

# Report

## Cabinet Member for Education and Skills

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### Part 1

Date: 11 November 2019

**Subject** Establishment of a school federation incorporating Eveswell Primary School and Somerton Primary School – Final Determination

**Purpose** To approve a proposal put forward by the governing bodies of Eveswell Primary School and Somerton Primary School to establish a federation under the name of “***The Eveswell and Somerton Primary School Partnership***” with effect from 1<sup>st</sup> January 2020.

**Author** Service Manager – Education Resources & Planning

**Ward** Alway & Beechwood

**Summary** Formal consultation has now concluded on a joint proposal taken forward by the two governing bodies and the Local Authority. This formal consultation was carried out between 3<sup>rd</sup> June 2019 and 14<sup>th</sup> July 2019. Following conclusion of this process a consultation report was drafted and is attached at Appendix 1. The content of this report has been considered individually by the governing bodies of Eveswell Primary School and Somerton Primary School, and both have confirmed unanimously that they wish to proceed with the proposal. Given this position, the Cabinet Member for Education & Skills is being asked to take the final decision on this federation proposal to support implementation from January 2020.

**Proposal** To approve the joint proposal taken forward with the governing bodies of Eveswell Primary School and Somerton Primary School to establish a formal federation, to be known as “***The Eveswell and Somerton Primary School Partnership***”, with effect from January 2020.

**Action by** Chief Education Officer

**Timetable** Immediate

This report was prepared after consultation with:

- Senior Leadership Team
- Education Senior Management Team
- Senior HR Business Partner
- Senior Finance Business Partner
- Executive Headteacher, Eveswell Primary School & Somerton Primary School
- Chair of Governors, Eveswell Primary School
- Chair of Governors, Somerton Primary School

**Signed**

## **Background**

A formal consultation exercise has been undertaken on a joint proposal put forward by the governing bodies of Eveswell Primary School, Somerton Primary School and the Local Authority to use the powers granted under the **Federation of Maintained Schools (Wales) Regulations 2014** to establish a federation, to be known as ***The Eveswell and Somerton Primary School Partnership***, with effect from 1<sup>st</sup> January 2020. This period of formal consultation was carried out between 3<sup>rd</sup> June 2019 and 14<sup>th</sup> July 2019.

## **Current Position**

Following conclusion of this formal consultation process, a consultation report was drafted. The governing body of Somerton Primary School met to consider the report on 19<sup>th</sup> September 2019, and the governing body of Eveswell Primary School met on 9<sup>th</sup> October 2019. Both governing bodies confirmed unanimously that they wished to proceed with the federation proposal.

The consultation report has now been published on the Newport City Council, Eveswell Primary School and Somerton Primary School websites, with the details being shared with the relevant stakeholders identified within the consultation document. A copy is also attached at Appendix 1. The Cabinet Member for Education and Skills is now asked to consider the report and the views of the two governing bodies in determining whether or not to approve this proposal for implementation from January 2020.

## **Views of Pupils and Staff**

A pupil friendly version of the consultation document was prepared and shared with pupils across both schools. In addition, the two governing bodies arranged specific pupil engagement sessions, facilitated by the Senior Leadership Teams, where the proposal was discussed and the opportunity was offered for any questions or concerns to be raised.

A specific joint staff engagement session was also facilitated where all staff confirmed that they were in support of the proposal, and that this would in fact remove any uncertainty over the current temporary arrangements. Staff across the two schools now consider the collaboration to be normal practice, and any move to change this would destabilise both schools and impact on the best practice processes that have been successfully implemented over the past three years.

Further information is included within the Consultation Report at Appendix 1 (pages 9 and 10 of the report).

## **Consultation Feedback**

Two stakeholder responses were received during the consultation period. Both responses supported the proposal but were keen to ensure that there would be no adverse effect on current cluster working and transition arrangements. Further information is included within the Consultation Report at Appendix 1 (page 10 of this report).

There was also a formal response from Estyn which, whilst stating that there was a clear rationale for the proposal, outlined some areas where the consultation document could have provided more information. Further details, including the responses to these comments from the Local Authority and the Executive Headteacher, are included within the Consultation Report at Appendix 1 (pages 10-12 of this report).

## **Governance Arrangements**

If this proposal is approved, the Local Authority will work with the Education Achievement Service for South East Wales (EAS) to create an Instrument of Government for the federation, and subsequently arrangements will be made to constitute the federated governing body. The two individual governing bodies will continue to be responsible for their respective schools until 31<sup>st</sup> December 2019. The federated governing body will then take effect from 1<sup>st</sup> January 2020, at which point the individual governing bodies will be disbanded.

In the case of ***The Eveswell and Somerton Primary School Partnership***, the federated governing body will be made up as follows:

Governor Type	Number	Notes
Parent	4	<i>2 parents from each of the two schools through ballot</i>
Teacher	2	<i>1 Teacher from each of the two schools through ballot</i>
Staff	2	<i>1 member of staff from each of the two schools through ballot</i>
LA appointed	4	<i>Appointed by the Local Authority</i>
Community	4	<i>Appointed by the Governing Body</i>
Headteacher	1	
<b>Total</b>	<b>17</b>	

## Financial Summary

There are no additional costs associated with this proposal. The two schools in the federation will maintain individual delegated budgets although both will be managed by the single federated governing body.

## Risks

Risk	Impact of Risk if it occurs* (H/M/L)	Probability of risk occurring (H/M/L)	What is the Council doing or what has it done to avoid the risk or reduce its effect	Who is responsible for dealing with the risk?
Increased workload for governors during the inception of the federation and the first year	L	L	The proposal is being taken forward in conjunction with the Local Authority, and as such Local Authority officers will be available to support governors through this process	The Chief Education Officer and the Governing Bodies of both schools
Potential loss of experienced governors	L	L	The federated governing body can also appoint additional non-voting "observer" governors where appropriate and where specific skills or experience are required	The federated Governing Body
Initial concern amongst governors, parents and staff whilst the change is being embedded	L	L	The two schools have been working together collaboratively since September 2016 with good relationships already established	The federated Governing Body
Failure to determine and implement the proposal	L	L	This risk has been mitigated by taking this proposal forward jointly with the two governing bodies and by undertaking a period of consultation with affected stakeholders	The Chief Education Officer and the Governing Bodies of both schools

\* Taking account of proposed mitigation measures

## Links to Council Policies and Priorities

Wellbeing of Future Generations (Wales) Act 2015

Corporate Plan

Council Improvement Plan (*Aspirational People theme*)

### **Options Available and Considered**

Option 1: To support the decisions taken by the two governing bodies and approve implementation of the federation with effect from January 2020.

Option 2: To refuse Local Authority approval for implementation of the federation. This would likely be perceived negatively within the school communities and might alienate the two governing bodies, particularly given that the regulations enable governing bodies to pursue federation independently.

### **Preferred Option and Why**

The preferred option is Option 1. The Local Authority is supportive of this federation request and has been a key partner in taking forward the joint proposal. The Local Authority firmly believes that the federation will ensure that long term successful outcomes can be achieved and maintained for both schools. This will be the first formal federation arrangement across the Newport school estate.

### **Comments of Chief Financial Officer**

The federation of Eveswell and Somerton Primary schools would have no additional costs or financial implications for the Authority and both schools would continue to have their individual school budgets delegated to them.

### **Comments of Monitoring Officer**

The proposal to establish a school federation, incorporating the governing bodies of Eveswell and Somerton Primary Schools, is in accordance with the Federation of Maintained Schools (Wales) Regulations 2014, the Education (Wales) Measure 2011 and relevant statutory Welsh Government Guidance. The establishment of a single federated governing body will facilitate a unified system of governance and leadership, whilst maintaining the separate identities of the individual school. In accordance with the Regulations, the federation proposal has been the subject of extensive stakeholder consultation and engagement and the representations received are set out in the Appendix to the Report. The stakeholder responses received and the consultation response from Estyn were broadly supportive of the proposal. The consultation report has been considered by both Governing Bodies and they have unanimously agreed to proceed with the federation proposal. Therefore, the Cabinet Member is now required to determine whether or not to establish the single federated governing body, in the light of the consultation responses and the decisions taken by the Governing Bodies. If this is agreed, then at least 125 days will need to be allowed between the publication of the proposal and the implementation of the new federated governing body. Therefore, it is proposed that this should take effect as from 1<sup>st</sup> January 2020. The two existing school Governing Bodies would then cease to exist and they would be replaced by a single federated governing body, constituted by a new Instrument of Government under the Regulations.

### **Comments of Head of People and Business Change**

The proposed school federation is intended to formalise collaboration to drive-up standards, reduce attainment gaps and use resources more effectively. It is noted that the arrangement in Eveswell and Somerton has already been in existence for several years and has received the support of staff, governors, parents, pupils and trade unions. The consultation undertaken is outlined in the attached report and a Fairness and Equality Impact Assessment has also been undertaken. The federation will need to formalise arrangements for an Executive Headteacher to replace the existing temporary arrangements. There will be no other immediate staffing issues, although the governing body of the federation will need to consider appropriate staffing structures to provide both schools with relevant senior leadership and the options for sharing staff, developmental and training opportunities and best practice across both schools. There are no anticipated redundancies as part of the proposal to federate both schools.

### **Local issues**

Comments from Cllr Debbie Harvey, Ward Member for Alway

This is a sensible proposal.

Comments from Cllr Ray Truman, Ward Member for Alway

It makes complete sense to support this proposal.

Comments from Cllr Graham Berry, Ward Member for Beechwood

The contact that I have had with parents, through school activities, and neighbours is fully supportive of the change. Overall they are currently very happy with the management of the schools.

Comments from Cllr Deborah Davies, Ward Member for Beechwood

Each school has its own ethos, priorities and importantly have to respond to the different needs of the local communities in their separate catchment area. I am pleased that whilst being federated it is proposed both schools will continue to function as separate entities.

Although my priority is to represent residents of Beechwood I recognise the importance of maintaining a primary school in the Somerton area. The levels of deprivation and the inherent issues and problems that go with this means it is imperative there is an accessible school within its centre which focuses on the specific needs of these children. As it is a small school it is very sensible that it is federated with another school which will ensure it remains sustainable.

I am certain that the strong links that will be fostered between both the school will have a positive impact on both communities.

Comments from Cllr Mark Spencer, Ward Member for Beechwood

I do not foresee any problems in moving this forward.

## **Scrutiny Committees**

None

## **Equalities Impact Assessment**

The Equality Act 2010 contains a Public Sector Equality Duty which came into force on 06 April 2011. The Act identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership. The new single duty aims to integrate consideration of equality and good relations into the regular business of public authorities. Compliance with the duty is a legal obligation and is intended to result in better informed decision-making and policy development and services that are more effective for users. In exercising its functions, the Council must have due regard to the need to: eliminate unlawful discrimination, harassment, victimisation and other conduct that is prohibited by the Act; advance equality of opportunity between persons who share a protected characteristic and those who do not; and foster good relations between persons who share a protected characteristic and those who do not. The Act is not overly prescriptive about the approach a public authority should take to ensure due regard, although it does set out that due regard to advancing equality involves: removing or minimising disadvantages suffered by people due to their protected characteristics; taking steps to meet the needs of people from protected groups where these differ from the need of other people; and encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low. The Fairness & Equality Impact Assessment (FEIA) developed to support this proposal has been updated and a copy is attached as Appendix 2.

## **Children and Families (Wales) Measure**

A pupil friendly version of the consultation document was prepared and shared with pupils across both schools. In addition, the two governing bodies arranged specific pupil engagement sessions, facilitated by the Senior Leadership Teams, where the proposal was discussed and the opportunity was offered for any questions or concerns to be raised.

## Wellbeing of Future Generations (Wales) Act 2015

Report writers need to indicate how they have considered the five things public bodies need to think about to show they have applied the sustainable development principle put into place by the Act. You will need to demonstrate you have considered the following:

- **Long term:** the importance of balancing short- term needs with the need to safeguard the ability to also meet long – term needs: ***Federation is a long-term commitment, and in taking forward this proposal, the LA and governing bodies have considered the associated benefits and risks in relation to the impact on children and young people’s achievements. Nonetheless, the 2014 Federation Regulations do allow for a federation to be dissolved.***
- **Prevention:** How acting to prevent problems occurring or getting worse may help us meet our objectives: ***The Local Authority is responsible for promoting high educational standards and delivering efficient primary and secondary education. Having effective leaders in its schools is intrinsic to this. The Welsh Government’s policy objective is to promote collaboration between all parts of the education system to improve outcomes. School federation is a more formal way of extending collaboration and promoting closer working relationships and is the principal initiative for achieving formal partnership working amongst schools to improve performance and narrow the attainment gap for deprived pupils.***
- **Integration:** Consider how the proposals will impact on our wellbeing objectives, our wellbeing goals, other objectives or those of other public bodies: ***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 Newport City Council Well-being Objective “To improve skills, educational outcomes and employment opportunities”.***
- **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 was taken forward jointly with the governing bodies of the two affected schools. A full programme of stakeholder consultation and engagement was carried out and the Consultation Report which was prepared at the end of this period fully outlines the detail of this. The federation will enable Eveswell Primary School and Somerton Primary school to continue to work together and have a shared vision and common purpose of what needs to be done to improve attainment and achieve at all levels across the partnership. By working together, each school will provide support to the other school when in difficulty and school strengths can contribute to the learning of others. The schools working together can help deliver objectives and improve by helping each other tackle problems and sharing expertise.***
- **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: ***This proposal was taken forward jointly with the governing bodies of the two affected schools. A full programme of stakeholder consultation and engagement was carried out and the Consultation Report which was prepared at the end of this period fully outlines the detail of this.***

## Crime and Disorder Act 1998

Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.

## Consultation

There has been a period of formal consultation and stakeholder engagement, and the Consultation Report fully outlines the detail of this. The governing bodies of both schools have considered the content of this Consultation Report and confirmed that they wish to proceed to a formal federation arrangement.

## Background Papers

Consultation Report (attached at Appendix 1)  
Updated FEIA (attached at Appendix 2)

Dated: 11 November 2019

# APPENDIX 1

## Proposal to Federate Eveswell and Somerton Primary Schools

### Consultation Report

**Formal Consultation Period:  
3<sup>rd</sup> June 2019 to 14<sup>th</sup> July 2019**

#### **Purpose**

This report has been prepared following conclusion of a period of stakeholder consultation on a proposal to formally establish a school federation between Eveswell Primary School and Somerton Primary School.

This report will be considered separately by the governing bodies of Eveswell Primary School and Somerton Primary School, with each having powers under the ***Federation of Maintained Schools (Wales) Regulations 2014*** to decide whether or not they wish for this federation proposal to be taken forward.

This consultation report specifically refers to the following:

- The Proposal
- Stakeholder Engagement
- Learner Voice
- Feedback from Staff
- Consultation Responses
- Estyn
- Recommendations

## The Proposal

The governing bodies of Eveswell Primary School and Somerton Primary School, together with Newport City Council, propose to use the powers granted under the ***Federation of Maintained Schools (Wales) Regulations 2014*** to formally establish **The Eveswell and Somerton Primary School Partnership** with effect from 1<sup>st</sup> January 2020.

The aim of the Federation is for the two schools to work in partnership to develop:

- excellent shared practice that guarantees outstanding experiences and increased opportunities for pupils and staff, and
- common goals and reflective approaches to teaching and learning that will ensure that both communities benefit from a quality education.

## Stakeholder Engagement

An invitation to take part in the statutory consultation was issued to the stakeholders outlined below, with either a link to the consultation pack on the Council's website and an electronic version of the pack sent by e-mail, or alternatively by hard copies of the consultation material being issued:

- Teachers and staff employed at Eveswell Primary School and Somerton Primary School;
- Parents, carers and guardians of pupils attending Eveswell Primary School and Somerton Primary School;
- Pupils attending Eveswell Primary School and Somerton Primary School;
- Teaching and support staff trade unions representing teachers and staff employed at Eveswell Primary School and Somerton Primary School;
- Newport City Council elected members for the Alway and Beechwood wards;
- The Headteachers of Llanwern High School, Lliswerry High School, Alway Primary School, Glan Llyn Primary School, Llanmartin Primary School, Lliswerry Primary School, Maindee Primary School, Milton Primary School, Ringland Primary School and St Andrews Primary School;
- The Education Achievement Service for South East Wales;
- Estyn.

The proposal and consultation documents were published on the Eveswell Primary School website, the Somerton Primary School website and the Newport City Council website. Hard copies were also available at both schools. Specific separate engagement events for pupils and staff were facilitated by the two governing bodies.

## Learner Voice

A pupil friendly version of the consultation document was prepared and shared with pupils across both schools. In addition, the two governing bodies arranged specific pupil engagement sessions, facilitated by the Senior Leadership Teams, where the proposal was discussed and the opportunity was offered for any questions or concerns to be raised. The Executive Headteacher has confirmed that some questions were raised relating to future Headteacher and Deputy Headteacher arrangements across both schools, and whether anything currently in place would change. Other than this, no concerns were raised and nor were any reasons expressed as to why pupils felt the proposal should not proceed.

## Feedback from Staff

A specific joint staff engagement session was also facilitated by the two governing bodies. This was supported by the Senior Leadership Teams of the two schools along with a Human Resources and Organisational Development Business Partner from the Council.

All staff confirmed that they were in support of the proposal, and that this would in fact remove any uncertainty over the current temporary arrangements. Staff across the two schools now consider the collaboration to be normal practice, and any move to change this would destabilise both schools and



impact on the best practice processes that have been successfully implemented over the past three years.

The only questions raised related to whether there would be any effect on existing cluster working arrangements. This issue is described in more detail in the next section of this report.

## Consultation Responses

Two responses were received during the consultation period, both from Headteachers of schools within the Lliswerry cluster. Both responses supported the proposal but were keen to ensure that there would be no adverse effect on current cluster working and transition arrangements.

Geographically, Eveswell Primary School and Somerton Primary School are located only 0.7 miles apart. However, they are located in different clusters, with Eveswell Primary School forming part of the Llanwern cluster and Somerton Primary School being included in the Lliswerry cluster. The current collaborative arrangement has been in place since September 2016, and the Executive Headteacher has indicated that working across two clusters has been challenging on some occasions.

However, under this proposal, the two schools will remain in their communities and keep their individual identities. As a result, it is not anticipated that there will be any change to the current arrangements.

## Estyn

The formal response from Estyn states that there is a clear rationale for the proposal, and that the assertion that federation will enhance the climate of trust, openness and willingness to work together that already exists is reasonable and valid. It also outlines that:

- There is unlikely to be any negative impact on pupil standards and that the general benefits of federation would indicate that the proposal will at least maintain current standards of education;
- The challenges related to the proposal have been considered and are not perceived to be significant barriers due to the collaborative working arrangement that is currently in place;
- The responses to general frequently asked questions regarding federation, including the likely impact on school staff, were useful.

However, the response stated that there was a lack of a sufficiently detailed analysis of the current performance of the two schools and any specific reference to the most recent Estyn reports for both schools. As a result, Estyn felt unable to judge the likely impact of the proposal on the standard of educational provision in the area.

## Response

In 2019, many children at both schools achieved the expected level at the end of the Foundation Phase. Most pupils at Eveswell Primary School and many pupils at Somerton Primary School also achieved the expected levels at the end of Key Stage 2. Learner progress is strong, and whilst performance and standards at Somerton Primary School specifically have improved since the collaboration was introduced, both schools have benefitted from the arrangement. The schools have planned together to enhance the curriculum in readiness for the implementation of 'Successful Futures' and delivery of the digital competence framework. The high expectations shared across the two schools have also been developed through sharing of best practice, comparing pupils' work and agreeing how to improve standards and provision for both schools.

Eveswell Primary School was last inspected in January 2014 and considered **Excellent** in terms of *Current Performance* and *Prospects for Improvement*. Somerton Primary School was removed from the list of schools requiring Estyn monitoring in January 2013 and was most recently inspected in June 2019. The report published in August 2019 confirms that the school is now judged as **Good** in relation to *Standards, Wellbeing and Teaching & Learning*, and **Excellent** in relation to *Care, Support & Guidance* and *Leadership & Management*. This supports the fact that Eveswell Primary School has been in a "green" support category since categorisation was first introduced, and that Somerton Primary School has improved from "amber" to "yellow" since the collaborative arrangements were introduced in 2016.

Estyn also noted that the consultation document failed to provide:

- Evidence that any other alternatives were considered;
- Evidence that consideration had been given to how the proposal would impact on children with Special Educational Needs (SEN) and how any disruption to learners would be minimised;
- Information about the current budget status of the two schools;
- Information as to how the proposal would impact on surplus places and travel arrangements in relation to both schools.

### **Response**

The request to take forward the federation proposal came directly from the two governing bodies, who wished to formalise the collaborative arrangement that had been in place since September 2016, initially for a 3-year period. Given the success of this arrangement and the positive impact on both schools, the governing bodies approached the Local Authority to outline a desire to pursue a formal federation. Other options, such as amalgamation, were not considered as the governing bodies and the Local Authority were keen that the two schools should remain in their communities, keeping their individual identities. As has been outlined, whilst geographically close, the schools are located in separate clusters.

The Executive Headteacher has outlined that the collaborative working arrangements have impacted on provision for all pupils. Pupils with additional needs benefit from shared expertise, and the two Additional Learning Needs Co-ordinators are jointly preparing for the new Additional Learning Needs Bill. In addition, staff at Somerton Primary School have shared their expertise in nurture provision. Both schools are now working on accreditation for their nurturing approaches and support each other to develop provision that meets the needs of all learners.

Currently, the two budgets are managed separately by the relevant governing bodies. If this proposal is approved, there will continue to be two separate budgets but these will both be managed by the same federated governing body. Both budgets are currently in surplus. As at August 2019, Eveswell Primary School is predicted to end the 2019/20 financial year with a surplus of £189,000, and Somerton Primary School with a surplus of £56,000.

The January 2019 Pupil Level Annual School Census (PLASC) confirmed that there were 419 pupils of statutory school age on roll at Eveswell Primary School, against a total capacity of 420. This is a popular and over-subscribed school, and 10 appeals were lodged in relation to the September 2019 phase transfer admission round. All 10 of these appeals were upheld in favour of the Local Authority. The January 2019 PLASC also confirmed that there were 168 pupils on roll at Somerton Primary School against a total capacity of 203, a surplus of 35 places (17.2%). Whilst this is higher than Welsh Government's recommended surplus of 10%, the English-medium primary school surplus across the city as a whole is much lower at approximately 6.5%. The surplus across the Lliswerry cluster is approximately 7.7%. The higher surplus in Somerton Primary School is therefore necessary to support the demand for primary school places as families move into and around Newport during the course of the academic year. It is possible that demand for places at Somerton Primary will increase following implementation of the federation.

The Council's Home to School Transport policy provides free transport to primary aged pupils living two miles or more from their catchment school or their nearest available school. Whilst this position will remain unchanged under this proposal, from September 2019 there will be no pupils attending either school who qualify for this benefit. The proposal is therefore unlikely to impact on travel and transport arrangements.

Finally, Estyn noted that whilst the separate Fairness and Equality Impact Assessment (FEIA) reasonably considered that there would be no impact on the Welsh Language, there was no

consideration of the extent to which the proposal supported the targets in the Council's Welsh in Education Strategic Plan (WESP).

### ***Response***

Eveswell Primary School and Somerton Primary School are English-medium schools. Whilst they both follow all aspects of the national curriculum in relation to Welsh as a second language, the proposal is unlikely to make a meaningful contribution to Newport's 5-Year Welsh Language target of increasing the number of Welsh speakers across the city. The FEIA will be updated shortly, and this will be reflected accordingly.

### **Recommendations**

The governing bodies of both schools are asked to individually consider the content of this report and decide whether they wish to proceed with the proposal. If both governing bodies agree, the final decision will be taken by the Cabinet Member for Education and Skills through the Council's agreed democratic process. The target implementation date for the federation remains 1<sup>st</sup> January 2020.

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This report has been prepared by Newport City Council on behalf of the governing bodies of Eveswell Primary School and Somerton Primary School in accordance with the ***Federation of Maintained Schools (Wales) Regulations 2014***.

# APPENDIX 2

## Fairness and Equalities Impact Assessment (FEIA)

Version 3.6 May 2017

The purpose of this assessment is to provide balanced information to support decision making and to promote better ways of working in line with equalities (Equalities Act 2010), Welsh language promotion (The Welsh Language (Wales) Measure 2011), sustainable development (Wellbeing of Future Generations (Wales) Act 2015), and the four parameters of debate about fairness identified by the Newport Fairness Commission (NFC Full Report to Council 2013).

**Completed by:** Sheree Davies      **Role:** Information & Development Officer

**Head of Service:** Sarah Morgan      **Date:** 07/10/2019

**I confirm that the above Head of Service has agreed the content of this assessment**

**Yes / No**

**When you complete this FEIA, it is your responsibility to submit it to**

**impact.assessments@newport.gov.uk**

### **1. Name and description of the policy / proposal being assessed. Outline the policy's purpose.**

The governing bodies of Eveswell Primary School and Somerton Primary School, together with Newport City Council, proposes to use the powers granted under the Federation of Maintained Schools (Wales) Regulations 2014 to establish **The Eveswell and Somerton Primary School Partnership**.

The term 'federation' describes a formal and legal agreement by which the schools involved work together in formal partnership with shared governance under a single governing body. The existing governing bodies will be dissolved and replaced by a new, single governing body with strategic oversight of both schools.

The two schools have worked on a collaborative basis since September 2016 and have shared a single Executive Headteacher during this time. The governing bodies have consulted with the LA and all parties are in support of the proposal.

The aim of the Federation is for the two schools to work in partnership to:

- develop the excellent shared practice that guarantees outstanding experiences and increased opportunities for pupils and staff, and
- develop the common goals and reflective approaches to teaching and learning that will ensure that both communities benefit from a quality education.

This will ensure significant positive outcomes and improved standards for both school communities.

## **2. Outline how you have/ will involve stakeholders who will be affected by the policy/proposal**

The Federation of Maintained Schools (Wales) Regulations outline a statutory requirement to seek the views of stakeholders on federation proposals. During the consultation process, the local authority involved the following identified stakeholders:

- The staff of both schools;
- The parents, carers and guardians of pupils attending both schools;
- The pupils attending both schools (exercised via the two School Councils);
- Teaching and support staff unions representing teachers and staff at both schools;
- Local Ward Members for both schools;
- The Headteachers of all schools within the Llanwern and Lliswerry cluster areas;
- The Education Achievement Service for South East Wales;
- Estyn.

Following a period of formal consultation which ran from 3<sup>rd</sup> June 2019 to 14<sup>th</sup> July 2019, a consultation report has been written and shared with the two governing bodies and the stakeholders outlined above. A report has now been written to the Cabinet Member for Education and Skills to request a determination on whether the proposal should be implemented.




## **3. What information/evidence do you have on stakeholders? eg. views, needs, service usage etc. Please include all the evidence you consider relevant.**



A consultation document was prepared and distributed to stakeholders, and the two governing bodies ensured that arrangements were made for people to find out more about the proposal. Comments and questions were submitted using a response pro-forma, which was found in the consultation document and could also be downloaded from the school and Council websites. Arrangements were also made to directly engage with the pupils of the two schools to obtain their views.

## 4. Equalities and Welsh language impact

Protected characteristic	Impact:			Provide further details about the nature of the impact in the section below. Does it: 1. Promote equal opportunity 2. Promote community cohesion 3. Help eliminate unlawful discrimination/ harassment/ victimisation?
	Positive	Negative	Neither	
<b>Age</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	This proposal neither favours nor discriminates against this protected characteristic. The age range of pupils attending the two primary schools will remain the same and there is no change to the capacity of either school.
<b>Disability</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	This proposal neither favours nor discriminates against this protected characteristic.
<b>Gender reassignment/ transgender</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	This proposal neither favours nor discriminates against this protected characteristic.
<b>Marriage or civil partnership</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	This proposal neither favours nor discriminates against this protected characteristic.
<b>Pregnancy or maternity</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	This proposal neither favours nor discriminates against this protected characteristic.
<b>Race</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	This proposal neither favours nor discriminates against this protected characteristic.
<b>Religion or Belief or non-belief</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	This proposal neither favours nor discriminates against this protected characteristic.
<b>Sex/ Gender Identity</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	This proposal neither favours nor discriminates against this protected characteristic.
<b>Sexual Orientation</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	This proposal neither favours nor discriminates against this protected characteristic.
<b>Welsh Language</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The schools will continue to follow the National Curriculum including Cwricwlwm Cymraeg.</p> <p>However, the proposal is unlikely to make a meaningful contribution to Newport's 5-Year Welsh Language target of increasing the number of Welsh speakers across the city.</p>

## 5 How has your proposal embedded and prioritised the sustainable development principle in its development?

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? Describe how.
 <p>Long Term</p> <p>Balancing short term need with long term needs</p>	<p>The proposal will balance short-term needs with long-term needs by the two primary schools working together through a single governing body structure enabling the schools to raise standards and maintain provision by sharing resources, staff, expertise, and facilities and best practice. The proposal will also enhance opportunities for pupil activities, staff professional development, and middle management development over the long term.</p> <p>A federation should be seen as a long-term commitment and not as a quick fix. In taking forward this proposal, the LA and governing bodies have considered in depth the benefits and risks of establishing a federation in relation to the impact on children and young people's achievements. Nonetheless, the 2014 Federation Regulations do allow for a federation to be dissolved.</p>
 <p>Collaboration</p> <p>Working together to deliver objectives</p>	<p>The federation will enable Eveswell Primary School and Somerton Primary school to continue to work together and have a shared vision and common purpose of what needs to be done to improve attainment and achieve at all levels across the partnership.</p> <p>By working together, each school will provide support to the other school when in difficulty and school strengths can contribute to the learning of others. The schools working together can help deliver objectives and improve by helping each other tackle problems and sharing expertise.</p>
 <p>Involvement</p> <p>Involving those with an interest and seeking their views</p>	<p>This proposal is being taken forward jointly with the governing bodies of the two affected schools. A full programme of consultation and engagements was carried out with the following stakeholders:</p> <ul style="list-style-type: none"> <li>• The staff of both schools;</li> <li>• The parents, carers and guardians of pupils attending both schools;</li> <li>• The pupils attending both schools;</li> <li>• Teaching and support staff unions representing both schools;</li> <li>• Local Ward Members for both schools;</li> <li>• Headteachers within the Llanwern and Lliswerry cluster areas;</li> <li>• The Education Achievement Service for South East Wales;</li> <li>• Estyn.</li> </ul> <p>Following a period of formal consultation which ran from 3<sup>rd</sup> June 2019 to 14<sup>th</sup> July 2019, a consultation report has been written and shared with the two governing bodies and the stakeholders outlined above. A report has now been written to the Cabinet Member for Education and Skills to request a determination on whether the proposal should be implemented.</p>

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? Describe how.
 <p>Prevention</p> <p>Putting resources into preventing problems occurring or getting worse</p>	<p>The Local Authority is responsible for promoting high educational standards and for delivering efficient primary and secondary education. Having effective leaders in its schools is intrinsic to this. The Welsh Government's policy objective is to promote collaboration between all parts of the education system to improve outcomes. School federation is a more formal way of extending collaboration and promoting closer working relationships and is the principal initiative for achieving formal partnership working amongst schools to improve performance and narrow the attainment gap for deprived pupils.</p>
 <p>Integration</p> <p>Considering impact on all wellbeing goals together and on other bodies</p>	<p>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 Newport City Council Well-being Objective "To improve skills, educational outcomes and employment opportunities".</p>

## 6. Will the proposal/policy have a disproportionate impact on a specific geographical area of Newport?

The proposal specifically affects the Alway and Beechwood wards and pupils attending or likely to attend Eveswell Primary School and Somerton Primary School.

## 7 How does the proposal/policy relate to the parameters of debate about Fairness identified by the Newport Fairness Commission?

### Parameter 1 – Equal treatment while recognising difference

If the proposal is approved, both schools will continue to maintain their own individual identities regarding name, culture and ethos and will continue to manage their own individual budgets. The arrangement merely involves establishing a single governing body to govern the two schools. The two governing bodies have worked collaboratively since September 2016 during which time a single Executive Headteacher has managed the two schools. This arrangement has impacted positively on both schools.

### Parameter 2 – Mutual Obligations between citizens and government

The proposal will support the two schools to work together through a formal structured process by sharing governance arrangements and a single governing body that will make decisions in the best interest of all the schools, staff and pupils within that federation.



**Parameter 3 – Interdependency and reciprocity within community relations**

By entering into a formal federation, the two schools will continue to work together under shared leadership to utilise their strengths to improve standards across the federation and together address areas in need of improvement.

**Parameter 4 – Transparency and accountability in decision making**

By federating under one governing body, the climate of trust, openness and willingness to work together that already exists can be further enhanced.

## **8 Taking this assessment as a whole, what could be done to mitigate any negative impacts of your policy and better contribute to positive impacts?**

There may be some initial concern amongst governors, parents and staff whilst the change is being embedded. However, the two schools have been working together collaboratively since September 2016 with good relationships already established.

The proposal included a period of stakeholder consultation and engagement to ensure that everyone understood the concept of federation and what it is expected to achieve.

## **9 Monitoring, evaluating and reviewing**

The consultation period represented an opportunity for stakeholders to find out more about the proposal and share their views. Following a period of formal consultation which ran from 3<sup>rd</sup> June 2019 to 14<sup>th</sup> July 2019, a consultation report has been written and shared with the two governing bodies and the identified stakeholders. A report has now been written to the Cabinet Member for Education and Skills to request a determination on whether the proposal should be implemented.

If approved, the effectiveness of the federation will be monitored by the Local Authority.

## **10 Involvement**

The consultation period represented an opportunity for stakeholders to find out more about the proposal and share their views. Following a period of formal consultation which ran from 3<sup>rd</sup> June 2019 to 14<sup>th</sup> July 2019, a consultation report has been written and shared with the two governing bodies and the identified stakeholders. The consultation report has since been made available on the Eveswell Primary School, Somerton Primary School and Newport City Council websites.

A report has now been written to the Cabinet Member for Education and Skills to request a determination on whether the proposal should be implemented.

## **11 Summary of Impact (for inclusion in any report)**

**Equality Act 2010**

Newport City Council provides equal opportunities for all pupils in Newport by adhering to the Equality Act 2010. The federation of the two primary schools will not have an impact on the pupils at Eveswell Primary school and Somerton Primary school, as they will both remain as separate schools and the joint governing body will treat the two schools equally.

**Welsh Language**

There will be no impact for pupils at Eveswell Primary school and Somerton Primary school on the Welsh Language. As the two schools are both English-medium schools, the pupils will continue to be taught all aspects of the National Curriculum, which includes Cwricwlwm Cymraeg.

However, the proposal is unlikely to make a meaningful contribution to Newport's 5-Year Welsh Language target of increasing the number of Welsh speakers across the city.

### **Wellbeing of Future Generations (Wales) Act 2015**

- **Long term: the importance of balancing short- term needs with the need to safeguard the ability to also meet long – term needs:** *Federation is a long-term commitment, and in taking forward this proposal, the LA and governing bodies have considered the associated benefits and risks in relation to the impact on children and young people's achievements. Nonetheless, the 2014 Federation Regulations do allow for a federation to be dissolved.*
- **Prevention: How acting to prevent problems occurring or getting worse may help us meet our objectives:** *The Local Authority is responsible for promoting high educational standards and delivering efficient primary and secondary education. Having effective leaders in its schools is intrinsic to this. The Welsh Government's policy objective is to promote collaboration between all parts of the education system to improve outcomes. School federation is a more formal way of extending collaboration and promoting closer working relationships and is the principal initiative for achieving formal partnership working amongst schools to improve performance and narrow the attainment gap for deprived pupils.*
- **Integration: Consider how the proposals will impact on our wellbeing objectives, our wellbeing goals, other objectives or those of other public bodies:** *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 Newport City Council Well-being Objective "To improve skills, educational outcomes and employment opportunities".*
- **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 was taken forward jointly with the governing bodies of the two affected schools. A full programme of stakeholder consultation and engagement was carried out and the Consultation Report which was prepared at the end of this period fully outlines the detail of this. The federation will enable Eveswell Primary School and Somerton Primary school to continue to work together and have a shared vision and common purpose of what needs to be done to improve attainment and achieve at all levels across the partnership. By working together, each school will provide support to the other school when in difficulty and school strengths can contribute to the learning of others. The schools working together can help deliver objectives and improve by helping each other tackle problems and sharing expertise.*
- **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:** *This proposal was taken forward jointly with the governing bodies of the two affected schools. A full programme of stakeholder consultation and engagement was carried out and the Consultation Report which was prepared at the end of this period fully outlines the detail of this.*