakeholders (listed in Section 3) and the schools affected by the proposal. Public drop-in sessions were held, where council officers and members of the Malpas Church in Wales Primary School Leadership team and Governing Body were on hand to explain the proposal and answer questions.</p> <p>The consultation documents were/are available online at <a href="http://www.newport.gov.uk/schoolreorganisation">www.newport.gov.uk/schoolreorganisation</a> and physical consultation documents were available on request. Several copies of the documents were delivered to Malpas Church in Wales Primary School.</p> <p>A Children and Young Person’s consultation document was made available and distributed to the Malpas Church in Wales Primary School. These were also provided at the pupil voice session which was held at Malpas Church in Wales Primary School to gain the pupils thoughts on the proposal.</p>

## 4. Socio-economic Duty

The [Socio-economic Duty](#) is set out in the Equality Act 2010, and requires the council, when making strategic decisions, to pay due regard to the need to reduce the inequalities of outcome that result from socio-economic disadvantage. Inequalities of outcome are felt most acutely in areas such as health, education, work, living standards, justice and personal security, and participation.

A 'strategic decision' is defined by Welsh Government as a decision **which affects how the council fulfils its statutory purpose over a significant period of time and does not include routine 'day to day' decisions.** Strategic decisions include:

- Corporate plans
- Setting wellbeing, equality and other strategic objectives
- Changes to, or development of public services
- Strategic financial planning
- Strategic policy development

If you do not think your decision meets this definition, and you do not plan on carrying out a Socio-economic Duty Assessment in this section, please provide your rationale below. Any decision which is presented to a Cabinet Member, at Cabinet or Council will be viewed as a strategic decision.

If your decision does meet the definition, please consider the impact of your decision on the socio-economically disadvantaged groups, and areas of inequality that may arise from socio-economic disadvantage contained in the matrix below. The groups listed are not exhaustive and you should consider any additional groups relevant to your decision who may experience socio-economic disadvantage in the following ways:

- **Low Income/Income Poverty** - cannot afford to maintain regular payments such as bills, food, clothing, transport etc.
- **Low and/or no Wealth** - enough money to meet basic living costs and pay bills but have no savings to deal with any unexpected spends and no provisions for the future
- **Material Deprivation** - unable to access basic goods and services i.e. financial products like life insurance, repair/replace broken electrical goods, warm home, hobbies etc.)
- **Area Deprivation** - where you live (rural areas), where you work (accessibility of public transport)
- Socio-economic Background – for example, parents' education, employment and income

Indicate a positive or negative impact, or both where they apply, and the severity of this impact by coding the sections of the grid based on the below. *If there is no/neutral impact, please leave blank.*

Negative Impact		Positive Impact	
N1	Negative impact – mild	P1	Positive impact – mild
N2	Negative impact – moderate	P2	Positive impact – moderate
N3	Negative impact – significant	P3	Positive impact – significant
N4	Potential for negative impact (but unsure)	P4	Potential for positive impact (but unsure)

Areas of inequality that may arise from socio-economic disadvantage – definitions
<b>Education</b> :The capability to be knowledgeable, to understand and reason, and to have the skills and opportunity to participate in the labour market and in society
<b>Work</b> : The capability to work in just and favourable conditions, to have the value of your work recognised, even if unpaid, to not be prevented from working and to be free from slavery, forced labour and other forms of exploitation
<b>Living Standards</b> : The capability to enjoy a comfortable standard of living, in appropriate housing, with independence and security, and to be cared for and supported when necessary.
<b>Justice, Personal Security and Community Safety</b> : The capability to avoid premature mortality, live in security, and knowing you will be protected and treated fairly by the law
<b>Health</b> : The capability to be healthy, physically and mentally, being free in matters of sexual relationships and reproduction, and having autonomy over care and treatment and being cared for in the final stages of your life
<b>Participation</b> : The capability to participate in decision making and in communities, access services, know your privacy will be respected, and express yourself

Groups	Areas of inequality						
	Living Standards	Work	Health	Education	Justice and community safety	Participation	Physical Environment
Children living in poverty				P1		P4	
Low income households without dependent children							
Unemployed young people		P4					
Long term unemployed		P4					
Homeless households							
Refugees, migrants and asylum seekers		P4					
Deprived neighbourhoods - WIMD rank in 10% most deprived LSOA							

People on Universal Credit / income related benefits				P4			
Adults with no qualifications or low qualifications							
People living in low quality housing or in Houses of Multiple Occupation				P4			

**1. What evidence do you have about socioeconomic disadvantage and inequalities of outcome in relation to this decision?**

As an 'Education' plan, it will reduce potential inequalities of opportunity and outcome in education by increasing the number of nursery places in Newport and the Malpas/Bettws area. It will also mean that all primary schools in the Newport High cluster will be 3-11 primary schools. This would enable positive transition into statutory mainstream education. This will positively impact on wellbeing goals a prosperous Wales and a more equal Wales and the wellbeing objective to improve skills, educational outcomes, and employment opportunities.

The reduction in the PAN will reduce the amount of primary school places in the Newport cluster, as of January 2022 Malpas Church in Wales Primary School had 21% surplus places. The pupil forecasts suggest that by 2026/27 there will only be 243 pupils at Malpas Church in Wales Primary School, resulting in 35.71% surplus places. The decreasing number of pupils will make it difficult to plan and manage the school. This would present challenges managing the pupil to staff ratios and the costs of employing teachers and teaching assistants with low pupil numbers in some classes.

Newport City Council is the admissions authority for Malpas Church in Wales Primary School, and applications for admission will continue to be assessed in accordance with the Council's School Admissions Policy.

**2. Please describe how you have ensured your engagement has considered the views of people living in Newport who are affected by socio-economic disadvantage.**

The consultation information was made available and shared with all groups across Newport. Versions of the documents were available in the form of the full version and a shortened easy read version aimed at children and young people. These documents were available digitally and in hard format on a variety of digital platforms online and at various locations across the city. On the inside cover of the consultation documents, a list of languages was provided that the document could have been translated into on request. This enabled people from all groups to access the consultation. The published consultation report provides a summary of the responses received regarding the proposal, and this will be considered by the School Governing Body and Cabinet Member when deciding how to proceed.

**3. Does this decision contribute to a cumulative impact?**

No

### Part 3: Actions and Outcomes

Considering any negative impacts that you have identified, indicate below how you will reduce these, increase the potential for positive impacts, and how you will monitor those impacts. Further guidance on how to complete your action plan can be found [here](#).

IMPACT ON PEOPLE THAT SHARE PROTECTED CHARACTERISTICS			
Summary of impact	Action to reduce negative impact / opportunities to increase positive impacts	How this impact will be monitored	Owner
IMPACT ON WELSH LANGUAGE			
Summary of impact	Action to reduce negative impact / opportunities to increase positive impacts	How this impact will be monitored	Owner
SOCIO-ECONOMIC IMPACTS			
Summary of impact	Action to reduce negative impact / opportunities to increase positive impacts	How this impact will be monitored	Owner
SUSTAINABLE DEVELOPMENT PRINCIPLE			
Summary of impact	Action to reduce negative impact / opportunities to increase positive impacts	How this impact will be monitored	Owner

Once your FEIA is complete, please forward to [ncequality@newport.gov.uk](mailto:ncequality@newport.gov.uk)