

# Report

## Cabinet Member for Education

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### Part 1

Date: 18 November 2021

**Subject** Establishment of a school federation incorporating Gaer Primary School and Maesglas Primary School – Final Determination

**Purpose** To approve a proposal put forward by the governing bodies of Gaer Primary School and Maesglas Primary School to establish a federation under the name of “*The Gaer and Maesglas Primary School Partnership*” with effect from 1<sup>st</sup> January 2022.

**Author** Assistant Head of Education – Resources

**Ward** Gaer

**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 21<sup>st</sup> June 2021 and 1<sup>st</sup> August 2021. Following its conclusion, a consultation report was drafted and is attached at Appendix 1. The content of this report has been considered by the governing bodies of Gaer Primary School and Maesglas Primary School, and both confirmed unanimously that they wish to proceed with the proposal. Given this position, the Cabinet Member for Education is being asked to take the final decision on this federation proposal to support implementation from January 2022.

**Proposal** To approve the joint proposal taken forward with the governing bodies of Gaer Primary School and Maesglas Primary School to establish a formal federation, to be known as “*The Gaer and Maesglas Primary School Partnership*”, with effect from January 2022.

**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
- Executive Headteacher of Gaer Primary School & Somerton Primary School
- Chair of Governors of Gaer Primary School
- Chair of Governors, Maesglas Primary School

**Signed**

## Background

A formal consultation has been undertaken on a joint proposal put forward by the governing bodies of Gaer Primary School, Maesglas 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 Gaer and Maesglas Primary School Partnership***, with effect from 1<sup>st</sup> January 2022. This period of formal consultation was carried out between 21<sup>st</sup> June 2021 and 1<sup>st</sup> August 2021.

## Current Position

Following conclusion of this formal consultation process, a consultation report was drafted. The governing bodies of both schools met collectively to consider the report on 7<sup>th</sup> October 2021, and following discussions confirmed unanimously that they wished to proceed with the federation proposal. The consultation report has now been published on the Newport City Council, Gaer Primary School and Maesglas Primary School websites, and shared with the relevant stakeholders identified within the consultation document. A copy is also attached at Appendix 1. The Cabinet Member for Education 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 2022.

## 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. The Executive Headteacher also made arrangements to share the consultation pack with members of staff across both schools. Staff were given an opportunity to respond and make comments on the proposal. Further information on these engagement activities is included within the Consultation Report at Appendix 1 (pages 8 and 9 of this report).

## Consultation Feedback

One response was received during the consultation period, raising concerns about the ability of one single Headteacher to effectively manage two schools. Further details in relation to this comment, plus the response provided by the Chair of Governors at Gaer Primary School, is included within the Consultation Report at Appendix 1 (page 9 of this report).

There was also a formal response from Estyn which shared a view that the proposal was comprehensive and clearly outlined the logic of federating the two schools after a successful period of being managed by a single Headteacher. Further commentary from this response is included within the Consultation Report at Appendix 1 (page 9 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 2021. The federated governing body will then take effect from 1<sup>st</sup> January 2021, at which point the individual governing bodies will be disbanded. In the case of ***The Gaer and Maesglas 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 their individual delegated budgets but a single governing body will manage these.

## 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?
Increased workload for and potential loss of experienced governors	L	L	The Local Authority will support governors through this process. The federated governing body can appoint additional non-voting "observer" governors where specific skills or experience is required.	The Chief Education Officer and the Governing Bodies of both schools
Opposition from stakeholders in the wider local community	L	L	The two schools have been working together collaboratively since April 2019 with good relationships established with all stakeholders.	The federated Governing Body
Frustrations over the time taken for change to be implemented and embedded	L	L	The two schools have been working together collaboratively since April 2019 with good relationships established with all stakeholders. During this time, numerous examples of 'best practice' have been developed and shared across the two schools, which has enabled both schools to deliver improved outcomes for learners	The federated Governing Body
The balance necessary to ensure a consistent approach across the two schools whilst each retains its own identity	L	L	The current approach to management across the two schools ensures that operational systems are robust and cater for the needs of both individual schools. This will continue post-federation, with the schools being encouraged to operate as distinct establishments with their own delegated budget, name, character, school uniform and ethos	The Chief Education Officer and 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
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\* 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)

Education Service Plan

### 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 2022.

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 second formal federation arrangement across the Newport school estate.

### Comments of Chief Financial Officer

The federation of Gaer and Maesglas 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 Gaer and Maesglas 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 response from Estyn was broadly supportive of the proposal and only one response raised concerns about the management arrangements. The consultation report has been considered by both Governing Bodies and they have 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 2022. 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 federation follows a period of close collaborative working by the two schools since 2019. The intention is to strengthen school leadership, to secure better educational outcomes and reduce attainment gaps, whilst retaining the identity of both schools. The proposal has been subject to a

consultation process with staff and unions. There were no objections to the proposal to federate both schools. The federation will need to formalise arrangements for an Executive Headteacher to replace the existing temporary arrangements including a review of the pay range for the Executive Headteacher. 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. A Fairness and Equalities Impact Assessment has been undertaken and accompanies this report.

## 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) was completed to support the decision to enter into a period of formal consultation and stakeholder engagement in relation to this proposal, and this has been reviewed and updated to support this final determination stage. As this is a Cabinet Member for Education operational decision to support the joint decisions of the relevant governing bodies rather than a Council strategic decision, there is no requirement to evaluate the proposal in terms of the Council's Socio-economic Duties.

This federation request has been progressed in accordance with the Federation of Maintained Schools (Wales) Regulations 2014. These regulations outline a statutory requirement to seek the views of stakeholders on federation proposals. An invitation to engage in the consultation process was issued to identified stakeholders with either a link to the consultation packs 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. The Executive Headteacher shared the consultation document with 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. The proposal was published on the Newport City Council website, and on the websites of Gaer Primary School and Maesglas Primary School. Due to the current public health situation, there were no public drop-in events during this consultation. Instead, questions could be submitted to either the Education Service or the Executive Headteacher, with officers and the two governing bodies working together to provide a response within 7 days, thus enabling stakeholders to submit informed responses by the deadline date.

The FEIA has identified a negative impact on the Welsh Language Protected Characteristic, as the proposal has no bearing on the Council's plans to develop and promote Welsh-medium language provision across the City. It is therefore acknowledged that this proposal will not contribute to the Council's targets in relation to Cymraeg 2050. However, children benefiting from the proposal will experience all aspects of the National Curriculum, including Cwricwlwm Cymraeg.

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: ***A federation is a long-term commitment and not 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.**

- **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 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.**
- **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 has been taken forward jointly with the governing bodies of the two affected schools. A full programme of stakeholder consultation and engagement has been carried out and a report prepared and published which summaries the process to date and provides a conclusion on the next steps. The federation will enable Gaer Primary School and Maesglas 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 is being taken forward jointly with the governing bodies of the two affected schools. A full programme of stakeholder consultation and engagement has been carried out, following which a consultation report has been prepared, considered and published on the Newport City Council, Gaer Primary School and Maesglas Primary School websites.**

## **Crime and Disorder Act 1998**

Not applicable

## **Consultation**

Comment from Cllr Debbie Wilcox, Elected Member for Gaer ward:

I welcome the final recommendation by the Cabinet Member to federate both Governing Bodies. I've served on both Gaer and Maesglas Primary School Governors over the past 18 years and since the schools are now federated with one Executive Headteacher then this is the next logical step and I wish the new Governing Body every future success.

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

**Dated: 4 November 2021**

## APPENDIX 1



# Newport City Council

## Federation Proposal

## Consultation Report

### Proposal to establish a school federation incorporating Gaer and Maesglas Primary Schools

#### Formal Consultation Period:

**21<sup>st</sup> June 2021 – 1<sup>st</sup> August 2021**

#### Purpose

This report has been prepared following conclusion of a period of stakeholder consultation on a joint proposal by Newport City Council and the governing bodies of Gaer Primary School and Maesglas Primary School to formally establish a federation between Gaer Primary School and Maesglas Primary School.

This report will be considered separately by the governing bodies of Gaer Primary School and Maesglas 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 for determination by Newport City Council's Cabinet Member for Education.

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 Gaer Primary School and Maesglas Primary School (the governing bodies), together with Newport City Council (the LA), proposed to use the powers granted under the **Federation of Maintained Schools (Wales) Regulations 2014** to establish **The Gaer and Maesglas Primary School Partnership** (the Federation) with effect from 1<sup>st</sup> January 2022.

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,
- Develop the common goals and reflective approaches to teaching and learning that will ensure that both communities' benefit from a quality education, and
- Ensure significant positive outcomes and improved standards for both school communities.

## 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:

- 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 John Frost School cluster area;
- The Education Achievement Service for South East Wales;
- Estyn.

The proposal and consultation documents were published on the Gaer Primary School website, the Maesglas 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.

At Gaer Primary, school ambassadors collaborated with their Deputy Head Teacher and presented to their peers in years 5 & 6. The pupils then voted via an online form and made comments on the proposal: Out of 106 responses, 90 respondents agreed that the proposal should be progressed; 7 were not in favour of the proposal; 9 answered that they were unsure as to be preferred way forward. Many pupils agreed that the federation would likely create more opportunities for both schools.

At Maesglas Primary, the school council discussed the proposal and at a later date shared discussion with their peers. Verbally they voted on the proposal and out of 91 responses, 87 pupils agreed that the proposal should be progressed with 4 either disagreeing or unsure. Pupils at this school were particularly excited about working on projects with pupils from Gaer Primary, the prospect of being able to arrange visits between the two schools and being able to make friends before moving to High School.

## **Feedback from Staff**

The Executive Headteacher made arrangements to share the consultation pack with members of staff across both schools. Staff were given an opportunity to respond and make comments on the proposal. No responses were received from staff at either school.

## **Consultation Responses**

An invitation to take part in the statutory consultation was issued to the stakeholders 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. In addition, the proposal and consultation documents were published on the Gaer Primary School website, the Maesglas Primary School website and the Newport City Council website. Hard copies were also available at both schools. Responses could be made via an online form, email or in writing. Specific separate engagement events for pupils and staff were facilitated by the two governing bodies.

One response was received during the consultation period from the parent of a child at Gaer Primary School, raising concerns about the ability for one Head Teacher to manage two schools effectively. In response to this, the Chair of Governors of this school has advised that the Governing Body continues to play an active role, regularly meeting to review the performance of the Gaer Primary School in line with the high standards set by the Local Authority, Welsh Government and Estyn. This monitoring takes into consideration not only the teaching standards at the school, but also the leadership provided by the Senior Management Team. The Governing Body is highly satisfied with the strong leadership provided by the Executive Headteacher across both schools, and this was a significant factor in pursuing the formal federation. This is evident by the positive results and progress that pupils continue to make against national standards and is a demonstration of the collaboration and best practice between both schools. If this proposal is approved and implemented, the federated Governing Body will continue to review performance and leadership across both schools.

## **Estyn Response**

The formal response from Estyn reports this as a comprehensive proposal which explains clearly the logic behind federating Gaer Primary School and Maesglas Primary School following a period of being managed by an Executive Headteacher. It also outlines that:

- The proposal is likely to at least maintain the current standards in terms of education provision, and leadership and management;
- The benefits have been described clearly;
- The local authority has considered the risks and has identified reasonable measures to mitigate their effect;
- Suitable alternatives to the preferred option have been considered and the advantages and disadvantages of each one have been listed fairly;
- There is suitable consideration to the effect of the proposal on the quality of outcomes, provision, and leadership and management, and there is consideration of information from the most recent Estyn reports for each school;
- The support categories of both schools over recent years have been noted and suggests that the current arrangements are having a beneficial impact on the quality of the educational provision at Maesglas Primary School.

## **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 through the Council's agreed democratic process. The target implementation date for the federation remains 1st January 2022.

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