

Report

Cabinet

Part 1

Date: May 2016

Item No:

Subject **Proposal to establish Ysgol Gyfun Gwent Is Coed**

Purpose To note the conclusion of the full statutory consultation process, the contents of the “Consultation Report”, the “Learner’s Voice Survey Report”, to note whether there are any objections received and to acknowledge the “Fairness & Equality Impact Assessment (FEIA)” in order to take a final determination on this school reorganisation proposal

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Ward All

Summary This report seeks to fully appraise full Cabinet of the findings of the statutory consultation process on the school reorganisation proposal to establish a new Welsh-medium secondary school in Newport, now named as Ysgol Gyfun Gwent Is Coed, at a temporary location of Ysgol Gymraeg Bro Teyrnnon:

- To note that the full statutory consultation process is due to conclude at midnight on the 23rd May 2016
- To note the findings of the Formal Consultation stage where there is overall support by consultees – detailed within the “Consultation Report” attached at Appendix One and the “Learner’s Voice Survey Report” at Appendix Two
- To note whether any objections have been received either in a separate “Objection Report” to be tabled on the day of Cabinet – at the date of issuing this report, no objections have been received, or as a tabled report on the “Findings of the statutory notice stage”.
- To note the “Fairness & Equality Impact Assessment” attached at Appendix Two, which will be updated in the event of any objections
- To note that full Cabinet have the delegated responsibility to take this decision
- To note the options before full Cabinet in taking a final determination on this school reorganisation proposal

Proposal **To note the contents of this report and the Appendices, to receive either a separate tabled “Objection Report” if there are any objections received or receive a separate tabled “Findings of the statutory notice stage” report if there are no objections, and to take a final determination on the proposal to establish Ysgol Gyfun Gwent Is Coed in Newport at a temporary location of Ysgol Gymraeg Bro Teyrnnon.**

Action by Chief Education Officer

Timetable Immediate

This report was prepared after consultation with:

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

Signed

Background

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

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

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

During 2014 and 2015, Newport City Council submitted a Strategic Outline Case, an Outline Business Case and a Full Business Case to develop a new Welsh-medium secondary school in Newport. Welsh Government has approved all levels of this business case process and the sum of £17m has been allocated for regional Welsh-medium secondary education funded by Newport City Council, Monmouthshire County Council and Welsh Government.

The next step was to secure the legal permission to establish the new school – this was taken through the full statutory consultation process as a school reorganisation proposal by the Cabinet Member for Education & Young People – first through Formal Consultation and then through the published Statutory Notice stage. In July 2015 the Cabinet of the day took the final determination to establish the school at the site known as Duffryn Way.

Since that time the detailed designs were submitted for Planning permission in February 2016 when planning permission was refused, denoting that legal establishment decision to be unable to be implemented.

The application for planning permission has been re-submitted to be heard by full Council on 19th May 2016. Irrespective of the result of that planning permission committee hearing, the legal determination must be taken by Cabinet either to establish this new school at a temporary location or to take a different route, set out in the options section.

Welsh Government Statutory Code: School Organisation Code, July 2013

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

This report has been published 7 days in advance of Cabinet meeting and as at that date, no objections have been received. If there are no objections Cabinet will still take the decision after noting a report of the “Findings of the statutory notice stage”, tabled on the day of Cabinet.

If objections are received, an “Objection Report” will be tabled on the day of Cabinet and sufficient time will be provided to discuss the detail and the Council response against any objections.

In the event that objections are received, it is important to note that the code states:

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

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

Statutory Consultation Process

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

- 1. Formal Consultation** – The formal consultation stage of the statutory consultation process was carried out from the 1st March to the 12th April 2016. A copy of the consultation pack has been made available under separate cover.

A full "Consultation Report" as required by the School Standards and Organisation (Wales) Act 2013 and the School Organisation Code, July 2013 was published on the Council web site and issued to all stakeholders. The "**Consultation Report**" is attached as **Appendix One** and sets out how there was overall support for the proposal.

In addition a Learner's Voice Survey was carried out with pupils of schools having potential for transition to Ysgol Gyfun Gwent Is Coed, the "**Learner's Voice Survey Report**" is attached as **Appendix Two**.

A summary of the findings at formal consultation stage were:

- A total of 214 consultation responses were received
- 171 supporting the proposal.
- 39 did not support the proposal
- 4 asked questions but neither supported nor objected to the proposal.

- 2. Statutory Notice** – The next stage of the statutory consultation process was carried out with the publication of the statutory notice for 28 days which is due to end at midnight on 23rd May 2016. This was issued in accordance with the School Organisation Code, July 2013 and a copy has been made available under separate cover for members of full Cabinet to note when considering this decision.

Either an "Objection Report" or a summary of the "Findings at statutory notice stage" will be tabled on the day of Cabinet.

When considering the final decision on this proposal, Cabinet are invited to review the tabled report.

The 21CS education case and the regional planning of Welsh-medium school places case is set out on below in summary form, as the way forward and the reasons why, Ysgol Gyfun Gwent Is Coed should be established.

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

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

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

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

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

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

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

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

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

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

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

Financial Summary

Capital – the regional Welsh Education financing to deliver this school has been secured during 2014 and 2015 via the submission of the five case business models to WG – Strategic Outline Case; Outline Business Case; Full Business Case all approved by the WG Capital Panel. This provides for a total of £17m to be financed by Newport City Council; Monmouthshire County Council including match funding by Welsh Government.

Revenue – the establishment of a new school would normally require a school to be funded through the Scheme of Financing for Schools. However this school is being set up as a seedling school, and will therefore require separately determined funding to be allocated to it until such time as a full range of year groups is in situ at the school. To aide this process the details of the funding required to establish the school over the next five years will be included within the Councils MTFP, following discussions with regard to staffing and curriculum growth between the School, Local Authority and EAS. Funding for the initial year of operation is being met from a specific reserve for this purpose which would include the policy of attributing the sum of £35,000 to all new schools in order to facilitate operational set up of any new school.

Risks

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

* Taking account of proposed mitigation measures

Fairness & Equality Impact Assessment

An up to date assessment has been carried out and is available for members of full Cabinet to note before taking their final decision on this proposal. **The “Fairness & Equality impact Assessment” is attached as Appendix Three to this report.** If there are any objections it will be further revised and tabled at the Cabinet meeting and time taken to be fully acknowledged before final determination and subsequent publication.

Links to Council Policies and Priorities

Newport City Council Improvement Plan
Education Service Plan
Wellbeing of Future Generations Act, 2015
Welsh Government Statutory Code: School Organisation Code, July 2013
21st Century Schools Strategic Programme

Options Available

Option 1: To note the contents of this report, the Appendices and in particular to note the contents of the reports setting out the findings of the statutory notice stage to be tabled at the Cabinet meeting. On balance, this option is to support the school reorganisation proposal as it delivers against the education case and the regional planning of school places case and to move to establish Ysgol Gyfun Gwent Is Coed in Newport.

Option 2: To note the contents of this report, the Appendices and in particular to note the contents of the report setting out the findings of the statutory notice stage to be tabled at the Cabinet meeting. When doing so, take the view that the argument to support both the education case and the regional planning of school places case set out in the proposal do not support this proposal.

Preferred Option and Why

Option 1 is the preferred option as it provides regional Welsh-medium school places to meet increased demand for Welsh-medium secondary education. Whilst noting the findings of the statutory notice stage have been tabled within a report and discussed, the education case and the regional planning of school places case are both sound and this proposal should be approved.

Comments of Chief Financial Officer

The revenue financial implications associated with the creation of the new school are detailed within the report and are likely to be in the region of £400k in the first year, for which a budget exists. As the report states funding for subsequent years of operation will be input into the medium term financial plan for consideration following the appropriate discussions and challenge on how the school is anticipated to grow in terms of staffing etc, as the schools funding will sit outside of the scheme of financing for schools until such time as the school has a full complement of pupils within the school.

The seedling school is anticipated to grow each year with additional pupils of 90, 120, 120, 150 and 150 in subsequent years from 1st September 2017.

There is currently £17m in the Capital Programme in relation to this proposal. This will need to be reviewed depending on the decision process outlined in the 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. The proposal to establish a seedling Welsh Medium secondary school at Ysgol Gymraeg Bro Teyrnnon on a temporary basis pending the establishment of a permanent site has been formally published and subjected to formal consultation in accordance with the statutory procedure. The proposed school is required to meet the need for Welsh medium education in Newport. In accordance with the statutory procedures, a detailed consultation document has been prepared, setting out the reasons for the proposals, and there has been meaningful consultation with key stakeholders, including children and young people, who are likely to be affected by the changes. The Cabinet Member decided to proceed with the necessary statutory consultation, in the light of these responses, and the formal statutory notices have been published giving a period of 28 days (including, at least, 15 school days) for any statutory objections. In view of the urgent timescales, this report has been prepared prior to the end of the statutory objection period and, therefore, any unresolved objections will be reported at the meeting. Although the final decision could be taken by the Cabinet Member if there are no objections received, Cabinet would need to take the final decision if there are any unresolved statutory objections. In the circumstances, it is recommended that the matter be determined at this meeting of full Cabinet, whether there are any objections or not.

Staffing Implications: Comments of Head of People and Business Change

The report clearly demonstrates the demand for Welsh medium education within Newport and the wider South East Wales region, and that from September 2016 this demand can no longer be met solely via places at Ysgol Gyfun Gwynllyw in Torfaen and Ysgol Gyfun Cwm Rhymni in Caerphilly. The proposal to move to establish a new Welsh medium secondary school is therefore supported.

It must be noted that the timescales to open a new seedling school by September 2016 are very tight. This is particularly the case in relation to staffing appointments given that there is a much smaller pool of Welsh medium teaching and support staff within South East Wales. Discussions should therefore commence immediately to determine the staffing requirements for 2016 of the new school, particularly as it will be necessary to have at least some (if not all) of the employees in post prior to 1 September 2016.

Comments of Cabinet Member

I fully support the proposal. The establishment of this school at Ysgol Gymraeg Bro Teyrnnon is essential for the local authority to fulfil its statutory commitment to the delivery of Welsh-medium secondary education.

Local issues

None

Scrutiny Committees

None to report

Equalities Impact Assessment

A Fairness & Equality Impact Assessment has been carried out at each stage of this statutory consultation and published on the web site. In order to take this decision an updated "Fairness & Equality Impact Assessment" has been produced and is attached as Appendix Three. If there are any objections it will be further revised and tabled at the Cabinet meeting and time taken to be fully acknowledged before final determination and subsequent publication.

Children and Families (Wales) Measure

As part of the statutory consultation process a full consultation was carried out with Children & Young People, with a separate "everyday summary version" of the document produced and meetings held with pupil councils at the affected schools. A survey of the learner's voice was carried out and a "Learner's

Voice Survey Report” is attached as Appendix Two to this report, detailing overall support for the proposal.

Consultation

Statutory consultation following the WG School Organisation Code, July 2013

Background Papers

None

Dated: May 2016

Attached:

Appendix One: “Consultation Report”
Appendix Two: “Learner’s Voice Survey Report”
Appendix Three: “Fairness & Equality Impact Assessment (FEIA)”