

## REPORT TO CABINET

24 October 2017

**Cabinet Member:** Councillor Gareth Thomas

**Subject:** Reorganisation of the Education Provision in Y Berwyn Catchment Area

**Contact Officer:** Garem Jackson – Head of Education

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### Decision sought/ purpose of the report

The purpose of this report is to obtain permission of the Council's Cabinet to undertake a statutory consultation in accordance with section 48 of the Schools Standards and Organisation (Wales) Act 2013, in Y Berwyn catchment area on the preferred option, namely the proposal to close Ysgol Beuno Sant, Ysgol Bro Tegid and Ysgol y Berwyn in the town of Y Bala, and establish a 3-19 Learning Campus, Welsh medium, Community status, on the existing site of Ysgol y Berwyn – operational from September 2019 onwards.

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### 1. Background

- 1.1 The Council has implemented the strategy '*Excellent Primary Education for Children in Gwynedd*' since it was adopted in April 2009. At its meeting of 9 October 2012, the Cabinet decided on a '*Priorities Plan – Reorganisation of Education Provision*', based on this strategy.
- 1.2 In accordance with the strategy, *Excellent Primary Education for Children in Gwynedd* discussions have been held since 2009 on the provision of education in Y Berwyn catchment area.
- 1.3 At their meeting on Tuesday, 27 June 2017, Gwynedd Council's Cabinet resolved to:
  - i. Withdraw the proposal to establish a Voluntary Controlled 3-19 Learning Campus (VC, Church in Wales) in accordance with section 55 (5) of the (2013) Schools Standards and Organisation Act 2013.*
  - ii. Request a further report with a recommendation for September 2017 to submit an alternative model for consultation which addresses and corresponds with the requirements of the Business Case approved by the Government.*
  - iii. Delegate to the Cabinet Member for Education the right to hold a pre-consultation with the Church in Wales in accordance with the School Organisation Code 2013 and report on the results to the Cabinet in September 2017"*
- 1.4 The report that explains the reasons for the above decisions is available on the Council's website [www.gwynedd.llyw.cymru/thecabinet](http://www.gwynedd.llyw.cymru/thecabinet)

### 2. Developing a model/proposal for the statutory consultation

- 2.1 As known, the business case presented to the Welsh Government in 2015 has attracted an investment of £10.27m to upgrade and build an extension to the existing Ysgol y Berwyn building, to develop the 3-19 Learning Campus in the town of Bala. As a result, in developing the models for this consultation, it was necessary to ensure that the new proposed model offered to Cabinet addressed and complied fully with the requirements of the business case, to ensure that the change in the direction of the project did not breach the terms and conditions of the grant.
- 2.2 As part of the process of developing models, the long list of options submitted with the consultation in 2015 was adapted. Although it is considered that the case for change is clear, the 'Do Nothing' model is included for comparison purposes.

<b>Model 1</b>	Do nothing
<b>Model 2</b>	<ul style="list-style-type: none"> <li>• Close Ysgol y Berwyn, Ysgol Bro Tegid and Ysgol Beuno Sant and create a Learning Campus (LC) on the existing site of Ysgol y Berwyn, in Bala</li> <li>• Then, create a catchment joint-committee between the LC and the rural schools, namely Ysgol OM Edwards and the newly federated schools Ysgol Ffridd y Llyn and Ysgol Bro Tryweryn.</li> </ul>
<b>Model 3</b>	<ul style="list-style-type: none"> <li>• Close Ysgol Y Berwyn and Ysgol Bro Tegid and create a LC on the existing site of Ysgol y Berwyn in Bala</li> <li>• Establish a Local Collaboration Trust between Ysgol Beuno Sant and the LC</li> <li>• OM Edwards, Ffridd y Llyn and Bro Tryweryn schools to continue as present</li> </ul>
<b>Model 4</b>	<ul style="list-style-type: none"> <li>• Close Ysgol Y Berwyn, Ysgol Bro Tegid, Ysgol Beuno Sant, Ysgol OM Edwards, Ysgol Ffridd y Llyn and Ysgol Bro Tryweryn and create a multi-site catchment LC on the existing site of Ysgol y Berwyn, Ysgol Ffridd y Llyn, Ysgol Bro Tryweryn and Ysgol OM Edwards.</li> </ul>
<b>Model 5</b>	<ul style="list-style-type: none"> <li>• Close Ysgol y Berwyn, Ysgol Bro Tegid and Ysgol Beuno Sant and create a LC on the existing site of Ysgol y Berwyn in Bala</li> <li>• Plan to federate the three rural schools, namely Ysgol OM Edwards, Ysgol Ffridd y Llyn and Ysgol Bro Tryweryn with the LC</li> </ul>
<b>Model 6</b>	<ul style="list-style-type: none"> <li>• Close Ysgol y Berwyn, Ysgol Bro Tegid and Ysgol Beuno Sant and create a LC on the existing site of Ysgol y Berwyn in Bala</li> <li>• Close Ysgol OM Edwards, Ysgol Ffridd y Llyn, Ysgol Bro Tryweryn and establish a Multi-site Area School on the existing sites of the three rural schools, namely, Ysgol OM Edwards, Ysgol Ffridd y Llyn and Ysgol Bro Tryweryn</li> <li>• Collaboration between the Multi-site Area School and the LC</li> </ul>
<b>Model 7</b>	<ul style="list-style-type: none"> <li>• Close Ysgol y Berwyn, Ysgol Bro Tegid and Ysgol Beuno Sant and create a LC on the existing site of Ysgol y Berwyn in Bala</li> <li>• Close Ysgol OM Edwards, Ysgol Ffridd y Llyn and Ysgol Bro Tryweryn and establish a Multi-site Area School on the existing sites of the three rural schools, namely Ysgol OM Edwards, Ysgol Ffridd y Llyn and Ysgol Bro Tryweryn</li> <li>• Plan to federate the LC and the rural Multi-site Area School</li> </ul>

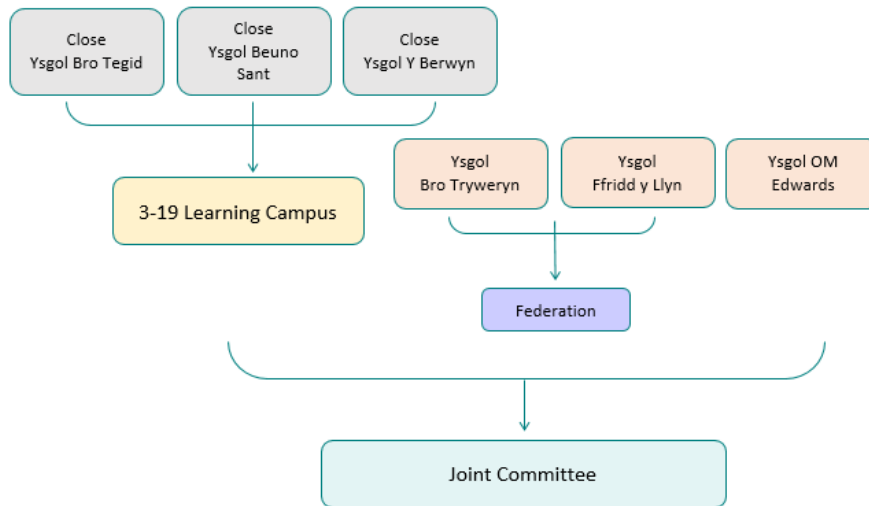
2.3 A document was prepared which summarised the main advantages and disadvantages of the models considered. The different options were evaluated and a further comparison of the models can be seen against factors in the '*Excellent Primary Education for Children in Gwynedd*' strategy, factors in the Code of Organisation, the vision of the Y Berwyn catchment area and other relevant factors. The full options appraisal can be found in **Appendix 1**.

### 3. The direction for the catchment area

3.1 Following full consideration of the possible options, the direction suggested as the subject of this statutory consultation is **Model 2**:

Establish a Learning Campus (3-19), Welsh Medium, Community Category, on the existing site of Ysgol y Berwyn in Y Bala

Then establish a catchment area joint committee between the LC an the three rural schools, namely Ysgol OM Edwards and the newly federated schools, Ysgol Ffridd y Llyn and Ysgol Bro Tryweryn.



### 3.2 This means:

- i. closure of Ysgol Bro Tegid, Ysgol Beuno Sant and Ysgol y Berwyn in Y Bala, and establish a 3-19 Learning Campus, Welsh Medium, Community Campus, on the site of Ysgol y Berwyn, operational from September 2019.
- ii. establish a joint committee between the Learning Campus and the three rural schools namely Ysgol OM Edwards and the newly federated schools, Ysgol Ffridd y Llyn and Ysgol Bro Tryweryn.

### 3.3 After considering a number of factors, this is the preferred option, which includes, but is not restricted to:

- The quality of education
- The size of classes and age range within classes
- Pupil numbers and surplus places
- Learning Environment – quality and suitability of the buildings
- Status/Category of the school
- Leadership and staffing
- The Community
- The Welsh Language
- Equality Impact
- Financial Resources
- Geographical Factors

Further details of some of the considerations listed above can be found in **appendix 2**.

## 4. Impact of the proposed model on the Community, the Welsh Language, and Equality

4.1.1. Welsh Government guidelines (*School Organisation Code 006/2013*) indicate that a community, linguistic and equality impact assessments need to be undertaken as part of any school reorganisation proposal. These assessments were completed on the long list of possible model and were originally carried out as part of the consultation process in 2015 – copies of those assessments are available in **appendix 3**. All assessments will be updated as part of the statutory consultation process should the Cabinet decide to continue with the proposal, and the latest draft version of the equality assessment is also included in **appendix 3**. Here is a summary of the findings of the assessments:

### 4.2 The Community

4.2.1. Since no rural school is to be closed, and as schools in the town of Bala move to one location namely the Learning Campus, there are no significant community impacts or implications involved in implementing the proposed model.

### 4.3 The Welsh Language

4.3.1. Since no rural school is to be closed, there is no impact on the Welsh language. The pupils of Ysgol Bro Tegid and Ysgol Beuno Sant will transfer to the Learning Campus, and the 11-19 year old pupils will continue to receive their education in an establishment with the same cross section of pupils as the existing Ysgol Y Berwyn. The language category of every school in the catchment area will remain the same, namely Welsh Medium category. There will also be an opportunity to further strengthen the implementation of Gwynedd's language policy by ensuring continuation in the use of the Welsh language both in education and within the community

### 4.4 Equality

4.4.1. The assessment gave particular attention to different equality elements such as race, gender, disability, language, religion or beliefs and age. The assessment sets out the current situation and the policies and arrangements that are in place to ensure that the proposal considered aligns with equal rights.

4.4.2. Because a number of models note the possibility of an impact on the Church primary education provision, the Council commissioned a further assessment by an independent consultant. This assessment measured the demand for different types of schools in the catchment area so that the need at local level could be considered when reaching a decision on the favoured option. The favoured model, subject to the favoured legal category, will impact on the choice of different types educational provision in the catchment area, in terms of community or Church education. This factor is given full consideration in part 5 of the report, and the equality assessment and the assessment of need for different types of schools can be found in **appendix 3** of this report.

4.4.3. Having considered the relevant factors in detail, the conclusion reached is that equal opportunities will be promoted positively as a result of the proposal and that measures are in place to ensure that there will be no illegal discrimination or harassment. Arrangements are in place to monitor and review the situation

## 5. Consideration when designating a legal category

5.1 When developing this proposal, consideration must be given to the legal category of any new model. At present, there is a choice of primary provision of the following legal category:

- Community
- Voluntary Aided (VA) with religious designation (Church in Wales)

5.2 In accordance with the School Standards and Organisation (Wales) Act 2013, schools are categorised as one of the following:

- Community
- Voluntary Controlled (VC) with a religious designation (Church in Wales)
- Voluntary Aided (VA) with a religious designation (Church in Wales)

5.3 The Council and the Church in Wales are joint providers of education in the Berwyn catchment area. Ysgol Beuno Sant is a voluntary aided school (VA) with a religious character (Church in Wales). Ysgol y Berwyn, Ysgol Bro Tegid, Ysgol OM Edwards, Ysgol Bro Tryweryn and Ysgol Ffridd y Llyn are Community schools. The religious nature and character of a Voluntary Aided school influences:

- The character of the school
- Membership of the governing body
- Ownership of the site

The table below shows the school categories in the Berwyn catchment area, and the number of pupils in those categories:

Category	Primary (September 2017)		Secondary (September 2017)	
	Number of schools	Number of pupils	Number of schools	Number of pupils
Community	4	353	1	323
Voluntary Aided Schools (VA)	1	38	0	0
<b>Total</b>	<b>5</b>	<b>391</b>	<b>1</b>	<b>323</b>

#### 5.4 The need for different types of schools

5.4.1. In order to understand the views regarding the need for education of different categories in Y Berwyn catchment area, an assessment was undertaken in April 2014. The Council re-visited the 2014 assessment report as part of the process of identifying the favoured option for this statutory consultation.

5.4.2. The assessment was carried out by distributing a questionnaire to the parents of pupils at each of the 6 schools within Y Berwyn catchment area. 160 questionnaires were returned. Some key points to note is the fact that the quality of education is the most important factor to parents as they choose a school for their children – this is clear with 76.9% of the respondents stating, “The only thing that matters to me is that my child has a good education”. There were no views either way regarding the category of the school. It confirmed that educational matters – quality, good relationship with the school, standard of the resources and the learning environment are the main factors considered as important in a school.

5.4.3. Another question asked respondents to rank different factors relating to their schools in the order of their importance. By combining the responses, the report sets the factors in the following order of importance.

Rank	Factor
1 <sup>st</sup>	The quality of education
2 <sup>nd</sup>	A good relationship between parents and teachers
3 <sup>rd</sup>	School buildings and resources that are of high standard
4 <sup>th</sup>	The school supports the children’s spiritual and moral developments
5 <sup>th</sup>	Travelling distance to the school
6 <sup>th</sup>	The formal expectation that Christian values are integral to the life of the school
7 <sup>th</sup>	Additional Provisions (e.g. breakfast clubs, after school clubs)

5.4.4. The full assessment report has been included as an attachment to this report (**Appendix 3**).

#### 5.5 Pre-consultation with the Church in Wales

5.5.1. In accordance with the Cabinet’s decision on 27 June 2017, a pre-consultation was held with the Church in Wales between 31 August and 28 September 2017. The response of the Church in Wales was received during the pre-consultation period in the form of a letter dated 12 September 2017.

5.5.2. The Church stated as follows:

*“The needs of the current and future pupils at the new school are our priority, the Diocese of St Asaph wishes to support a way forward that protects the investment of £10million and allows the new school to open as soon as possible so that the children of Bala and Penllyn and the wider community can benefit.*

*We have discussed the matter at length with officers of Cyngor Gwynedd, locally elected members and the Chairs of Governors and we all agree that we should work together to bring this matter to a satisfactory conclusion.*

*To enable this to happen the Diocese will in partnership with Cyngor Gwynedd concur with the request of the Governing Bodies and wider community regarding the status of the new 3-19 learning campus. This will allow a new consultation to be held but also allows the building work to continue and safeguards the investment in Bala and Penllyn.”*

5.5.3. The Church in Wales’s full response has been included as an attachment to this report (**Appendix 4**).

## **5.6 Land ownership and use of capital receipts**

5.6.1. The sites of Ysgol Bro Tegid and Ysgol y Berwyn are the property of Gwynedd Council. The Church in Wales owns the site of Ysgol Beuno Sant.

5.6.2. In regards to Ysgol y Berwyn, if the Learning Campus is denoted as a:

- Church in Wales school with a Voluntary Controlled or Voluntary Aided status, the site of Ysgol y Berwyn would need to be transferred to the Church in Wales.
- Community status school, there would be no change to the ownership of the site, and the Local Authority would continue to own the Ysgol y Berwyn site.

5.6.3. As was noted in the previous consultation, the Council will establish formal long term binding arrangements between itself, the Governing Body and the community to secure and manage any shared community facilities that are proposed to be incorporated in the school for the benefit of the school and the community.

5.6.4. Any capital receipts will be allocated to the Council’s Asset Management Plan. This forms part of the Council’s financial contribution of £5.135M towards the investment in the Berwyn catchment area and other capital projects undertaken by the Council.

## **5.7 The preferred legal category**

5.7.1. Choosing a category for the Learning Campus as implications for the nature of educational provision in the catchment area. Denoting the Campus as a community school would remove Church in Wales primary provision in the area. On the contrary, designating the Campus as a Church in Wales school would remove community primary and secondary provision in the town of Bala. In designating a legal category for the preferred model, the outcome of the recent local discussion (as noted in the Cabinet report on 27 June 2017) as well as the finding of the assessment of the need for different types of schools (2014) which confirmed that the quality of education is the main factor that is considered important in a school.

5.7.2. On this basis, in terms of legal category, it is proposed that ‘community’ status is the preferred option for a statutory consultation.

5.7.3. We welcome all comments regarding the proposed legal category of the preferred option that is whether the consultees are in favour of or against the preferred community category.

## **6. Implications of the proposal**

### **6.1 Staffing considerations**

6.1.1. Should the proposal be approved, any impact on current staff would be fully discussed with Ysgol Bro Tegid, Ysgol Beuno Sant and Ysgol y Berwyn and their representatives. Gwynedd Council has

developed a detailed staffing policy, in conjunction with the Trade Unions and Head teachers. Communicating clearly and openly will play a crucial role in implementing any proposals.

6.1.2. If the proposal reaches the point where a school will be established, the Shadow Governing Body will be expected to appoint staff for the new school. The Council's Personnel and Education Service will be available to provide support and advice to the Governing Body and staff regarding the process.

## **6.2 The Process of establishing the Learning Campus as an entity**

6.2.1. In order to establish the Learning Campus the legal and constitutional implications of doing so were considered. It would involve the closure of the schools in question (Ysgol Bro Tegid, Ysgol Beuno Sant and Ysgol Y Berwyn), and the opening of a Learning Campus on the existing Ysgol Y Berwyn site.

6.2.2. From creating the Learning Campus, it would be necessary to establish a Shadow Governing Body, the composition of the school and appoint staff. The staffing structure will be a matter for the Shadow Governing Body.

6.2.3. In implementing this proposal, the catchment areas of the existing schools will be adjusted. Catchment areas are used to identify the nearest school for parents / children, dependent on where they live. This is how the Authority's Transport and Access Policy can be realised.

6.2.4. However, as the intention is to close the two sites in the town centre of Bala, and re-locate educational provision to the Ysgol Y Berwyn site, we do not anticipate any change to the existing transport arrangements, or the Authority's Access Policy.

## **6.3 The opening date and arrangements for the 2018-19 academic year**

6.3.1. Construction work is progressing well on site and we anticipate that new facilities, following £10.27m of investment, will be available for local residents to take full advantage of the resources from September 2018 onwards. Due to the recent changes in the situation regarding the governance/management arrangements of the proposed Campus, there has been a delay in the work programme for establishing the Campus. As a result, it was concluded that it is no longer possible to open the Campus in September 2018 in accordance with the original proposal.

6.3.2. The Education department has considered several options before reaching a conclusion on the opening date of the new proposal, and the input of Head teachers, chairs of governor and local members of the catchment area on those options was received at a meeting held on the 4<sup>th</sup> October 2017. Some of the options put forward during that meeting included opening the Campus in January or April 2019. The option of locating and running the three individual schools (which are the subject of the proposal) was also considered at the Ysgol Y Berwyn site during the 2018-19 academic year, but concerns were expressed regarding the feasibility of this option as it would involve maintaining three staffing structures on a single school site.

6.3.3. After a discussion about the way forward, there was consensus that the most practical and appropriate option in this case would be to open the Campus in September 2019 and put in place clear arrangements between the secondary school and the two primary schools in the town to ensure that primary school pupils take advantage of the resources from September 2018 onwards.

6.3.4. If the proposal is implemented, Ysgol y Berwyn, Ysgol Bro Tegid and Ysgol Beuno Sant will remain open until August 31, 2019, i.e until the Campus opens on 1 September 2019. Meanwhile, Education department officials will work closely with Ysgol Bro Tegid, Ysgol Beuno Sant and Ysgol y Berwyn and their governing bodies to establish a transition plan for primary schools of the town to ensure regular and purposeful use by those schools during the year before the Campus officially opens in September 2019.

## **7. Next Steps**

7.1 If the Cabinet supports the recommendations presented in this report, a period of statutory consultation will need to be undertaken in accordance with the requirements of the School

Standards and Organization Act 2013 and the guidance of the School Organization Code (006/2013), on the proposal to establish a 3-19 Learning Campus with a Community status in the town of Bala.

- 7.2 Following that, a further report will be presented to Cabinet in order to report on the outcome of the consultation.
- 7.3 The Cabinet will then be required to evaluate the responses to the consultation regarding the Learning Campus and subject to the views of the Cabinet, decide whether or not to issue a Statutory Notice to implement the proposal. If a Statutory Notice is published, there will be a period of 28 days for anyone to object. Following the objection period, a report will be presented to Cabinet for a final decision. It must be remembered that in some situations the final decision can be referred to the Welsh Government Minister for Education and Skills in accordance with the School Organization Code (006/2013).
- 7.4 Subject to the Cabinet's decisions, here is an outline timetable for the next stages of the process:

Next Steps	Outline Timetable
Cabinet Report – approval to Consult on the Preferred Option	24 October 2017
Statutory Consultation Period 3-19 Learning Campus	22 November 2017 – 10 January 2018
Cabinet report following statutory consultation	13 February 2018
Publish a Statutory Notice and opportunity for consultees to object	March 2018
Final decision by the Council's Cabinet (possible to refer to the Welsh Government Minister for Education and Skills)	April 2018

## 8. Recommendations

### 8.1 It is therefore recommended:

- i. To undertake a process of statutory consultation in accordance with the requirements of Section 48 of the School Standards and Organisation Act 2013 to close Ysgol Bro Tegid, Ysgol Beuno Sant and Ysgol Y Berwyn. The intention is that the schools will close on 31 August 2019.
- ii. To undertake a process of statutory consultation in accordance with the requirements of Section 48 of the School Standards and Organisation Act 2013 on the preferred option, namely to establish a Welsh Medium 3-19 Learning Campus, Community status, on the current site of Ysgol Y Berwyn - operational from 1 September 2019.

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## VIEWS OF THE STATUTORY OFFICERS

### The Monitoring Officer:

*"This report has received input from the Legal Department therefore I have no comments to add regarding propriety."*

### Head of Finance:

*"These plans have a long history, and at each stage Finance officials have worked with the Education Department in developing financial figures. Therefore, I can confirm that I am satisfied with the accuracy of the figures in the report. I am convinced that the business case remains robust, and there are clear reasons to support the recommendations and act promptly, by following appropriate procedures."*