

GWYNEDD COUNCIL CABINET



Report to a meeting of Gwynedd Council Cabinet

Date of meeting:	3 NOVEMBER 2020
Scrutiny Member:	Councillor Paul Rowlinson, Chair of the Education and Economy Scrutiny Committee
Contact officer:	Vera Jones – Democracy and Language Services Manager
Contact Number:	32267
Subject:	Referral back to the Cabinet by the Scrutiny Committee – Cabinet Decision on 15/09/20, Item 5: Ysgol Abersoch

THE DECISION SOUGHT

That the Cabinet reconsiders its decision to hold a statutory consultation on the proposal to close Ysgol Abersoch, following the Education and Economy Committee's decision on 08/10/20 to refer the matter back to the Cabinet. The Cabinet is asked to consider whether or not amendments should be made to the decision prior to adopting the final decision

REASONS FOR THE NEED FOR A DECISION

In accordance with section 7.25 d of the Council's constitution:

"If, having considered the decision, the Scrutiny Committee is still concerned about it, then it may refer it back to the decision making body for reconsideration, setting out in writing the nature of its concerns or refer the matter to Full Council. If referred to the decision maker they shall then reconsider within a further 15 clear working days, amending the decision or not, before adopting a final decision."

INTRODUCTION AND RELEVANT CONSIDERATIONS

BACKGROUND

1. The Cabinet's decision regarding Item 5: Ysgol Abersoch, at the meeting held on 15/09/20, was called in for scrutiny by the Education and Economy Scrutiny Committee. That decision was:-

"Permission was granted to hold a statutory consultation, in accordance with the requirements of section 48 of the School Standards and Organisation (Wales) Act 2013, on the proposal to close Ysgol Abersoch on 31 August 2021 and to provide a place for the pupils at Ysgol Sarn Bach from 1 September 2021 onwards".

2. This request, in accordance with Section 7.25 of the Council's Constitution, was made by Councillors Paul Rowlinson (Chair of the Scrutiny Committee), Dewi Roberts and Elwyn Jones within the necessary requirements and timeframe.
3. The reasons for calling in, namely the aspects of the decision that it is considered should be scrutinised, have been noted as follows:

"Owing to the COVID situation and legal guidelines and the Education Department's policies, it is not possible to hold meetings in the usual manner and it is impossible to hold meetings with some people who have a keen interest in the matter. The Head teacher was off work during the period. Therefore, continuing with the process under these circumstances was unfair for the school and community. According to the school's representatives, it has not been registered as a Rural School and we question why this is the case. Some believe that small schools should not be closed without scrutinising the decision".

4. A meeting of the Education and Economy Scrutiny Committee was held on 8 October 2020. The members of the scrutiny Committee decided to refer the matter back to the Cabinet for further consideration for the following reasons:

The scrutiny committee remained concerned about the situation and, therefore referred the matter back to the Cabinet for reconsideration for the following reasons:

- Owing to the COVID situation and legal guidelines and the Education Department's policies, it is not possible to hold meetings in the usual manner and it is impossible to hold meetings with some people who have a keen interest in the matter. It is also impossible to hold public meetings in the community as is usual to discuss and respond to the consultation.

- The Head teacher was off work during the period, and continues to be absent. As the permanent head teacher is best placed to know about the school's situation, continuing with the process when she continues to be absent is unfair to the school and the community.
 - Some believe that small schools should not be closed without scrutinising the decision.
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ANY CONSULTATIONS UNDERTAKEN PRIOR TO RECOMMENDING THE DECISION

The Education and Scrutiny Committee decided to call witnesses to the Committee to answer questions. The Chairman and Vice-chairman of Ysgol Abersoch's Governing Body were questioned.

VIEWS OF THE STATUTORY OFFICERS

The Monitoring Officer:

The report traces the Process which was followed following a call in request in request under Part 7.25 OF TEH constitution. The Education and Economy Scrutiny Committee determined that the mater should be referred back to the Cabinet for re-consideration of the decision made on the 15th of September 2020. In accordance with the provisions of the Constitution this decision has been suspended from implementation until the call in process has been completed. The Scrutiny Committee has noted the matters it wished the Cabinet to consider.

The Cabinet needs to give careful consideration to the opinion of the Scrutiny Committee and whether or not it needs to amend the decision. However, the decision on the response to the Scrutiny Committee recommendations remains a Cabinet decision as to whether it should commence a statutory consultation Process on the future of Ysgol Abersoch in accordance with Section 48 of The School Standards and Organisation (Wales) Act 2013. Therefore in reviewing its original decision it remains a mater which needs to be assessed within the framework of considerations and requirements which are relevant to it. In the same way the recommendations of the Scrutiny Committee have to be placed in this context. This a solely a decision for the Cabinet.

Head of Finance:

The view of the statutory finance officer in the original report to the Cabinet on 15/09/2020 noted clear reasons, including financial reasons, to support the recommendation to close Ysgol Abersoch. It was noted that establishing the new arrangements would lead to annual net savings of £96,062. In general, Gwynedd schools need to achieve savings to contribute additional running costs.

Appendices

- APPENDIX 1 Education and Economy Scrutiny Committee Decision Notice (08/10/2020)
- APPENDIX 2 Education and Economy Scrutiny Committee draft minutes (08/10/2020)
- APPENDIX 3 Education and Economy Scrutiny Committee papers (08/10/20) that include
 - APPENDIX 3a Cover report
 - APPENDIX 3b The Education Department's response to the aspects of the decision that were scrutinised
 - APPENDIX 3c Cabinet Decision Notice on 15/09, Item 5
 - APPENDIX 3d Cabinet Report on 15/09, Item