

Report



Cabinet Member for Education & Young People

Part 1

Date: 24 February 2016

Item No: 1

Subject **Ysgol Gyfun Gwent Is Coed, Newport**

Purpose To seek approval to move to Formal Consultation on the proposal “to establish a seedling Welsh-medium secondary school, sharing the site of Ysgol Gymraeg Bro Teyrnnon on a temporary basis from September 2016 and subsequent transfer to the original site on Duffryn Way, Newport as soon as possible, or to a permanent location yet to be determined, at the earliest available opportunity”.

Reason For Urgency

The reason for the urgency is the short turnaround required to establish a new school in time for September 2016. The Council’s agreed consultation process would create delays in the process of decision making before the final decision can be considered on whether to establish the school.

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

Ward All

Summary In July 2015 Cabinet took the decision to establish the new Welsh-medium secondary school on Duffryn Way intended to open in September 2016. The build programme included enabling and remodelling works for Duffryn High School and the new Welsh-medium secondary school. There was a need for detailed site and build design before completing a Flood Consequence Analysis and then applying for planning permission.

As a result of the failure to gain planning permission to build the relevant school blocks on the Duffryn Way site, it is necessary to cease any and all development of that site and to immediately move to formal consultation to establish a new Welsh-medium Secondary School at another location in order to accommodate the 80 pupils who have applied for admission. The children’s school already has a Temporary Governing Body, a Headteacher and the name of Ysgol Gyfun Gwent Is Coed has been approved by the Chief Education Officer for Newport City Council.

The proposal for consultation will describe a temporary location as Ysgol Gymraeg Bro Teyrnnon for up to two academic years and then to transfer to the Duffryn Way site if planning permission can be gained following a re-submission of the application. If planning permission is not gained then all consultation stakeholders will be formally consulted on a permanent location at another site.

Proposal To move to formal consultation on the proposal “to establish a seedling Welsh-medium secondary school, sharing the site of Ysgol Gymraeg Bro Teyrnnon on a temporary basis from September 2016 and subsequent transfer to the original site on Duffryn Way, Newport as soon as possible, or to a permanent location yet to be

determined, at the earliest available opportunity". To also transfer the Temporary Governing Body from the current school to the proposed school to provide continuity of school organisation arrangements.

To take this decision urgently as it is so urgent that it cannot go through the Council's agreed consultation process and/or must be implemented immediately and therefore not subject to the Council's call in procedures for the reasons set out under 'Reasons for Urgency' above."

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Action by Chief Education Officer

Timetable Immediate

Signed

Background

In July 2015 Cabinet took the decision to establish the new Welsh-medium secondary school on Duffryn Way to open in September 2016. This followed a protracted statutory consultation process, alongside the HM Treasury Green Book model of 5 case submissions to the Welsh Government 21Cs Capital Panel lasting almost two years.

The regional capital funding was allocated by the WG 21CS capital panel for the agreed preferred option of Duffryn Way and was on track to deliver increased demand for Welsh-medium secondary education. That WG funding matched the investment by Monmouthshire County Council and Newport City Council.

The build project to deliver the established Welsh-medium secondary school at that address included enabling and remodelling works for Duffryn High School with separate financing by the WG 21CS demountable replacement programme and additional separate financing by Newport City Council. The work required was so extensive that unfortunately there were inevitable delays in the build programme. This necessitated some planning for the temporary delivery of key components of the Welsh-medium secondary curriculum to take place at Ysgol Gymraeg Bro Teyrnion (YGBT) for one academic year. This would have allowed the established Welsh-medium secondary school at Duffryn Way to open and function from that site supported by curriculum delivery at YGBT.

The steps to deliver the build project included:

- A requirement for detailed site and build design
- Before completing a Flood Consequence Analysis based upon the specifics of that site and build design
- As a result of almost one year of consultation with flood experts the build design was amended to include flood proofing of school buildings,
- Before finally the Council were able to apply for planning permission

The application for planning permission was recently refused. As a result of the failure to gain planning permission to build the relevant Welsh-medium secondary school block on the Duffryn Way site, it has been necessary to cease any and all development of that school and to immediately move to formal consult on the establishment of the new Welsh-medium Secondary School at another location for September 2016.

There has been a recent announcement by the Council that the planning application for the development at Duffryn Way is to be re-submitted to Full Council who would act together as a Planning Committee. It is thought that this will take place in April or May 2016. The media will be kept fully briefed on the events in advance of that date.

New school reorganisation proposal

It is appropriate however, to formally and legally establish the school, at a location other than Duffryn Way for September 2016 to provide some certainty for all stakeholders, in particular the children. The legal decisions and arrangements for education cannot wait until a planning decision emerges from the re-submission process.

There is a need to prepare for the September 2016 planned opening, the school already has a temporary Governing Body, which has appointed a Headteacher elect. The authority has received 80 admission applications and plans are in progress for all school day arrangements including curriculum setting and recruitment of staffing. More recently, the school received approval by the Chief Education Officer, for the name of Ysgol Gyfun Gwent Is Coed.

With this in mind, it is recommended to take forward a new school reorganisation proposal **“to establish a seedling Welsh-medium secondary school, sharing the site of Ysgol Gymraeg Bro Teyrnnon on a temporary basis from September 2016 and subsequent transfer to the original site on Duffryn Way, Newport as soon as possible, or to a permanent location yet to be determined, at the earliest available opportunity”**.

The planning behind this temporary location is to ensure that all the families who have applied for a place at the school are reassured that the delivery of the curriculum could still take place as they have been advised on the site of YGBT for September 2016.

If planning permission is awarded by Full Council the rest of the reorganisation proposal could take place as soon as the build scheme allows by a natural transfer to the original intended setting – that is to say, a separate school site on Duffryn Way. Duffryn High School would also have a separate school site on Lighthouse Road. It has always been intended for both schools to operate independently with full curriculum arrangements in place for their respective cohorts.

If planning permission is refused by Full Council, the education of the children will continue at YGBT, whilst a formal consultation will emerge for all stakeholders on a statutory reorganisation proposal to transfer to a new permanent location. That location will be in the catchment area currently set for the school that is to say the city of Newport and the Ysgol Gymraeg Y Ffin area of Monmouthshire. It will also be in the south Gwent area and along the M4 corridor.

Timeline and process for the statutory consultation

In the event that the Cabinet Member for Education & Young People takes the urgent decision today to move to formal consultation on the said proposal, the arrangements are as follows:

- **St David’s Day, 1st March 2016 to 12th April 2016** – Formal Consultation
- Urgent Decision by the Cabinet Member for Education & Young People on whether to move to the next stage of the statutory reorganisation proposal, which is to publish a Statutory Notice
- **18th April 2016 to 15th May 2016** – Publication of the Statutory Notice
- Week commencing the 16th May 2016 final decision could be taken

The decision process must take place to first move to formal consultation and then through each stage of the statutory consultation process, before a final determination is taken on whether to establish the new school or not at the temporary location. The following actions will take place during this formal consultation period, but they are not a pre-determination of the decision and the actions do not preordain either the planning permission or the final decision on the establishment of the school:

- **Governance Arrangements**
The current established school already has a Temporary Governing Body. **This report also proposes to transfer over the Temporary Governing Body to the proposed school, to carry on with the school organisational arrangements which are partially completed for September 2016.**
- **School Admission Offer Letters**
Newport City Council act as the admission authority for the new school - Ysgol Gyfun Gwent Is Coed and there is the intention to issue the school admission offer letters in line with the rest of Wales on St David’s Day the 1st March 2016. The offer letters will be awarding a place at the new school for September 2016 – subject to the establishment of that school by the Council.
- **School Day Arrangements & Transition for New Pupils**
During the formal consultation period the Chair of the Temporary Governing Body and the Headteacher elect will continue to develop all of the arrangements to operate the school from September 2016 at YGBT. This will include hosting meetings for parents and families and arranging transition events so that all of the children are supported through this process. A

website has been set up to keep families and all interested parties up to date on details as they emerge <http://www.gwentiscoed.cymru>

Urgent Decision Report

This decision is being taken forward in the form of an urgent decision report as the Council's agreed consultation process would cause further delays in the process and great haste must be taken to reconcile the position for the stakeholders in Welsh-medium secondary education that require a school to open in September 2016.

Options Considered/Available

Option 1: To move to formal consultation on the proposal **“to establish a seedling Welsh-medium secondary school, sharing the site of Ysgol Gymraeg Bro Teyrnnon on a temporary basis from September 2016 and subsequent transfer to the original site on Duffryn Way, Newport as soon as possible, or to a permanent location yet to be determined, at the earliest available opportunity”**. To also transfer the Temporary Governing Body of the current established school to the proposed school for continuity of school organisation arrangements.

Option 2: Not to move to formal consultation on the proposal for the south Gwent area, but to seek alternative arrangements for the provision of Welsh-medium secondary education across the wider Gwent region working with partners and neighbouring authorities.

Preferred choice and reasons

Option 1 is the preferred option, to allow the public and the Welsh-medium education stakeholders to have their say in the reorganisation proposal. To also support the transfer of the current Temporary Governing Body to that of the proposed school.

Sustainability and Environmental Issues

There are no issues in respect of the subject for decision of this report

Crime Prevention Impact

There are no issues in respect of the subject for decision of this report

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. In order to discharge its statutory duty regarding the provision of Welsh medium secondary education in Newport, it is necessary for the Council, as education authority, to establish a temporary school and Governing Body at Ysgol Gymraeg Bro Teyrnnon as from September 2016, for a period of two years, pending a permanent location at Duffryn or another alternative site. If the resubmitted planning application for the redevelopment of the Duffryn school site is agreed by Council, then the school will be established permanently at this site under the management of the shadow governing body. Therefore, the shadow governing body established for Ysgol Gyfun Gwent Is Coed will continue for the time being, pending a decision on the permanent site. In the event that the Duffryn planning application is again rejected, then further statutory consultation will be required in due course to establish a new site and a new shadow Governing Body and the existing governing body will be disestablished. In order to set up the temporary arrangements, the proposal will need to be formally published and subjected to formal consultation in accordance with the statutory procedure. The consultation responses will be reported back to the Cabinet Member in due course to consider whether or not to proceed with the necessary statutory notices. If there are any unresolved objections at this stage, then full Cabinet will take the final decision acting a local resolution panel. Because of the need to complete the statutory consultation processes in readiness for September 2016, this decision is considered to be too urgent to await the outcome of pre-decision consultation and post-decision call-in, but the reasons for urgency will be reported to Scrutiny in due course.

Comments of Chief Financial Officer

There are no financial implications arising from the move to formal consultation. Further cost analysis will need to be provided when a proposal to proceed is taken.

Comments of Head of People and Business Change

No staffing implications as a result of this report.

Scrutiny Committees

As an urgent decision this report will be taken by the author to Scrutiny in due course.

Equalities Impact Assessment

A Fairness & Equality Impact Assessment will be attached to this report for the urgent decision to be taken noting that content and impact.

Children and Families (Wales) Measure

Children and Young People will be consulted as a stakeholder group throughout the formal consultation process.

Other Relevant Consultation

Background Papers

Dated: 24 February 2016

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

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

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

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

Service Area Education Service	Head of Service: Chief Education Officer	Person responsible for the assessment: Assistant Head of Education (Resources & Planning)	Date of Assessment: February 2016	
Name of the proposal to be assessed: Formal Consultation on the proposal “to establish a seedling Welsh-medium secondary school, sharing the site of Ysgol Gymraeg Bro Teyrnnon on a temporary basis from September 2016 and subsequent transfer to the original site on Duffryn Way, Newport as soon as possible, or to a permanent location yet to be determined, at the earliest available opportunity”.			Is this an existing policy/ practice or is it a proposed change?	This is a proposal for formal consultation of a change under the School Standards & Organisation (Wales) Act 2013.
1. Briefly describe the outcomes wanted from policy / practice / proposal. If the policy / practice/ proposal is under review, please list any options being considered		The formal consultation is part of the statutory consultation process on the proposal to establish a new Welsh-medium secondary school for pupils across the region to manage increased demand.		

<p>2. Name any associated policy, legislation, corporate objective etc.</p>	<ul style="list-style-type: none"> • Welsh Government School Organisation Statutory Code, July 2013 • Welsh Education Strategic Plan – updated as at May 2015 • NCC Improvement Plan • Education Service Plan
<p>3. Who are the main stakeholders in relation to the policy / practice?</p>	<ul style="list-style-type: none"> • SEWC Directors • Cabinet Member for Education and Young People, Newport City Council • Elected Members of the Ward • Welsh-medium Primary Schools staff / pupils / parents / governors • Welsh-medium Secondary Schools staff / pupils / parents / governors • Regional Headteachers / School staff / pupils / parents / governors • Coleg Gwent • Community in the vicinity of the proposed school location • WM Regional Planning Group • Careers Wales
<p>4. Who delivers the service?</p>	<ul style="list-style-type: none"> • Relevant Local Authority (in terms of decision making, planning, admissions, transport and consultation and engagement hosting the proposal) • Temporary Governing Body for the new WM School • Head teacher / Staff / pupils / parents at proposed new Secondary School site • Welsh-medium primary schools staff / pupils / staff / parents for transition
<p>5. What factors could contribute / detract from the outcomes (risks / opportunities)?</p> <p>Please list the factors for each separate policy / process options under consideration</p>	<p>Objections to proposals – formal consultation allows for adverse comments to be received, if the proposal moves to the next stage of the publication of the statutory notice then legal objections can be set during that time.</p> <p>Recruitment of staff – to be continued subject to the establishment of the school</p> <p>Location of proposed new Welsh-medium secondary school</p> <p>In the event that the Welsh-medium Secondary School is not delivered, each of the South East Wales local authorities would not meet their priority to ensure that all children seeking Welsh-medium secondary provision across the region are able to continue to do so and that it is of a high standard. Contingency planning is therefore in place across the region.</p>

<p>6. Describe the steps you have taken to carry out this assessment e.g. consultation and engagement</p>	<p>Previously a full option appraisal and scoping has been undertaken in conjunction with advisors in the specialist field of Welsh-medium education.</p> <p>Previously, NCC gained approval for:</p> <ul style="list-style-type: none"> • a 21CS Strategic Outline Programme Extension to support the capital financing of a preferred option in Newport • a regional Strategic Outline Case to support the capital financing of a Newport solution which would also support Ysgol Y Ffin in south Monmouthshire • a regional Outline Business Case • a regional Full Business Case. <p>Previously, the full statutory consultation process was carried out under the requirements of the WG School Organisation Code: Statutory Code, July 2013 to establish the school at Duffryn Way. Then Planning Permission was refused but is to be re-submitted.</p> <p>This proposal is to formally consult on the establishment of the school at a temporary location and subject to planning permission transfer to the Duffryn Way location as a permanent location.</p> <p>If planning permission is not secured then there will be a separate formal consultation for the permanent location for the school to transfer within two academic years.</p>
<p>7. Give a summary of the information the council has taken into account for this assessment</p>	<p>Primary to Secondary Planning of School Places data – Identifies projected numbers until 2016 using data on pupils currently within Welsh-medium education together with any planned expansion.</p> <p>Community Impact / Welsh Language impact assessments.</p> <p>Welsh Government Statutory School Organisation Code, July 2013</p> <p>ALN / Inclusion & GEMS services to be provided through the preferred option</p>

<p>8. Does the proposal promote Equality by:</p> <p>1. promoting good community relations (community cohesion)</p> <p>2. promoting equality</p> <p>3. eliminating discrimination</p> <ul style="list-style-type: none"> • Age • Gender • Gender reassignment • Disability • Marriage / civil partnership • Pregnancy and Maternity • Race • Religion / belief • Welsh language • Sexual orientation 	<p>NCC is committed to ensuring equality of access to its schools and services for all its stakeholders. It is critical that any new school is accessible to everyone regardless of gender, disability, race, religion, martial / civil partnership status, pregnancy & maternity, sexual orientation or ability.</p> <p>The proposed development of a Welsh-medium secondary school will be accessible to all pupils of secondary school age across the South Gwent region, regardless of gender, disability, race, religion, pregnancy, sexual orientation or ability.</p> <p>It will initially however, be a seedling or growing school and in the first year of establishment take pupils of Year 7 age group circa 90 in total. The school will grow each year up to a full school population of circa 900.</p> <p>This proposal will not have any significant impact or adversely affect any other stakeholder regardless of gender, disability, race, religion, martial / civil partnership status, pregnancy & maternity, sexual orientation or ability.</p> <p>This proposal promotes community cohesion, equality, and eliminates discrimination specifically with regard to Welsh Language provision.</p>
<p>9. Does the proposal affect fairness in relation to:</p> <ul style="list-style-type: none"> • Health Inequalities • Child Poverty • Skills and Work • Tackling Domestic Violence • Alcohol and Substance misuse • Homelessness • Armed Forces • Other fairness concerns 	<p>The proposed development of a Welsh-medium secondary school in Newport will assist in improving outcomes and life opportunities for people in Newport and south Monmouthshire specifically with regards to Health Inequalities, Child Poverty and Skills & Works.</p>

<p>10. Does proposal affect local areas differently? If so, does it have a positive or negative impact in terms of fairness and addressing local area deprivation?</p>	<p>The proposed new Welsh-medium Secondary School will be accessible to all pupils within Newport and south Monmouthshire regardless of deprivation levels so will not affect local areas differently.</p>
<p>12. Summary Provide a summary of the last 3 answers (8,9 and10) Does the proposal have a positive outcomes for all people and communities on the groups on the ground of Equalities and Fairness If not why, and what are the mitigating actions?</p>	<p>The proposed new Welsh-medium Secondary School will have positive outcomes for the people and communities, not only of Newport and south Monmouthshire but across the South East Wales region.</p>
<p>13. Reporting, monitoring and evaluating outcome. Where is the Fairness Impact Assessment reported? How will resulting actions be monitored? When will the outcomes be evaluated?</p>	<p>This Fairness and Equality impact assessment has been developed and reported to the Cabinet Member for Education and Young People at the first stage of decision making – that is to move to formal consultation on the proposal. It will continue to be developed to support each stage of decision making.</p> <p>This FEIA will be published following each update on the Council web site and be in the public domain. This is the first FEIA for this specific proposal.</p>

AB Daniel

Signed (lead officer) _____

dated 24th February 2016

James Harris

Signed (Chief Education Officer) _____

dated 24th February 2016