

Pecyn Dogfennau



Mark James LLM, DPA, DCA
Prif Weithredwr,
Chief Executive,
Neuadd y Sir, Caerfyrddin. SA31 1JP
County Hall, Carmarthen. SA31 1JP

DYDD LLUN, 19EG TACHWEDD, 2018

AT: HOLL AELODAU'R PWYLLGOR CRAFFU ADDYSG A PHLANT

[GWAHODDIR AELODAU'R PWYLLGOR CRAFFU GOFAL CYMDEITHASOL AC IECHYD I FYNYCHU'R CYFARFOD ER MWYN YSTYRIED EITEM 4 AR YR AGENDA.]

YR WYF DRWY HYN YN EICH GALW I FYNYCHU CYFARFOD O'R **PWYLLGOR CRAFFU ADDYSG A PHLANT** SYDD I'W GYNNAL YN Y SIAMBR, NEUADD Y SIR, CAERFYRDDIN AM **10.00 A.M. AR DDYDD LLUN, 26AIN TACHWEDD, 2018** ER MWYN CYFLAWNI'R MATERION A AMLINELLIR AR YR AGENDA ATODEDIG.

Mark James DYB

PRIF WEITHREDWR



AILGYLCHWCH OS GWELWCH YN DDA

Swyddog Democrataidd:	Michelle Evans Thomas
Ffôn (Llinell Uniongyrchol):	01267 224470
E-bost:	MEEvansThomas@sirgar.gov.uk
Cyf:	AD016-001

PWYLLGOR CRAFFU ADDYSG A PHLANT

**14 AELOD O'R CYNGOR, 2 AELOD ANETHOLEDIG SYDD Â PHLEIDLAIS
A 3 RHIANT-LYWODRAETHWYR ETHOLEDIG SYDD Â PHLEIDLAIS**

GRŴP PLAID CYMRU – 7 AELOD

- | | | |
|----|------------|--------------------------|
| 1. | Cynghorydd | Liam Bowen |
| 2. | Cynghorydd | Kim Broom |
| 3. | Cynghorydd | Betsan Jones |
| 4. | Cynghorydd | Jean Lewis |
| 5. | Cynghorydd | Darren Price (Cadeirydd) |
| 6. | Cynghorydd | Emlyn Schiavone |
| 7 | Cynghorydd | Dorian Williams |

GRŴP LLAFUR – 4 AELOD

- | | | |
|----|------------|---------------|
| 1. | Cynghorydd | Dot Jones |
| 2. | Cynghorydd | Gary Jones |
| 3. | Cynghorydd | Shahana Najmi |
| 4 | Cynghorydd | Bill Thomas |

GRŴP ANNIBYNNOL – 2 AELOD

- | | | |
|----|------------|------------------------------|
| 1. | Cynghorydd | Ieuan Wyn Davies |
| 2. | Cynghorydd | Edward Thomas (Is-Cadeirydd) |

HEB GYSYLLTIAD PLEIDIOL – 1 AELOD

- | | | |
|----|------------|--------------|
| 1. | Cynghorydd | John Jenkins |
|----|------------|--------------|

AELODAU ANETHOLEDIG SYDD A PHLEIDLAIS (2)

- | | | |
|----|-----------------------|-----------------------------|
| 1. | Mrs V. Kenny | Yr Eglwys Gatholig Rufeinig |
| 2. | Mrs J. Voyle Williams | Yr Eglwys yng Nghymru |

RHIANT LYWODRAETHWYR ETHOLEDIG SYDD Â PHLEIDLAIS (3)

Cyfnod yn y swydd yn dod i ben ar y 31/03/2020

- | | | |
|----|--------------------------|-----------------------|
| 1. | Mrs M. Jones | Ardal 1 – Dinefwr |
| 2. | Mrs G. Cornock-
Evans | Ardal 2 – Caerfyrddin |
| 3. | Mr J. Davies | Ardal 3 - Llanelli |

AGENDA

1. YMDDIHEURIADAU AM ABSENOLDEB.
2. DATGANIADAU O FUDDIANNAU PERSONOL GAN GYNNWYS UNRHYW CHWIPIAU PLEIDIAU A RODDIR MEWN YMATEB I UNRHYW EITEM AR YR AGENDA.
3. CWESTIYNAU GAN Y CYHOEDD (NID OEDD DIM WEDI DOD I LAW).
4. GOFALWYR IFANC SIR GAERFYRDDIN A GWASANAETH OEDOLION IFANC. 5 - 8
5. CYLLIDEB YMDDEOLIAD GWIRFODDOL CYNNAR A DISWYDDO. 9 - 18
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Mae'r dudalen hon yn wag yn fwriadol

**PWYLLGOR CRAFFU ADDYSG & PHLANT
26AIN TACHWEDD 2018**

Gofalwyr Ifanc Sir Gaerfyrddin a Gwasanaeth Oedolion Ifanc

Pwrpas:

Darparu gwybodaeth ynghylch gwasanaethau sydd ar gael i ofalwyr ifanc ledled Sir Gaerfyrddin.

Argymhellion/penderfyniadau sydd eu hangen:

Dim.

Rhesymau: Gwybodaeth i'r aelodau.

Angen ymgynghori gyda'r pwyllgor craffu perthnasol?

Pwyllgor Craffu Addysg & Phlant: IE – 26ain Tachwedd 2018

Angen penderfyniad y Bwrdd Gweithredol Amh

Angen penderfyniad y Cyngor Amh

AELOD O'R BWRDD GWEITHREDOL:- Cyng. Glynog Davies

Addysg & Gwasanaethau Plant

Designations:

Enw Pennaeth y
Gwasanaethu:

Stefan Smith

Awdur yr Adroddiad: Mags
Williams

Pennaeth
Gwasanaethau
Plant

Arweinydd Gofalwyr
Ifanc

Rhif Ffon: 01267 226530

E Bost: sjsmith@sirgar.gov.uk

MAWilliams@sirgar.gov.uk

**EXECUTIVE SUMMARY
EDUCATION & CHILDREN SCRUTINY COMMITTEE**

26TH NOVEMBER 2018

Carmarthenshire Young Carers and Young Adult Carer Services

BRIEF SUMMARY OF PURPOSE OF REPORT

There will be a powerpoint presentation to update the committee on services available to young carers and young adult carers across Carmarthenshire.

DETAILED REPORT ATTACHED

No



EICH CYNGOR arleinamdani
www.sirgar.llyw.cymru
YOUR COUNCIL doitonline
www.carmarthenshire.gov.wales

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed **Stefan Smith**

Head of Childrens Services

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
No	No	No	No	No	No	No

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: **Stefan Smith**

Head of Childrens Services

1 Scrutiny Committee N/A

2 Local Members N/A

3 Community Town Council N/A

4 Relevant Partners N/A

5 Staff Side Representation and other organisations N/A

THESE ARE DETAILED BELOW :-

No Files to be referred to.

Mae'r dudalen hon yn wag yn fwriadol

PWYLLGOR CRAFFU ADRAN ADDYSG A PHLANT

26AIN TACHWEDD 2018

<p>Maes - Cyllideb Ymddeoliad Gwirfoddol Cynnar a Diswyddo</p> <p>Pwrpas: I roi diweddariad ar sut mae'r Adran Addysg yn mynd i'r afael â'r mater hwn.</p>		
<p>Argymhellion/penderfyniadau sydd eu hangen:</p> <ul style="list-style-type: none"> • I gynnig sylwadau mewn perthynas â'r cynigion • Awgrymu unrhyw welliannau/ychwanegiadau i'r broses 		
<p>Rhesymau:</p> <p>Mae'r Gyllideb Ymddeol a Diswyddiadau Gwirfoddol Cynnar o dan bwysau gyda'r gyllideb ar ddechrau'r flwyddyn ariannol eisoes wedi ymrwymo i ariannu achosion yn y system. Mae swyddogion wedi bod yn adolygu'r prosesau a systemau er mwyn rheoli'r gyllideb hon yn well.</p>		
<p>Ymgynghori gyda'r pwyllgor craffu perthnasol- IE</p> <p>BWRDD GWEITHREDOL/CYNGOR/PWYLLGOR: NA</p>		
<p>Angen penderfyniad Bwrdd Gweithredol NA</p> <p>Angen penderfyniad Cyngor NA</p>		
<p>AELOD O'R BWRDD GWEITHREDOL:- Cyng. Glynog Davies</p>		
<p>Cyfarwyddiaeth- Addysg a Gwasanaethau Plant</p> <p>Enw: Gareth Morgans</p> <p>Awdur Adroddiad: Gareth Morgans</p>	<p>Swydd:</p> <p>Cyfarwyddwr Addysg a Gwasanaethau Plant</p>	<p>Rhif ffon. 01267 226522</p> <p>E bost: EDGMorgans@sirgar.gov.uk</p>

EXECUTIVE SUMMARY

EDUCATION AND CHILDREN SCRUTINY MEETING

26TH NOVEMBER 2018

Early Voluntary Retirement and Redundancy Budget

The school workforce in Carmarthenshire totals approximately 3,880 staff. This is made up of 1573 teachers and 2307 support staff.

School based staff are recruited by Governing Bodies and are employees of Carmarthenshire County Council. A very high percentage of a school's budget is used to employ staff. Schools can have a budget shortfall due to a range of issues but predominately it is due to a falling pupil roll. When that happens it can lead to a review of staffing and potential reductions in the school workforce.

When staff become surplus to requirements the costs of releasing the staff is borne by the Council. The budget allocated to address **Early Voluntary Retirement and Redundancy** costs is held by the Department for Education and Children's Services. For a number years this budget has been under considerable pressure. In respect to the last three years expenditure information is noted below-

Financial year	Budget	Expenditure
2013-14	1,557,235	400k
2014-15	1,570,603	864k
2015-16	1,602,072	793k
2016-17	1,612,287	846k
2017-18	1,837,571	488k
2018-19	1,874,715	300k (forecast)

Officers have been reviewing processes and practice in order to better manage expenditure and ensure that all business cases presented are robustly challenged.

Process

When schools need to reduce expenditure they need to look at all possible options before considering reducing their workforce. When this is inevitable, during the redundancy consultation process, volunteers for early retirement and/or redundancy are sought. The process also seeks volunteers to apply for reduction of hours. This is usually a risk free process in terms of post-employment claims e.g. for breach of contract or unfair dismissal.

If there are no suitable volunteers, there is likely to be a compulsory redundancy in line with the agreed policy. The Council's Scheme complies with Teachers (Compensation for Redundancy and Premature Retirement) (Amendment) Regulations 2006 S1 2006 no. 2216- PRC Regulations amend the 1997 PRC Regulations and with the Teachers Pensions scheme as revised on 1 January 2007. This approach carries a higher risk and is more time consuming for governors, school staff and HR. The LA carries the cost in terms of defending the case and any compensation/financial settlements.

Recommendations for dismissal by reason of redundancy are the responsibility of the school governors. The local authority is obliged to comply with the governing body's recommendations and to issue the notice of dismissal but will make every effort to obtain redeployment for the employee concerned where appropriate. In the case of deliberate disregard of the Director's advice, all costs, including redundancy payments and any costs arising at a later date, including costs relating to Employment Tribunal claims, may be recharged to the school's delegated budget.

DETAILED REPORT ATTACHED?

YES

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed:



Director of Education and Children's Services

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
YES	YES	YES	NONE	YES	YES	NONE

<p>Policy, Crime & Disorder and Equalities</p> <p>We are obliged to follow agreed policies and procedures ensuring that all staff are treated equally and consistently.</p>
<p>Legal</p> <p>We are obliged to follow agreed policies and procedures ensuring that we comply with legislation in this area of practice.</p>
<p>Finance</p> <p>The budget for EVR as noted is under considerable pressure and has had to be increased year on year to address demand.</p>
<p>Risk Management Issues</p> <p>There are risks for the Local authority and schools in not implementing policy consistently and fairly.</p>
<p>Staffing Implications</p> <p>This issue is in direct relation to staffing within schools and how we ensure that all policies and procedures are implemented.</p>

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed:



Director of Education and Children's Services

1. **Local Member(s)** – N/A
2. **Community/Town Council** – N/A
3. **Relevant Partners-** School Budget Forum and schools- at the time of reviewing policy
4. **Staff Side Representatives and Other Organisations-** Employee Relations Forum consulted at the time of reviewing policy

Section 100D Local Government Act, 1972 – Access to Information

List of Background Papers used in the preparation of this report:

THERE ARE NONE

Early Voluntary Retirement and Redundancy Process Review

The school workforce in Carmarthenshire totals approximately **3,880** members of staff. This is made up as follows-

	Teachers	Support Staff
Voluntary Aided	75	131
Secondary Schools	694	573
Primary Schools	780	1500
Special Schools	24	103
Total	1,573	2,307

In accordance with the statutory local management of schools framework the recruitment and termination of employment of members of the schools based workforce falls under the authority of school governing bodies. Whilst the Council offers advice to school governing bodies on workforce matters the decisions rest with governing bodies and fall outside the direct control of the Council.

However, the County Council remains the employer in law of all school based staff and is subject to statutory obligations for these staff as for all other County Council employees. This means that whilst the County Council has no direct control over the management of the school workforce the financial implications of decisions made by school governing bodies on the release of school based staff rest with the County Council.

The budget allocated to address **Early Voluntary Retirement and Redundancy** costs is held by the Department for Education and Children's Services. For a number years this budget has been under considerable pressure. In respect to the last five years expenditure information is noted below-

Financial year	Budget	Overspend
2013-14	1,557,235	400k
2014-15	1,570,603	864k
2015-16	1,602,072	793k
2016-17	1,612,287	846k
2017-18	1,837,571	488k
2018-19	1,874,715	300k (forecast)

Procedures to support and challenge schools considering staffing reductions have been developed since 2017 which is reflected in the reduced overspend.

The staffing compliment at each school is influenced by a number of factors, such as curriculum demands, national policy requirements regarding pupil to staff ratios, etc, but the principal driving factor is the number of pupils on the school roll.

The number of pupils at each school varies from year to year as a consequence of factors such as the demography of the catchment area, the popularity of the school, etc. The statutory funding framework for schools requires that at least 70% of the funding allocated to schools by the local authority must be based on pupil number and so the governing body of every school must keep its staffing compliment under review so that it is appropriate to the pupil cohort and curriculum demands. This means that schools regularly need to reduce their workforce when pupil numbers decline, either through voluntary early retirement or redundancy.

Furthermore, the rationalisation of schools through the MEP can give rise to school staff redundancies and whilst this generates efficiency gains for the longer-term there are short term cost consequences.

When school staff have their employment terminated the additional short-term costs arising out of pension actuarial strain and redundancy payments fall to the Department for Education and Children's Services to meet rather than the individual school's budget.

The **School Funding (Wales) Regulations 2010** establishes that expenditure in respect of the dismissal or premature retirement of any person and expenditure in respect of teacher's emoluments are part of the local authority budget. These costs are outside the direct control of the Department but the Department will seek to work with schools and the trade unions to reduce the overall impact of staff termination costs. However the Local Authority could charge schools in certain circumstances, dependant on the content its Scheme for Financing Schools (see further proposals).

The majority of the budget is "locked in" as it relates to pension contributions and other costs for staff released in previous years. Elements of these costs will continue until pensioners die. There is less than £100k budget available to meet new expenditure arising within the year, which is giving rise to a significance projected over-spend in the current year.

This budget has persistently over-spent over recent years by significant amounts. Current predictions are that the budget will overspend by £300k in 2018/2019.

With further significant rationalisation of the schools network planned through the MEP, some rural primary schools experiencing a continuing decline in forecast pupil numbers despite a generally increasing birth rate, and with secondary school pupil numbers forecasted to decline for a couple of years yet, there is little prospect of the pressures on this budget easing in the foreseeable future. If County Council approves a reduction in school budgets or a cash neutral position it is inevitable that significant short term costs will arise as schools are forced to shed staff.

The Department is working with schools to explore ways to manage expenditure in this area but it is unlikely that this effort will remove this financial pressure in the mid-term. It may be possible to reduce the overall financial burden by reducing teachers' payments at retirement or redundancy in line with provision for non-school based staff and further negotiation with the teaching unions will be held to explore options.

Process

When schools need to reduce expenditure they need to look at all possible options before considering reducing their workforce. When this is inevitable, during the redundancy consultation process, volunteers for early retirement and/or redundancy are sought. The process also seeks volunteers to apply for reduction of hours. This is usually a risk free process in terms of post-employment claims e.g. for breach of contract or unfair dismissal.

If there are no suitable volunteers, there is likely to be a compulsory redundancy in line with the agreed scheme. The Council's Scheme complies with Teachers (Compensation for Redundancy and Premature Retirement) (Amendment) Regulations 2006 S1 2006 no. 2216-PRC Regulations amend the 1997 PRC Regulations and with the Teachers Pensions scheme as revised on 1st January 2007. This approach carries a higher risk and is more time consuming for governors, school staff and HR. The LA carries the cost in terms of defending the case and any compensation/financial settlements.

Recommendations for dismissal by reason of redundancy are the responsibility of the school governors. The local authority will make every effort to obtain redeployment for the employee concerned where appropriate.

In the case of deliberate disregard of the Director's advice, all costs, including redundancy payments and any costs arising at a later date, including costs relating to Employment Tribunal claims, may be recharged to the school's delegated budget.

Currently School Improvement, Finance and Human Resources officers are involved in this process in advisory capacities. Officers offer advice and guidance on their respective areas of expertise. Business Plans are then developed, costed and presented to the Director.

At this stage it has been presumed that the decisions made are *fait accompli*. The majority of cases are agreed yet on occasions due to issues with the proposals some are not. However, in many examples the affected staff have been advised of a governing body's decision prior to the business case being agreed. This has led to disgruntled staff and school governors.

More recently the Chief Education Officer and Group Accountant have met with individual schools to discuss their school development objectives and financial position and to challenge their proposals. This has led to a constructive professional dialogue and often a change in direction in respect to realising their efficiency. This process has been formulated and developed over the last two years.

Changes to Date

1. The **Premature Retirement and Redundancy Discretionary Compensation** and **School Safer Recruitment Policies** have been reviewed and updated.
2. The discretionary '*added years*' element has been removed.
3. There are regular meetings between Finance, HR and Education to consider this agenda.
4. All current school structures have been compiled and analysed in order to develop a 'Carmarthenshire Model School Staffing Structure' for different sized schools.
5. A '**Change Panel Process**' (Appendix 2) has been developed to challenge schools on their plans which aligns the school process with the corporate process.

The Change Panel Process

- A core team will review the practical and equality issues arising from strategic proposals as well as management suggestions and proposals.
- The **Change Review Panel** will provide support and advice at an early stage to Headteachers who are considering changes which have implications for structures and staffing. In general, schools who plan such changes thoroughly and well in advance can ensure that staffing implications can be planned for and discussed with employees and as a result the change is easier to manage.
- Schools will be required to provide the following information-

1	Reason for Review
2	Have alternative options been considered e.g. federation, partnership and collaboration, procurement etc.? (Please outline) Please ensure that you are able to evidence that the following reviews have been undertaken and that you can draw upon those reviews in shaping and presenting your conclusion:

	<ul style="list-style-type: none"> • Staffing • Curriculum • Savings sought after
3	Anticipated impact on staffing structure and job roles: (Include a summary of changes in job numbers, types of jobs, reduction in hierarchies)
4	Current staffing structure and proposed staffing structure (in diagrammatic form) to include employee names (where possible) and post grades.
5	Summary of changes to job roles (Include changes in status, pay grade, responsibilities, supervision, reporting lines etc.)
6	Job profiles and proposed grades for all posts in the new structure
7	Summary of potential adverse impact on employees including potential redundancies and down grading of posts e.g. where job profiles have been assessed at a lower grade, employees' status in hierarchy is affected
8	Summary of potential impact upon, and strategies to manage/mitigate any risks: <ul style="list-style-type: none"> a) Educational Standards b) Curriculum Coverage (Statutory core and non-core subjects) c) WESP d) Successful Futures e) Learning and Skills Measure (Secondary) f) Teaching and Learning
9	Cost of structure (current and proposed): If the proposed structure results in increased costs, please explain why and how this will be funded. Please also confirm that Finance have checked and confirmed costings.
10	Implementation Plan and Timetable

To be considered/implemented

1. Review of the Redeployment Protocol and promote with all schools.

- This was originally developed for the Dinefwr area for adoption by the schools affected.
- This would formalise what we do at the moment as part of the LA's redeployment process.
- The schools who did not adopt this were concerned that there were higher quality candidates available and wanted to recruit from a wide audience.

2. Incentive Scheme

- Incentive Scheme for schools receiving redeployed staff to encourage redeployment of teachers from schools having to reduce staffing.
- The LA could reimburse the school for a proportion of the salary for a fixed period of time e.g. the difference between the redundant post and the new one for up to 3 years.
- This would probably only appeal to teachers under 55 under threat of compulsory redundancy

3. Phased retirement

- Ensure all teachers over 55 are aware of the phased retirement option available to them.
- In respect to this option there is no cost to employer.

- From age 55, a teacher can take part of their pension and continue to work whilst in transition to full time retirement

4. Scheme for Financing Schools – Review of content re EVR & Redundancy to include:

- Within the charging of school budgets, charges may be made for :
 - Premature retirement costs incurred without prior written agreement of the Local Authority to bear such costs (the amount chargeable being only the excess over any amount agreed by the LA)
 - Expenditure incurred to secure resignations where the school had not followed LA advice
- For the above to be adhered to, the School Budget Forum would approve amendment to the scheme and procedural guidance be notified to schools for them to apply for LA approval of business cases prior to any decision by the Governing Body.

Mae'r dudalen hon yn wag yn fwriadol

PWYLLGOR CRAFFU ADDYSG A PHLANT

26^{ain} o DACHWEDD 2018

FFORWM DERBYN SIR GAERFYRDDIN

Adolygu Cylch Derbyn 2018/19 a Threfniadau Derbyn 2019/20 a 2020/21

Pwrpas:

Adolygu Cylch Derbyn 2018/19 ac ystyried y Trefniadau Derbyn arfaethedig ar gyfer 2019/20 a 2020/21.

Ystyried y materion canlynol a chyflwyno sylwadau arnynt:

1. Adolygu Cylch Derbyn 2018/19
2. Trefniadau Derbyn ar gyfer 2019/20 a 2020/21
- 3.

Rhesymau:

Rhoi gwybod i'r Pwyllgor Craffu am y trefniadau Derbyn i Ysgolion.

Angen cyfeirio'r mater at y Bwrdd Gweithredol er mwyn gwneud penderfyniad: NA
Angen cyfeirio'r mater at y Cyngor er mwyn gwneud penderfyniad: NA

Aelod y Bwrdd Gweithredol sy'n gyfrifol am y Portffolio:

Cyng. Glynog Davies (Addysg a Phlant)

Y Gyfarwyddiaeth: Addysg a Phlant Enw Pennaeth y Gwasanaeth: Simon Davies Awdur yr adroddiad: Sue John	Swyddi: Pennaeth Mynediad i Addysg Rheolwr Trefniadaeth Ysgolion a Derbyn Disgyblion	Rhifau Ffôn / Cyfeiriadau E-bost: 01267 246471 SiDavies@sirgar.gov.uk 01267 246427 SJohn@sirgar.gov.uk
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EXECUTIVE SUMMARY

EDUCATION & CHILDREN SCRUTINY COMMITTEE 26th NOVEMBER 2018

SCHOOL ADMISSION AND APPEALS PROCESS

Review of Admission Round 2018/19 and Admission Arrangements 2019/20 and 2020/21

1. Background

- 1.1 Local Authorities, governing bodies of maintained schools, admission appeals panel and admission forums have school admission functions assigned to them under the School Standards and Framework Act 1998.
- 1.2 Each of these bodies has a statutory duty to “act” in accordance with the School Admissions Code and the Schools Admission Appeals Code.
- 1.3 Each year a report is presented to the Admissions Forum to review the admission arrangements for the current academic year and admission arrangements for future years. The report to the Admissions Forum provides a detailed overview and position statement on School Admissions arrangements.
- 1.4 The Review of Admission Round 2018/19 and Admission Arrangements 2019/20 and 2020/21 report is due to be presented to the Admissions Forum on the 29th November 2018 and is attached for consideration and comment.

2. Recommendations

- 2.1 That the ECS Scrutiny Committee considers and comments on the Admission Round 2018/19 and Admission Arrangements for 2019/20 and 2020/21 report.

**DETAILED REPORT
ATTACHED?**

YES

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report.

Signed: **S. Davies** Head of Access to Education

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
NO	YES	NO	NO	NO	NO	NO

2. Legal

Carmarthenshire Schools Admissions Policy adheres to the Welsh Government School Admissions Code and the Schools Admissions Appeals Code.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below:

Signed: **S. Davies** Head of Access to Education

1. **Local Member(s)** – N/A
2. **Community/Town Council** – N/A
3. **Relevant Partners** - Consultation with all governing bodies and neighbouring authorities was undertaken for:
 Academic year 2018/19 in January 2017
 Academic year 2019/20 in January 2018
 Consultation for Academic year 2020/21 will take place in January 2019
4. **Staff Side Representatives and Other Organisations** -

Section 100D Local Government Act, 1972 – Access to Information
List of Background Papers used in the preparation of this report:

Title of Document	File Ref No. / Locations that the papers are available for public inspection
School Admission Code	www.wales.gsi.gov.uk
School Admissions Appeal Code	www.wales.gsi.gov.uk

Mae'r dudalen hon yn wag yn fwriadol

CARMARTHENSIRE ADMISSIONS FORUM

Review of Admission Round 2018/19, &
Admission Arrangements 2019/20 and 2020/21

November 2018

1. Background

- 1.1 Local Authorities, governing bodies of maintained schools, admission appeals panels and admission forums have school admission functions assigned to them under the School Standards and Framework Act 1998.
- 1.2 Each of these bodies has a statutory duty to “act” in accordance with the School Admissions Code and the Schools Admission Appeals Code.

2. Report on Admission Arrangements Academic Year September 2018 to 2019

As part of its remit the Forum is required to consider certain aspects of the School Admission Arrangements.

To assist in meeting this requirement the key issues which the Forum is required to address together with the relevant information is provided:-

- 2.1. Consider how well existing and proposed admissions arrangements serve the interests of children and parents within the area of the local authority and fairness?

- 2.1.10 Are there sufficient Places in schools across Carmarthenshire?

The Authority provides information each year to the Welsh Government as part of its Planning of School Places (POSP) programme a return which details the number of places available in schools as well as the number of children in school.

The POSP return uses a standard date based on January figures and is therefore a useful and accepted means of comparing standard data across Local Authorities in Wales.

The following table summarises the position in Carmarthenshire for January 2018:-

Sector	No of Places Available	No of Pupils	% Utilisation
Nursery	95	95	100%
Primary	15,409	14,002	90.9%
Secondary	12,711	10,971	86.3%

In overall terms therefore there is sufficient capacity in the system to meet the demand for school places.

- 2.1.11 How well was the demand for those Seeking Admission in 2018-19 Academic Year met?

- (a) Admission Round (Initial)

The closing date for the receipt of applications for those wishing to start school in the 2017-18 Academic Year were as follows:-

- Nursery and primary Schools – 31st January 2018
- Secondary Schools – 22nd December 2017

(b) Number of Places available for pupils wishing to **start** school in 2018/19 was:-

Sector	No. of Places Available	No. of Places Filled	% Utilisation
Nursery School	1,295	1,189	92%
Primary – Reception	2,265	1,787	79%
Secondary – Year 7	2,233	1,924	86%
Total	5,793	4,900	85%

(c) Meeting Parental Preference – as at October 2018

An indication of the number of parents who did not gain admission for their child at a school of their choice may be gathered from the total number of unsuccessful appeals for admission in the different sectors:-

Sector	No. of Places Filled	No. Refused 1 st , 2 nd and 3 rd choice	No. refused following appeal	% Not granted
Primary	1,787	49	16	4%
Secondary	1,924	42	22	4%

(d) Admission Appeals – as at October 2018

Number of admission appeals relative to the **Admission Round** only made in 2018/19 was:-

Sector	No. of Appeals	No. of Appeals Granted	No. of Appeals Refused	No. of Appeals Withdrawn
Primary	51	35	16	0
Secondary	29	7	22	0
Total	80	42	38	0

(f) Schedule of Applications 2018/19 – see Appendix A

(g) Infant Class Size Survey – Primary Schools

The Welsh Government assesses compliance with Infant Class Sizes annually. A small number of enquiries relating to pupil numbers and compliance with class size legislation have been raised with schools responding as to how these were addressed in terms of class organisation to ensure compliance.

2.1.12 Monitor the admission of children who arrive in the Authority's area outside a normal admission round.

A significant number of applications were received outside of the normal admission round.

The applications have been processed in accordance with the Authority's criterion which has been applied in a fair and consistent manner. Where an applicant wished to refer a decision not to grant admission to a school then they have been advised of their right of appeal and been able to have the case reviewed by the Independent School Admission Panel.

2.1.12 a) Late Applications (received after closing dates up to 31/10/18)

A total of 272 late applications received after the closing dates, split:

- Primary -157 applications
- Secondary – 115 applications

2.1.12 b) 2018/19 Mid Year Applications Sept'18 to Oct'18 (Moved during the year and outside normal admission round)

Sector	No. of applications	No. of places filled	No. of applications refused and not progressed to appeal	No. of offer of places declined	Not required choices 2 nd & 3 rd	No. of appeals	No. of appeals granted	No. of appeals refused
Primary	888	624	65	45	125	29	20	9
Secondary	190	164	1	9	15	1	1	0
Total	1,078	788	66	54	140	30	21	9

2.1.12 c) 2017/18 Mid Year Applications Sept'17 to Aug'18 (Moved during the year and outside normal admission round)

Sector	No. of applications	No. of places filled	No. of applications refused and not progressed to appeal	No. of offer of places declined	Not required choices 2 nd & 3 rd	No. of appeals	No. of appeals granted	No. of appeals refused
Primary	1,730	1135	124	96	261	114	107	7
Secondary	520	414	33	21	48	4	4	0
Total	2,250	1,549	157	117	309	118	111	7

2.1.13 Promote the arrangements for children with special educational needs, children in case and children who have been excluded from school.

The Authority has an inclusive approach to children who have additional learning needs and one of promoting a range of strategies aimed at addressing the individual circumstances of pupils. These are outlined in the Information for Parents booklet.

During the normal admission round children with statements of educational needs naming the school which they wish to attend are awarded places before consideration is given to any other applications.

Late applications or mid-year transfers where the application is to the school named in a statement of educational needs or the child is a looked after or previously looked after child then the application is given the highest priority in relation to the allocation of any places available. All applications in this category were granted for the relevant academic year.

The admission process has also included the transfer of pupils who have been excluded from other schools and has sought to support them in their new school.

3. Admission Arrangements Academic Year September 2019 to July 2020

3.1.10 Update

Consultation has taken place with relevant parties in relation to the proposed Admission Arrangements for the academic year September 2019 to July 2020 and reported to the Forum at the meeting.

(a) Admission Application Timetable for 2019/20

Community and Voluntary Controlled Schools – Admissions Application Timetable					
Provision	Date of Birth	Starting School	Application Deadline Date	Notification Date	Appeals Closing Date
3 Year Old Nursery Education (2 terms only) 3-11 (Part time)	1 st September 2016 to 31 st August 2017	January, April or September 2020	31 st January 2019	October 2019	No right to appeal
4 Year Old Education 4-11 (Full Time)	1 st September 2015 to 31 st August 2016	September 2019, January or April 2020	31 st January 2019	16 th April 2019	30 th May 2019
Secondary School (Moving from Primary to Secondary School)	1 st September 2007 to 31 st August 2008	September 2019	21 st December 2018	1 st March 2019	11 th April 2019

(b) Over Subscription Criteria for Admission to Community and Voluntary Controlled Nursery, Primary and Secondary Schools.

If there are more applications for admission than places available at a particular school, the allocation of places will be based on the following criteria listed in priority order.

1. Looked After and previously looked after Children
2. Children who live in the school's catchment area and have a sibling on the roll of the school at the time the child is to start at that school.
3. Children who live in the school's catchment area and who do not have a sibling on the roll of the school at the time the child is to start at that school.
4. Children who reside outside of the school's catchment area and have a sibling on the roll of the school at the time the child is to start at that school.
5. Children who reside outside of the school's designated catchment and who do not have a sibling on the roll of the school at the time the child is to start at that school.

N.B. Where there is a Statement of Educational Needs naming a particular school then this must be stated clearly on the application form. Such applications are dealt with separately and prior to the oversubscription criteria being applied.

NOTES

Within each of the above categories:

(i) Distance Criteria

The distance from home to the school will be used as a criterion for determining priority, with those living nearest the school being given priority and a place at the school before those living further away. The distance will be measured using Google Maps.

The distance from the home address to school will be measured from the nearest available route from the nearest school entrance to the nearest available access point by highway or footpath to the home address.

(ii) Siblings

Children will be classified as siblings if they are:-

- Full brother or full sister;
- Half brother or half sister;
- Step brother or step sister;
- Adoptive/fostered brother or sister living at the same address.

(iii) Multiple Birth Children

In any circumstances in which there is one place available and the next eligible children are twins/triplets then the LA will admit both/all children.

(iv) Children of UK Service Personnel

Children of UK Service personnel will be treated as in catchment if their application forms are accompanied by an official Ministry of Defence (MOD) letter declaring a definite return date and confirmation of the new address within catchment.

Please note that 3 year old Nursery places application cannot be used as a criterion for giving priority in allocating 4 year old places.

(c) Appeals Regarding Admission of Pupils to Community / Voluntary Controlled Primary or Secondary Schools

Should parents be unsuccessful in obtaining a place for their child at their preferred school, they will be notified in writing of the reason(s) why a place has not been secured and of their right to appeal against that decision and for the process for doing so.

For Community Schools and Voluntary Controlled Schools the Council will make arrangements for an Independent Appeals Panel to consider appeals. The appeals procedure will be undertaken in accordance with Welsh Government's school admission appeals code.

There is no right of appeal in the case of refusal of admission to Early Years nursery age provision.

Appeals will be heard in private, except when the body or bodies responsible for making appeal arrangements direct otherwise but parents will be giving an opportunity of presenting their case either directly or with the assistance of their chosen representative. The Clerk will notify all parties of the Panel's decision which will be binding upon the Council, the Governing Body and the parents.

An appeal by parents against refusal of a place at a Community or Voluntary Controlled School must be submitted in writing to the Democratic Services Manager, Chief Executive's Department, County Hall, Carmarthen, SA31 1JP. Or emailed to independentadmissionappealspanel@carmarthenshire.gov.uk. Where medical evidence is required, copies of reports relating to the diagnosis from the relevant Consultant and/or Specialist will be need to be provided.

(i) Monitor the effectiveness of local authority Fair Access Protocols; and consider any other admissions issues that arise.

The Authority has adhered to the admissions code in respect of fair access with the policy being applied to all pupils in an equal and fair manner.

(ii) Compliance with the prohibition on local education authorities informally delegating to schools responsibility for determining admissions applications (except where the whole function of acting as admission authority has been formally delegated to the governing body).

The Authority complies with the requirement in that the Authority has not delegated to schools the admission function.

The process of setting policies, meeting the statutory requirements in relation to the provision of information to parents and other bodies, the processing of applications, the admission appeal function and liaison with other Authorities and feeding into the strategic forward planning function of the schools network is dealt with centrally.

The Authority is of the view however that the interests of pupils, parents, schools as well as the Authority itself are best served when the various parties work together to help individuals make the best choice of school which is suitable for them.

Accordingly the admission process seeks to promote and encourage through its literature and communication with parents that they should contact and visit schools before making a final decision of school for their child.

The intention is that individuals do not make a choice based on pre-conceptions but that they visit the schools and discuss with them their individual circumstances and needs and how the school can help meet their requirements. Having the correct information available is key to making an informed decision.

Whilst complying with the legislative requirements the Authority seeks to adopt an inclusive approach to the admission process wherever possible and schools are key to that process.

- (iii) Consider the effectiveness of the authority's proposed co-ordinated admission arrangements, and advise on whether the authority's proposed co-ordinated admission arrangements differ substantially from the previous year.

There has been discussion and consultation with neighbouring Admission Authorities in relation to the proposed admission arrangements and that process will continue.

Fixed national offer dates for primary and secondary school places for all schools in Wales present an opportunity for standardisation of timetables across Wales.

Close regional and national collaborative working arrangements through the Association of Directors of Education in Wales (ADEW) Welsh School Admissions Officers Group also facilitate the co-ordination of working arrangements, processes and systems.

- (iv) The setting of a) the date of return within each local education authority for admission applications made during the normal admissions round and b) the date on which decision letters should be issued within each local education authority.

- (a) Following consultation the following dates have been set for the return of applications for the academic year 2018/19:-

Nursery/Primary: 31st January 2019 and

Secondary: 21st December 2018

- (b) Single Date for Decision Letters

The national offer dates for the 2019/20 admission year are:-

Primary: 16th April 2019 and

Secondary: 1st March 2019

- (v) A requirement has not been possible to admit a pupil to a school due to over subscription, parents must inform the Authority by e-mail or letter if they wish their child's name to be placed on the waiting list which will be retained until 30th September 2019. Should vacancies become available then they will be awarded in accordance with the over-subscription criteria outlined rather than the amount of time the application has been held on the waiting list. It should be noted that fresh applications must be made after the 30th September deadline.

Where an application has been made for admission to two or more schools and an offer has been accepted of a place at one of the schools then the Authority will, unless notified to the contrary, deem the application for a place at the other school(s) to have been withdrawn and therefore will be offered to another applicant.

- (vi) Clarification and strengthening the role of admission forums.

The Authority views the role of the Admission Forum as an important one in seeking to improve both the understanding and development of the Authority's School Admission Policies and Procedures.

- (vii) Admission Authorities must ensure that new panel members receive appropriate training before hearing appeals.

The Independent Admission Appeals Panel is administered and supported in its work by the County Council and has over recent years recruited a number of additional individuals who are able to serve on an Independent Admission Appeal Panel.

Those Panel members have been provided with bespoke group training from an external specialist and individual training sessions from the Council's Senior Solicitor to support them in their role. Additionally through rotation of membership of the Panel they have been provided with practical experience of serving as members of an Admission Panel with mentoring/guidance from experienced long serving Panel members.

The process has resulted in a pool of Panel members which the Council may call upon to consider and make an informed independent judgement in relation to appeal hearings. Having this pool of experienced and trained members available has enabled the Council to ensure that all hearings have been considered and dealt with within the prescribed timelines and in a fair and equitable manner.

Six new Panel members were introduced for the 2017/18 admission round.

- (viii) Appeals made during the timetabled admissions process must be heard within 30 school days of the deadline for their receipt.

The Independent School Admission Panel is clerked independently of the Admission Authority however representatives from the Authority attend all panel meetings and it is thus possible to confirm that for the 2018/19 Admission Round all of appeals have been considered within the 30 day deadline.

- (ix) Appeals made outside of the timetabled admissions process must be heard within 30 school days of their date of receipt

The Independent Schools Admission Panel met over the summer school holiday period and thus all appeals were considered within the 30 day deadline.

- (x) Children should be permitted to give evidence at appeal hearings where they wish to do so.

Whilst the Independent Schools Admission Panel is not serviced by the Authority however it is possible to confirm from the attendance of the Authority's Officers that children have attended Panel meetings during the current admission round and have been given the opportunity to contribute and take part in proceedings should they have wished.

- (xi) Review the comprehensiveness, effectiveness and accessibility of advice and guidance for parents by the local Authority including the composite prospectus.

It falls within the remit of the Admission Forum to review and discuss the information provided by the Authority for parents in relation to the admission process.

There are four main ways by which the Authority provides advice and guidance to parents in relation to the admission process:-

- (i) Composite Prospectus i.e. The Information for Parents Booklet
- (ii) Poster relating to Admission Process

- (iii) Information and Guidance provide on the County Council website & through Social Media
- (iv) E-mails and text messages sent direct to parents of all Year 6 pupils in Carmarthenshire schools

In relation to each of these areas then I would offer the following observations:-

(a) Composite Prospectus [click here to the booklet](#)

The composite prospectus is a statutory document which the Authority must produce annually, with a requirement that the booklet be made available to parents of children in year 6 at primary school seeking admission to year 7 in a secondary school the following September.

A letter was emailed and text sent to each parent/guardian of children moving from Primary to Secondary school (the following September) with details of how to access the booklet online.

Members are also asked to note that, in accordance with legislative requirements, there is no statutory obligation to provide a copy of the composite prospectus i.e. The Information for Parents Booklet for applications in respect of pupils when they first start primary school or for primary or secondary pupils should they change schools during an academic year.

As all admissions applications have to be made via the on-line admissions system the system provides an electronic copy of the booklet for parents and requires that the applicant confirms that they have read the document before an application can be made.

The booklet must contain details of the admission process for all Community and Voluntary Controlled Schools with the Governing Bodies of voluntary Aided Schools being required to provide details for inclusion in the booklet of the individual admission policies and procedures for their school.

It is also worth noting that for the 2019/20 Academic Year the format of the Information for Parents Booklet is the same A5 booklet as last year. The promotion of the booklet electronically has resulted in further reductions of printing costs.

(b) Poster relating to Admission Process.

The Authority is required by legislation to provide posters advising parents of the need to make an application and in particular the closing dates for the Admission Round.

As part of an ongoing review of the effectiveness of the various means of communicating with parents the poster has been revised with the intention of being more eye catching.

(c) Information and Guidance provided on the County Council website & Social Media

Other than updating in relation to the changing dates the guidance documentation is still relevant and has not required any major change. However, to improve the parent/guardian experience we will continue to enhance the Admission webpages.

(d) Moving from Primary to Secondary School – Additional Reminder via text and email message.

Experience indicates that the two main issues which cause difficulties for parents are firstly failing to get a place at a school and the second is not qualifying for free home to school transport.

In terms of the admission process the failure to obtain a place at a school of their choice will be:-

- (i) Pupils residing in the catchment area of the secondary school

Failure to submit an application on time, pupils residing in the designated catchment area of the school have a high priority in the award of places and thus if application is made on time they would usually be awarded a place.

(ii) Pupils residing outside of the catchment area of the secondary school.

Where there are more applications for places than places available then pupils residing outside of the catchment area are less likely to be offered a place at the school. Frequently parents choose a primary school which is not the designated primary school nor the designated secondary school for the home address. This often leads to a situation whereby peers and friends are granted admission to the secondary school and they are not as the home address is not in the secondary school's catchment area.

In terms of school transport the issues tend to be linked to failure to qualify for assistance as the pupil is not attending the designated catchment area school for the home address.

The Information Booklet details and explains the policies, procedures and timescales for submitting school admission applications as well as detailing parents responsibilities should they choose a school which is not the nearest or catchment area school.

Unfortunately however, in a small number of cases, there have been instances whereby parents have made decisions based on assumptions rather than on the basis of the advice contained in the document which has led to a great deal of upset and worry for the pupils and their families.

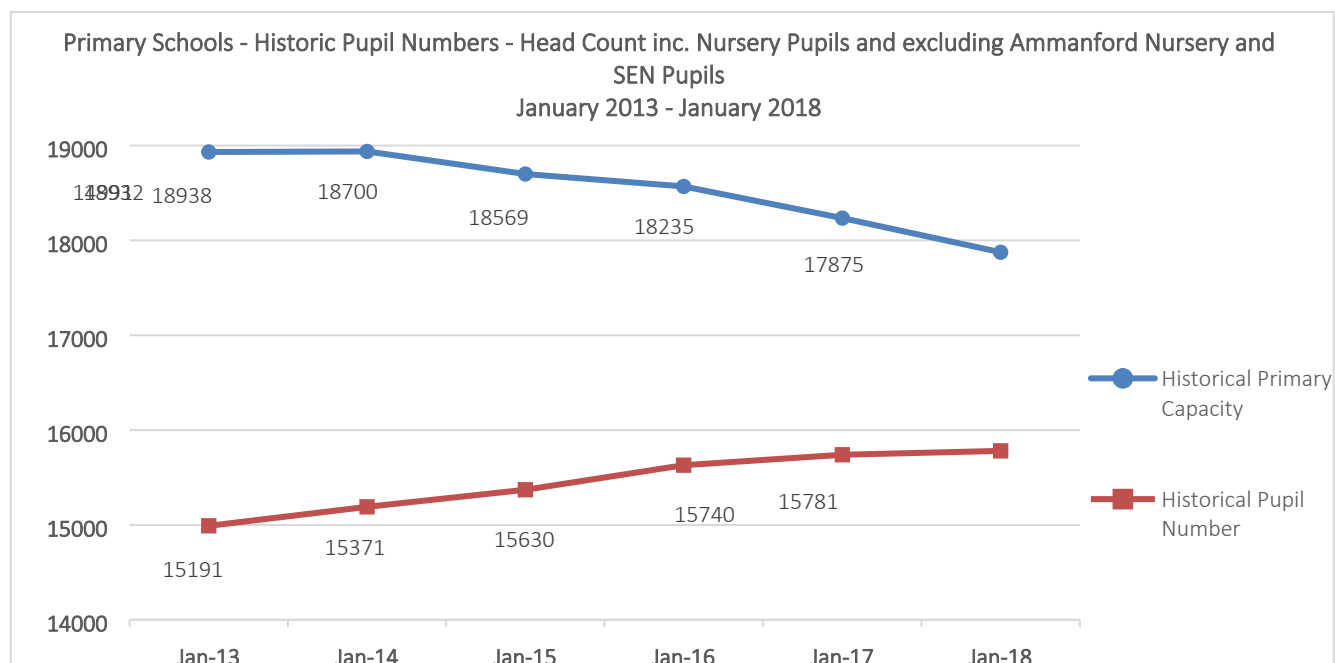
To avoid a similar situation arising for the 2019/20 Academic Year a bilingual email and text to parents was sent in late October 2018.

(xii) How will the likely future demand for places at schools in Carmarthenshire?

The Authority uses trend based forecasting to predict and estimate future demand.

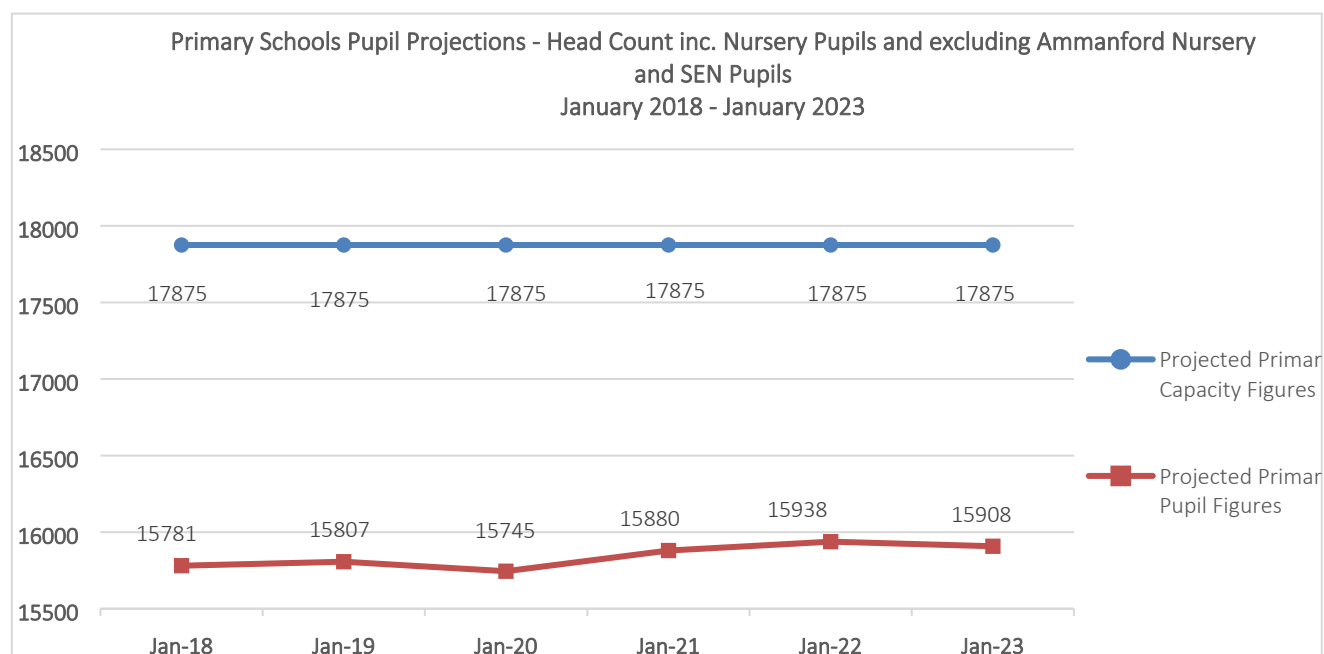
Detailed below for members information and consideration is information relating to both the available school capacity and the actual and projected numbers of pupils for the primary and secondary sectors.

(a) Primary Sector – Historic Trend



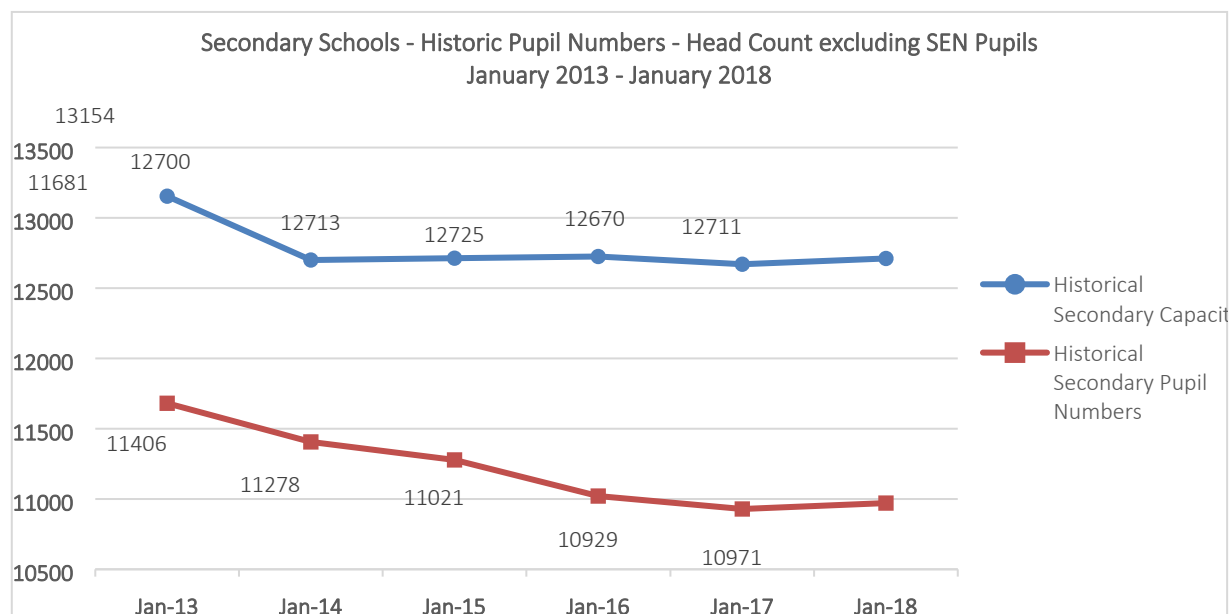
As can be seen in the above graph the total primary capacity over the last 5 years has seen a slight reduction of approx. 1,057 places. The historical pupil numbers over the last 5 years shows a steady increase in pupil numbers of approx. 790 pupils. Even with the steady increase in pupil numbers and the reduction in the total capacity, there is approx. 2,094 free spaces within our primary schools.

(b) Primary Sector – Projected Trend



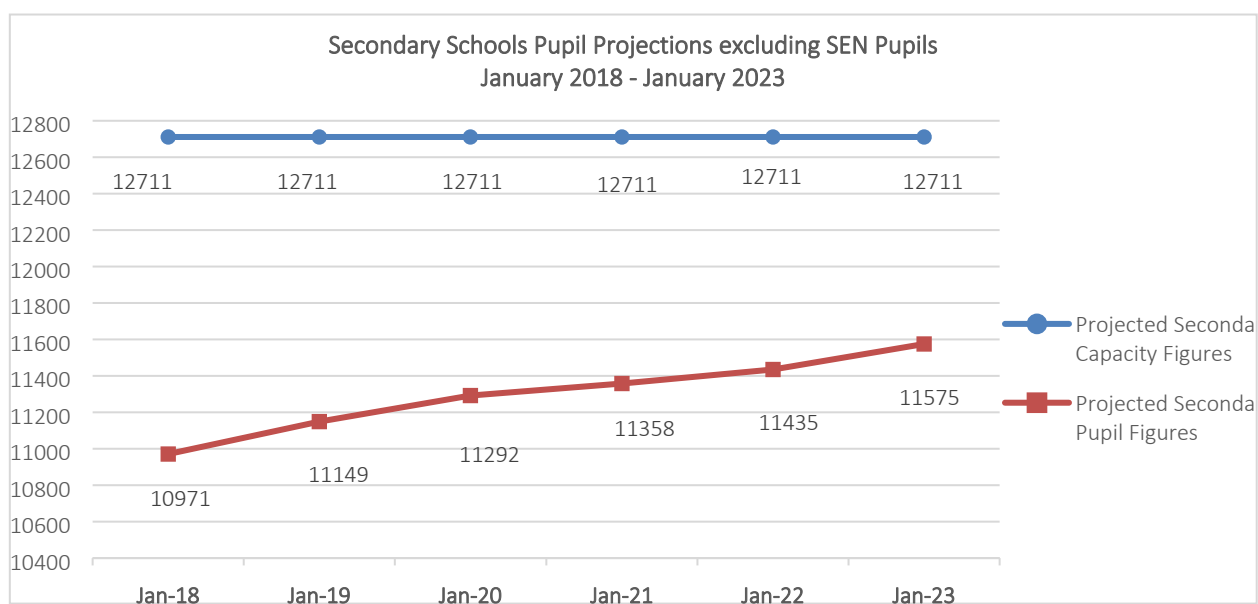
The above graph shows that over the next 5 years there will be a steady increase in pupil projections with the exception of 2020 where we see a slight drop in numbers of approx. 36 pupils. There is also a slight decrease in the projections in 2023 of approx. 30 pupils. Even with the drop in numbers in 2020 and 2023 there is still an increase in pupil projections of approx. 157 pupils. By comparing our projected capacity figure of 17,875 and our projected pupil numbers, over the next 5 years there will be approx. 1,937 – 2,130 free spaces in our primary schools.

(c) Secondary Sector – Historic Trend



The above table shows that since there was a reduction in 2014 of 454 places the capacity has been quite steady. With the pupil numbers over the last 5 years there has been a steady decline in pupil numbers of approx. 710 pupils. With the decline in pupil numbers there is approx. 1,740 free spaces within our Secondary Schools.

(d) Secondary Sector – Projected Trend



The above graph shows over the next 5 years there will be a steady increase in pupil numbers of approx. 604 pupils. By comparing our projected capacity figure of 12,711 and our projected pupil numbers, over the next 5 years there will be approx. 1,136-1,740 free spaces in our Secondary Schools.

Detailed historic and projected trends by language category are shown in Appendix B

Proposed Admission Arrangements 2020/21

The Admission Arrangements for 2020/21 will be a continuation of 2019/20 arrangements detailed above. Consultation on the proposed Admissions Arrangements 2020/21 will be undertaken in January 2019.

4. Admission Process Forum Feedback

5.1.10 Overview

The admission process is one which touches upon the lives and hopes and aspirations of families and young people across Carmarthenshire.

Significant changes have been made in relation to the processes and procedures over the last few years to ensure that the Authority complies with its legal duties and responsibilities.

Since that time the online admission process has dealt with some 35,000 applications and is capable of evidencing that applications are treated in a fair, transparent and consistent manner.

As with any system or process there is a need to continually explore means of improving the service and reducing costs and to take advantage of technological developments which can assist that process and that is an ongoing element of the admissions system.

With that in mind we have just embarked on a corporate led Transform, Innovate and Change (TIC) review of School Admissions. The outcome of which will be shared with the Forum in due course.

5.1.11 Admission Process – Feedback

If the forum considers the admission arrangements to be fair or not in accordance with the code then they should draw the matter to the attention of the Admissions Authority and seek their agreement to address the issue. If it is not possible to resolve the matter locally then the Forum may refer the matter to the Welsh Ministers for consideration.

Internal Audit and external Welsh Government review provide an assurance that the Local Authority is meeting and following the statutory processes in relation to school admissions.

The latest Internal Audit of the admission system and processes was undertaken during June/July 2015 with a positive outcome and no issues of concern, difficulties or of a failure to comply with legislation being identified.

As part of the sections ongoing monitoring of systems and performance records have been kept of instances where individuals have expressed their displeasure of the admission process during the year.

During 2018/19, 12 complaints were received, all relating to difficulty in contacting the Admissions team. This is a significant reduction from 33 the previous year. Work pressures negatively impact on the level of service provided at peak times, and will be considered as part of the TIC Schools Admission Review.

There were no instances where an individual highlighted a legal error or an unfair procedure or process relating to the admission process or policy.

5.1.12 Consider the means by which admissions processes might be improved and how actual admissions relate to the admission numbers published

The outcome of the TIC Schools Admission review will aid improvement in the admissions process.

5. Admission Forum Membership

The core membership of the Forum is set out in the regulations and is shown in the table below:

Members nominated by:	Number as per Regulations:	Membership:
LA – any member or officer of the authority	1 to 5	Cllr. T. Evans Cllr. E. Williams Cllr. B. Thomas Cllr. D. Thomas Cllr. G. Morgan
Church in Wales Diocesan representatives	1 to 3	Cannon B. Witt
Schools – community and voluntary controlled	1 to 3	Primary – Ms. H. W. Davies, Ms. K. Towns Secondary – Mr. P. Jones
Schools – foundation	1 to 3	N/A
Schools – voluntary aided	1 to 3	Mr. A. Howells
Parent governor representatives	1 to 3	Mr. J. Gilmore, Ms. L. Lloyd
Representatives of the local community	Up to 3	Mr. P. Warlow, Mr. J. Evans

Atodiad/Appendix A

Ysgol Meithrin 2018/19 / Nursery School 2018/19

Rhif Sef. Est No.	Enw'r Ysgol Name of School	ND Ysgol School AN	Cyfanswm capasiti yr Ysgol Total school capacity	Ceisiadau hyd at Hydref 18 Number of N1 Applications to Oct'18	Apeliadau hyd at Hydref 18 Appeals to Oct'18	Apeliadau Llwyddiannus hyd at Hydref 18 Successful Appeals to Oct'18
1000	Ammanford	31	95	117	N/A	N/A

Ysgolion Cynradd Cymuned 2018/19 / Community Primary Schools 2018/19

Rhif Sef. Est No.	Enw'r Ysgol Name of School	ND Ysgol School AN	Cyfanswm capasiti yr Ysgol Total school capacity	Ceisiadau hyd at Hydref 18 Number of N2 Applications to Oct'18	Apeliadau hyd at Hydref 18 Appeals to Oct'18	Apeliadau Llwyddiannus hyd at Hydref 18 Successful Appeals to Oct'18
2170	Abernant	6	52	2	0	0
2018	Bancffosfelen	12	98	9	0	0
2034	Bancyfelin	8	64	13	0	0
2180	Beca	10	81	8	0	0
2043	Betws	14	118	22	0	0
2374	Bigyn	30	240	47	0	0
2052	Blaenau	12	99	3	0	0
2392	Bro Banw	M/N-28 KS1-70 KS2-70	523	33	0	0
2389	Bro Brynach	15	120	9	0	0
2120	Bryn	30	255	44	0	0
2168	Brynsierfel	30	243	39	0	0
2390	Bryn Teg	30	238	57	6	1
2168	Brynaman	32	260	48	5	5
2104	Brynsaron	16	131	4	0	0

Rhif Sef. Est No.	Enw'r Ysgol Name of School	ND Ysgol School AN	Cyfanswm capasiti yr Ysgol Total school capacity	Ceisiadau hyd at Hydref 18 Number of N2 Applications to Oct'18	Apeliadau hyd at Hydref 18 Appeals to Oct'18	Apeliadau Llwyddiannus hyd at Hydref 18 Successful Appeals to Oct'18
2394	Burry Port	30	240	37	0	0
2121	Bynea	19	157	35	4	4
2387	Cae'r Felin	13	109	11	0	0
2386	Carreg Hirfaen	22	178	32	0	0
2020	Carwe	15	124	5	0	0
2000	Cefneithin	12	97	26	0	0
2008	Cross Hands	19	168	31	0	0
2067	Cwrt-henri	6	54	9	0	0
2187	Cynwyl Elfed	11	94	8	0	0
2123	Dafen	20	163	26	0	0
2371	Dewi Sant	60	419	95	0	0
2001	Drefach	10	81	18	0	0
2061	Ffairfach	12	102	7	0	0
2128	Five Roads	12	101	12	0	0
2135	Ffwrnes	60	480	100	9	6
2007	Gorslas	13	110	27	0	0
2384	Griffith Jones	42	337	51	0	0
2370	Gwenllian	17	140	20	0	0
2019	Gwynfryn	12	96	13	0	0
2182	Hafodwenog	10	86	6	0	0
2188	Halfway	30	240	42	0	0
2131	Hendy	24	193	32	0	0
2114	Johnstown	60	459	87	0	0
2185	Llandeilo	30	253	27	0	0
2181	Llandybie	28	238	37	0	0

Rhif Sef. Est No.	Enw'r Ysgol Name of School	ND Ysgol School AN	Cyfanswm capasiti yr Ysgol Total school capacity	Ceisiadau hyd at Hydref 18 Number of N2 Applications to Oct'18	Apeliadau hyd at Hydref 18 Appeals to Oct'18	Apeliadau Llwyddiannus hyd at Hydref 18 Successful Appeals to Oct'18
2057	Llanedi	5	44	3	0	0
2080	Llangadog	14	116	11	0	0
2009	Llangain	7	61	7	0	0
2396	Gymraeg Llangennech	60	480	71	0	0
2173	Llangunnor	37	301	66	2	2
2119	Llanmiloe	8	65	8	0	0
2167	Llannon	11	91	12	0	0
2109	Llanpumsaint	6	50	1	0	0
2166	Llansteffan	8	62	9	0	0
2184	Llanybydder	12	100	10	0	0
2003	Llechyfedach	18	146	22	0	0
2098	Llys Hywel	20	164	21	0	0
2002	Maes-y-bont	5	44	1	0	0
2393	Maes y Morfa	30	240	40	0	0
2037	Meidrim	6	54	7	0	0
2112	Mynyddygarreg	7	55	10	0	0
2171	Myrddin	13	123	26	0	0
2194	Nantgaredig	28	232	25	0	0
2159	Old Road	30	240	16	0	0
2050	Parc-yr-hun	27	221	52	4	2
2177	Parc y Tywyn	40	323	33	0	0
2178	Pembrey	30	240	34	0	0
2014	Peniel	15	120	24	4	1
2395	Penrhos	60	480	70	0	0
2190	Penygaer	29	233	33	0	0

Rhif Sef. Est No.	Enw'r Ysgol Name of School	ND Ysgol School AN	Cyfanswm capasiti yr Ysgol Total school capacity	Ceisiadau hyd at Hydref 18 Number of N2 Applications to Oct'18	Apeliadau hyd at Hydref 18 Appeals to Oct'18	Apeliadau Llwyddiannus hyd at Hydref 18 Successful Appeals to Oct'18
2193	Penygroes	23	186	34	0	0
2024	Pont-henri	10	81	11	0	0
2023	Pont-iets	10	85	4	0	0
2373	Pontyberem	30	240	37	1	1
2189	Pwll	14	114	15	0	0
2380	Richmond Park	26	214	43	0	0
2179	Gymraeg Rhydaman	30	232	41	4	4
2084	Rhys Prichard	27	222	21	0	0
2042	Saron	30	240	49	7	6
2375	Stebonheath	40	325	44	0	0
2176	Swiss Valley	30	243	41	0	0
2065	Talley	8	70	4	0	0
2183	Teilo Sant	30	240	32	0	0
2175	Trimsaran	30	240	25	0	0
2044	Tycroes	25	199	32	0	0
2006	Tumble	24	195	20	0	0
2388	Ysgol Y Bedol	53	396	51	0	0
2192	Ysgol Y Castell	30	244	23	0	0
2116	Ysgol Y Dderwen	45	361	60	1	1
2379	Ysgol Y Ddwylan	42	337	34	0	0
2391	Ysgol Y Felin	30	240	35	0	0
2385	Ysgol Y Fro	5	41	5	0	0

**Ysgolion Cynradd Gwirfoddol Rheoledig 2018/19 / Voluntary Controlled Primary
Schools 2018/19**

Rhif Sef. Est No.	Enw'r Ysgol Name of School	ND Ysgol School AN	Cyfanswm capasiti yr Ysgol Total school capacity	Ceisiadau hyd at Hydref 18 Number of N2 Applications to Oct'18	Apeliadau hyd at Hydref 18 Appeals to Oct'18	Apeliadau Llwyddiannus hyd at Hydref 18 Successful Appeals to Oct'18
3000	Abergwili	8	68	13	0	0
3013	Ferryside	15	122	9	0	0
3003	Laugharne	14	118	10	0	0
3004	Llanddarog	11	94	24	4	2
3026	Llanllwni	6	47	4	0	0
3002	Tremoilet	8	64	4	0	0

**Ysgolion Cynradd Gwirfoddol Cymorthedig 2018/19 / Voluntary Aided Primary
Schools 2018/19**

Rhif Sef. Est No.	Enw'r Ysgol Name of School	ND Ysgol School AN	Cyfanswm capasiti yr Ysgol Total school capacity	Ceisiadau hyd at Hydref 18 Number of N2 Applications to Oct'18	Apeliadau hyd at Hydref 18 Appeals to Oct'18	Apeliadau Llwyddiannus hyd at Hydref 18 Successful Appeals to Oct'18
3322	Model	60	485	58	0	0
3307	Penboyr	12	101	7	0	0
3321	Pentip	27	218	Unknown	Unknown	Unknown
3300	St. Mary's Catholic	26	213	Unknown	Unknown	Unknown
3301	St. Mary's School	20	166	Unknown	Unknown	Unknown

Ysgolion Uwchradd 2018/19 / Secondary Schools 2018/19

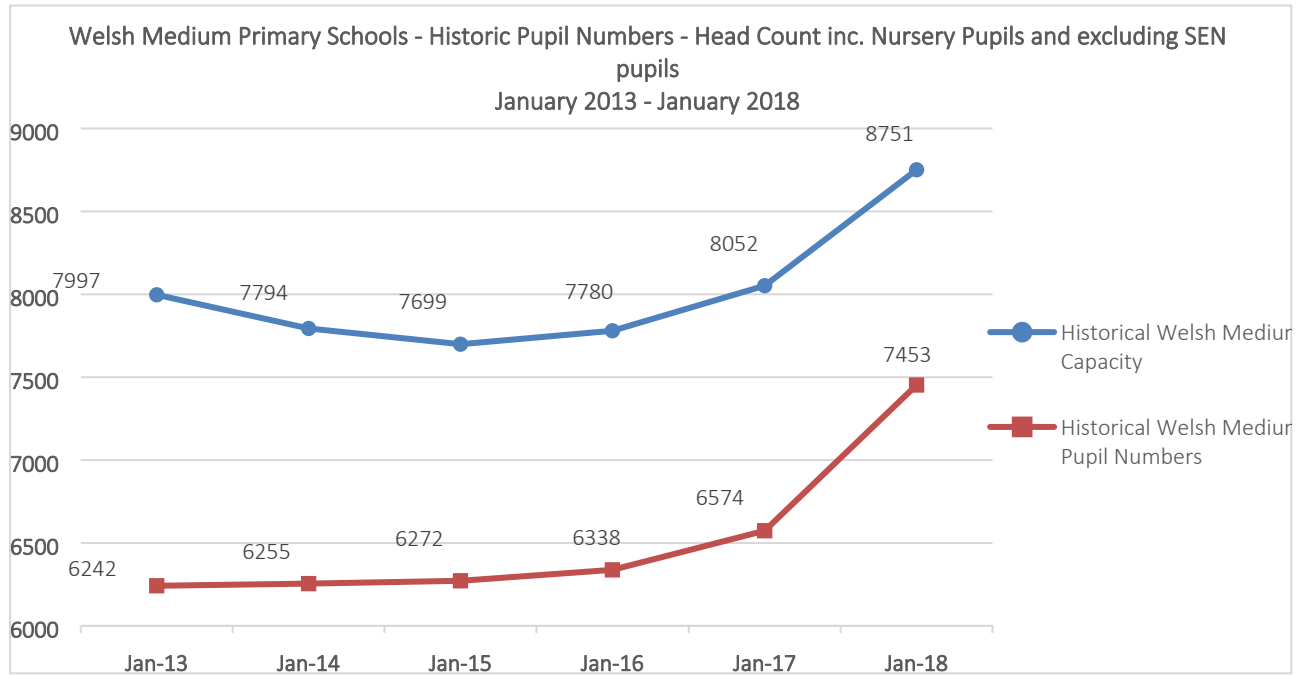
Rhif Sef. Est No.	Enw'r Ysgol Name of School	ND Ysgol School AN	Cyfanswm capasiti yr Ysgol Total school capacity	Ceisiadau hyd at Hydref 18 Number of Yr 7 Applications to Oct'18	Apeliadau hyd at Hydref 18 Appeals to Oct'18	Apeliadau Llwyddiannus hyd at Hydref 18 Successful Appeals to Oct'18
4065	Bro Dinefwr	200	1200	228	0	0
4056	Bro Myrddin	146	923	167	0	0
4054	Bryngwyn	214	1070	311	29	7
4050	Coedcae	220	1100	190	0	0
4029	Dyffryn Aman	260	1588	282	0	0
4512	Dyffryn Taf	177	1058	158	0	0
4060	Emlyn	106	642	72	0	0
4053	Glan-y-Môr	159	793	129	0	0
4062	Maes Y Gwendraeth	164	1000	221	0	0
4063	Queen Elizabeth High	270	1600	212	0	0
4052	Strade	212	1272	226	0	0

Ysgol Uwchradd Gymorthedig 2018/19 / Voluntary Aided Secondary School 2018/19

Rhif Sef. Est No.	Enw'r Ysgol Name of School	ND Ysgol School AN	Cyfanswm capasiti yr Ysgol Total school capacity	Ceisiadau hyd at Hydref 18 Number of Yr 7 Applications to Oct'18	Apeliadau hyd at Hydref 18 Appeals to Oct'18	Apeliadau Llwyddiannus hyd at Hydref 18 Successful Appeals to Oct'18
4600	St. John Lloyd	105	525	116	0	0

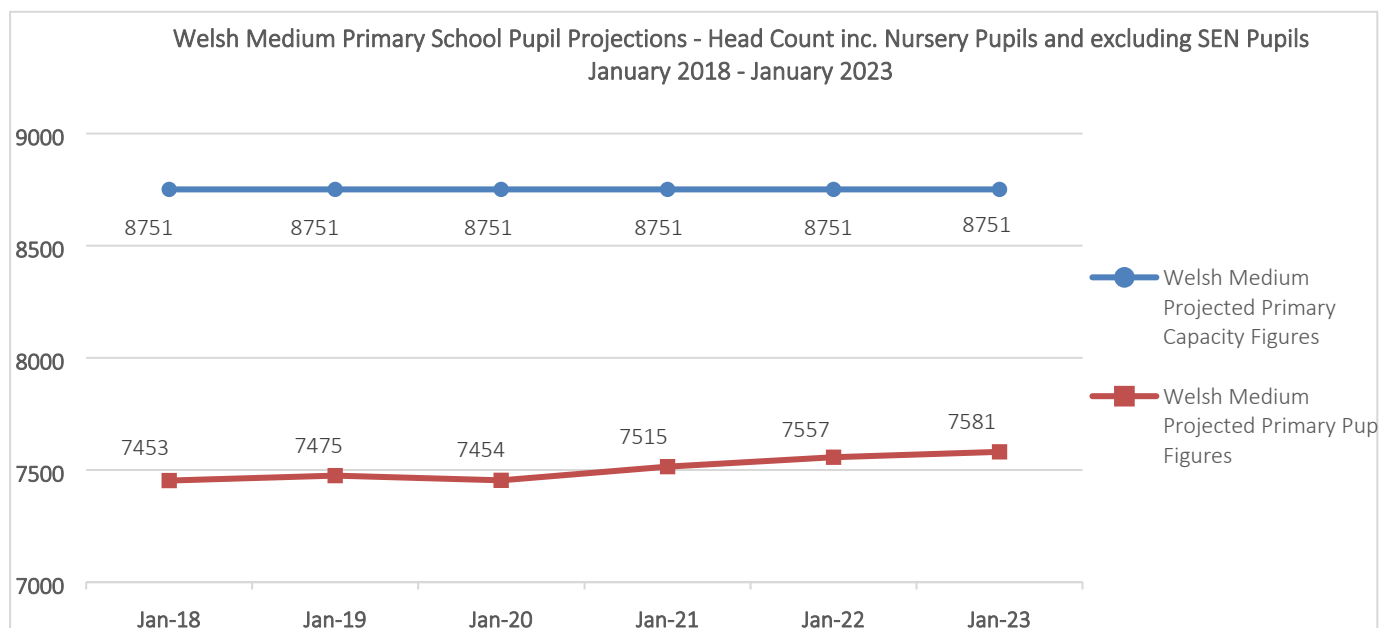
Atodiad/Appendix B

(a) Welsh Medium Primary Sector – Historic Trend



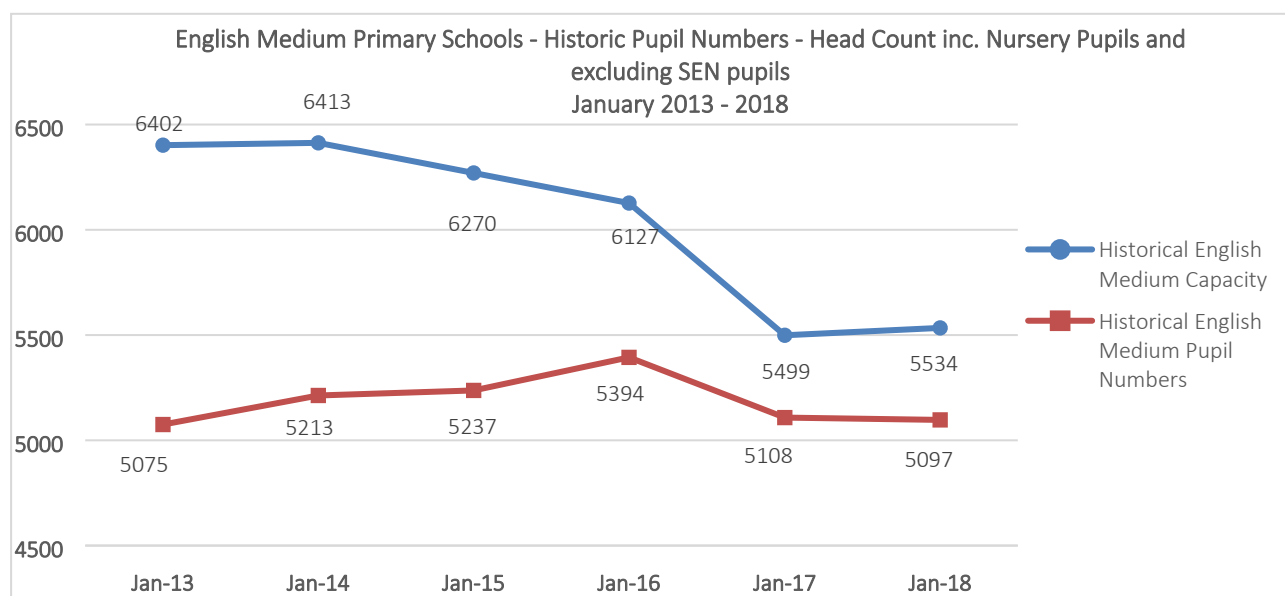
As can be seen in the above graph from 2013-2015 the historical capacity figure dropped by approx. 298 places. Since 2016 there has been an increase in capacity figures of approx. 971 places. With the pupil numbers it also shows that between 2013-2016 pupil numbers had a slight increase in them ranging from 6,242-6,338. In 2017 it shows there was an increase of approx. 236 pupils. There was a dramatic increase in pupil numbers in 2018 of approx. 879 pupils. Even with the increase in both the total capacity and pupil numbers there is still approx. 1,298 free spaces within our Welsh Medium Primary Schools.

(b) Welsh Medium Primary Sector – Projected Trend



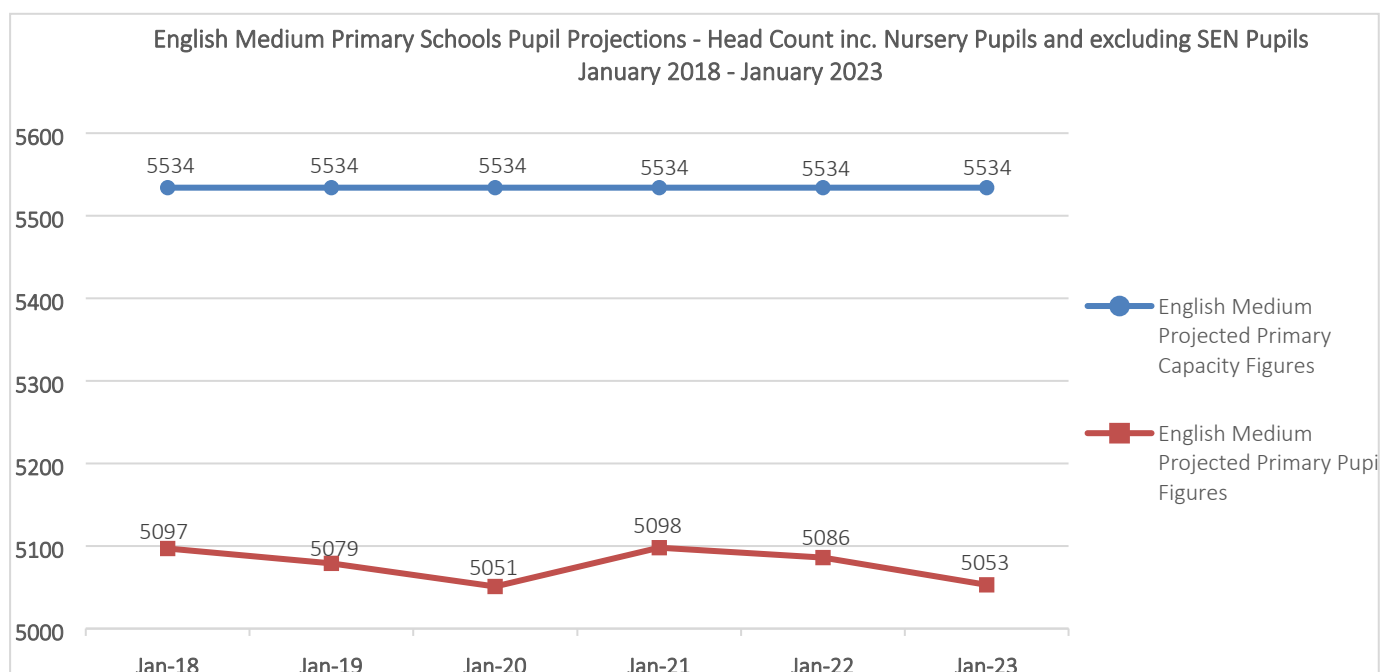
In 2018 there are 58 Welsh Medium Primary Schools within Carmarthenshire. The above graph shows that over the next 5 years there is a slight increase in pupil numbers with the exception of 2020 where there is a slight reduction in pupil numbers. Even with the decrease in pupil numbers the total will still be higher than the total of pupil numbers in 2018. As a result between 2018-2023 there is an increase in pupil numbers of approx. 128 pupils. By comparing the projected capacity figure of 8,751 and our projected pupil numbers, over the next 5 years there will be approx. 1,170-1,298 free spaces in our Welsh Medium Primary Schools.

(c) English Medium Primary Sector – Historic Trend



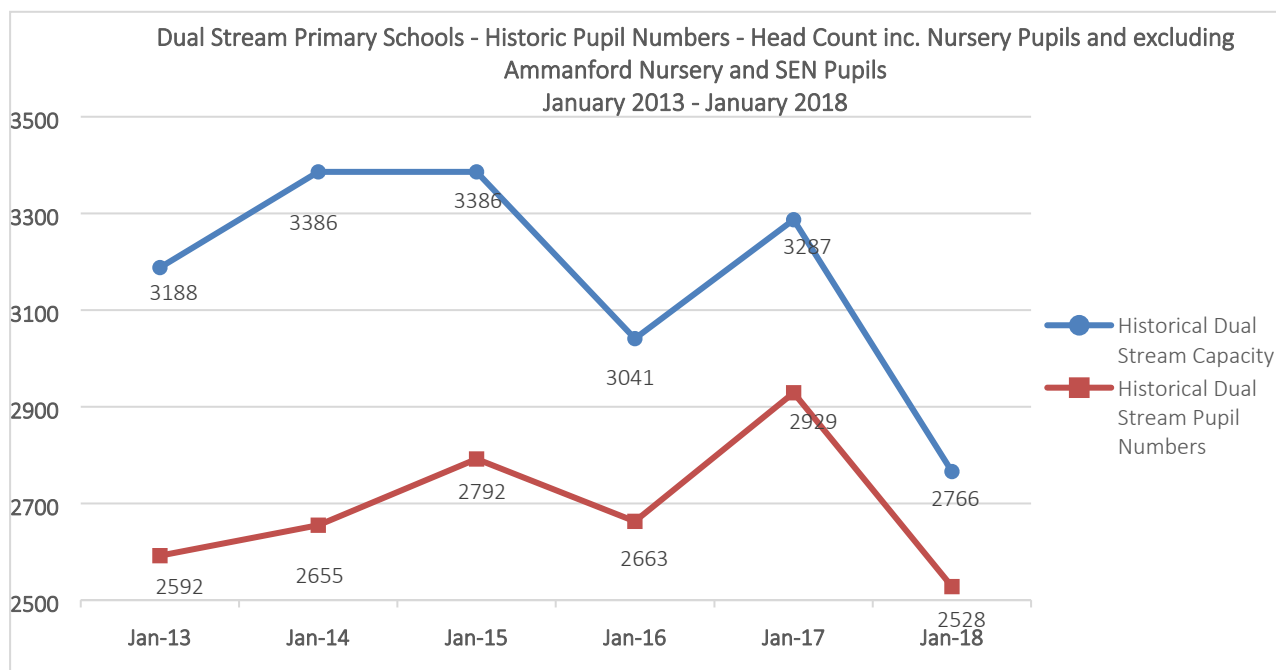
As can be seen in the above graph the total English Medium Primary capacity over the last 5 years has seen a constant reduction of approx. 914 spaces but with a dramatic reduction in 2017 of approx. 628 spaces. The historical pupil numbers over the last 5 years have varied as there was a steady increase in pupil numbers from 2013-2016 of approx. 319 pupils. Since pupil numbers peaked in 2016 there has been a decrease in pupil numbers of approx. 297 pupils. Even with the decrease in both pupil numbers and in the total capacity, there is approx. 437 free spaces within the English Medium Primary Schools.

(d) English Medium Primary Sector – Projected Trend



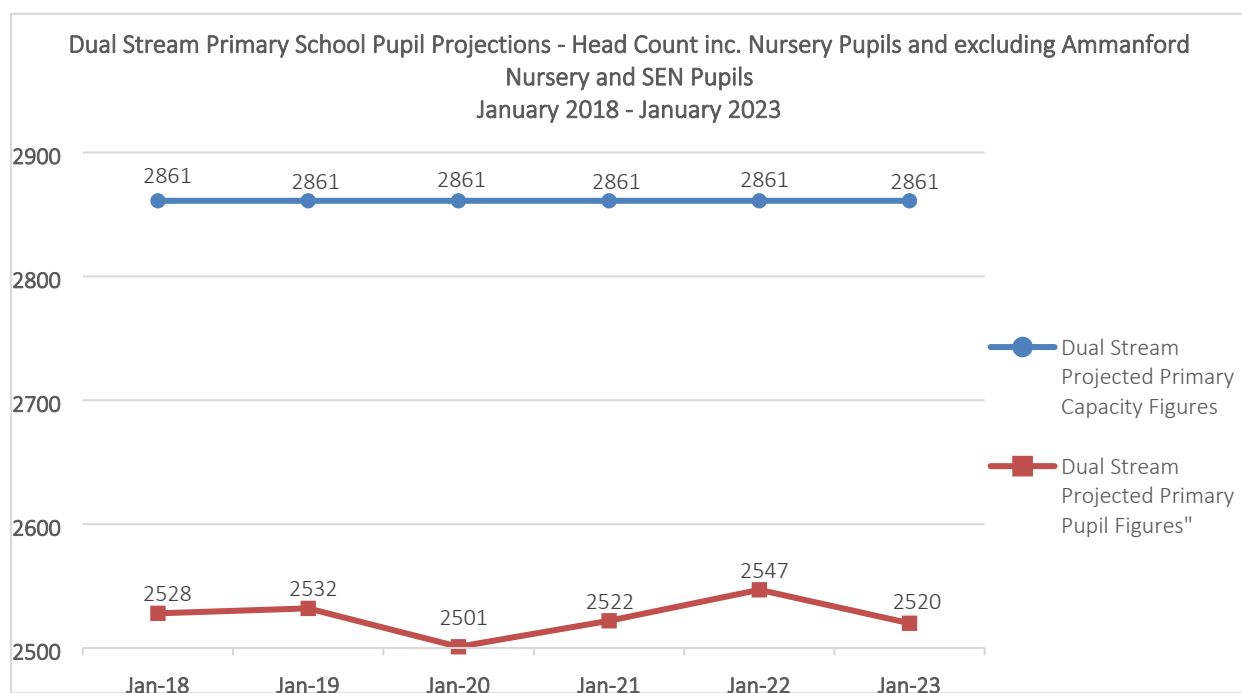
In 2018 there are 24 English Medium Primary Schools within Carmarthenshire. The above graph shows that over the next 5 years the projections vary every year from decreasing 2019 and 2020 before increasing in 2021 and decreasing again in 2022 and 2023. With the varied pupil projections over the next 5 years, pupil numbers are not projected to increase more than 1 pupil by 2023 but they are projected to decrease by approx. 46 pupils. By comparing our projected capacity figure of 5,534 and our projected pupil numbers, over the next 5 years there will be approx. 436-483 free spaces within the English Medium Primary Schools.

(e) Dual Stream Primary Sector – Historic Trend



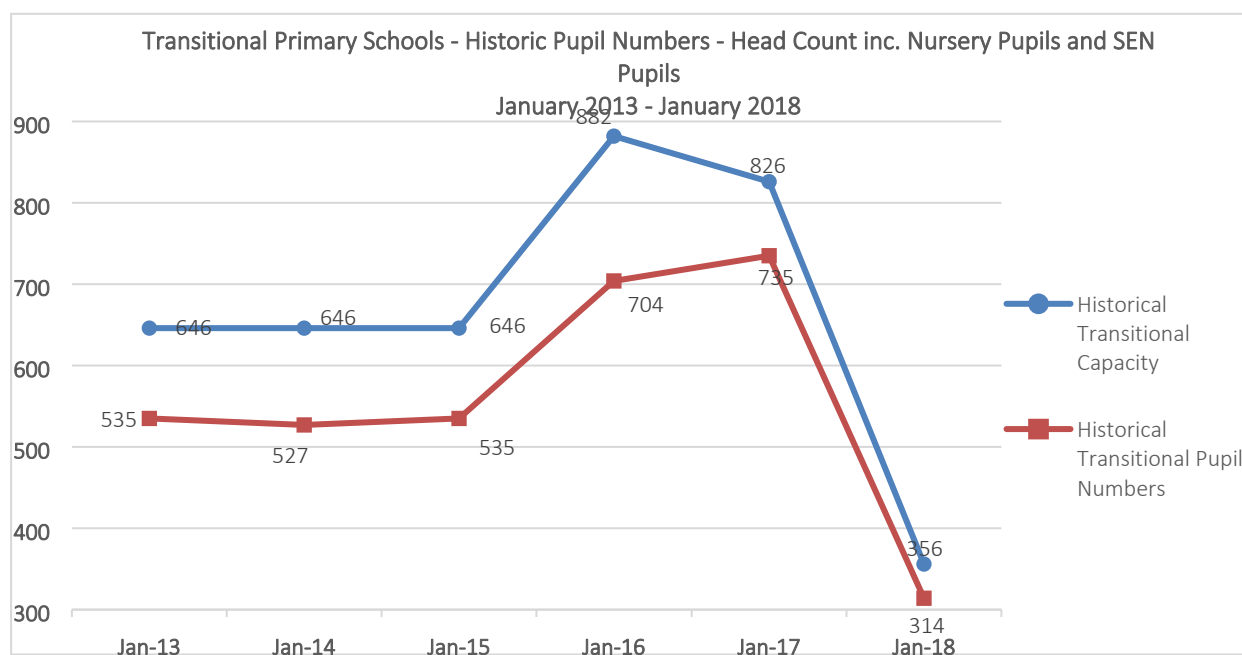
As can be seen in the above graph there has been a dramatic decrease in the total capacity of our Dual Stream schools in 2018 of approx. 521 spaces due to school re-organisation. Over the last 5 years there was also a reduction in capacity in 2016. The pupil numbers over the last 5 years show the same trend as the total capacity with a reduction in pupil numbers in 2016 and 2018. As a result of the reduction in both capacity and pupil numbers there is still approx. 238 free spaces within our Dual Stream Primary Schools.

(f) Dual Stream Primary Sector – Projected Trend



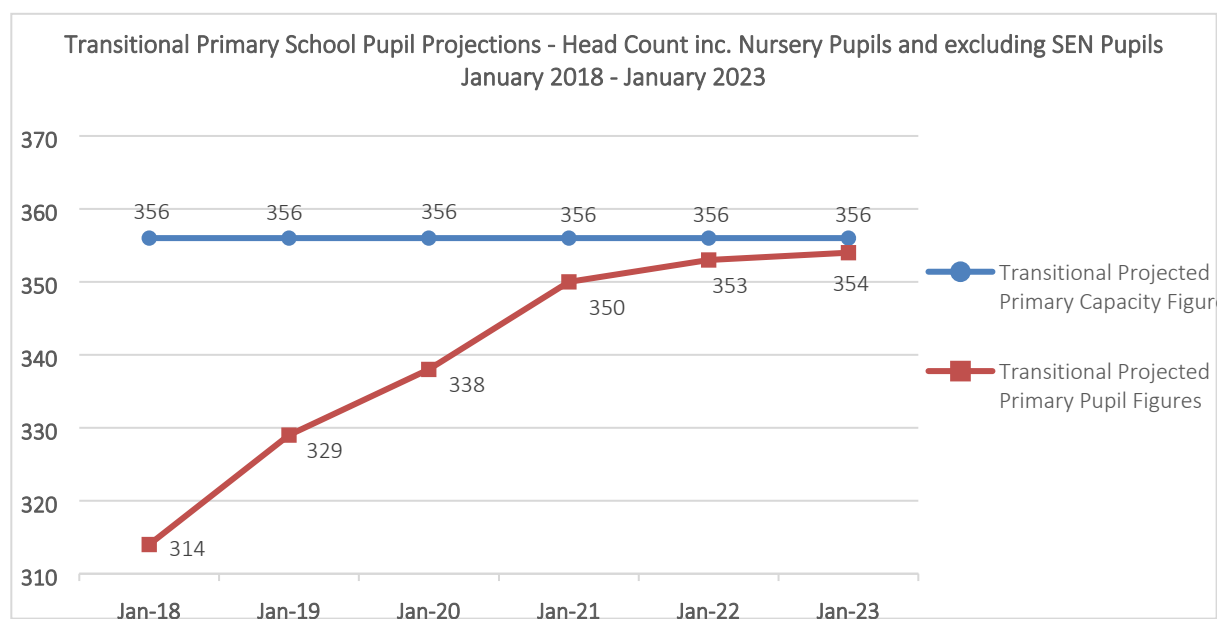
In 2018 there are only 9 Dual Stream schools within Carmarthenshire. The above graph shows that over the next 5 years projected figures are quite steady with only a slight reduction in 2020 and a slight increase in 2022. Overall as a result of the steady trend over the next 5 years, pupil numbers in our Dual Stream schools are only going to increase by 46 pupils. By comparing our projected capacity figure of 2,861 and our projected pupil numbers, over the next 5 years there will be approx. 314-360 free spaces in our primary schools.

(g) Transitional Primary Sector – Historic Trend



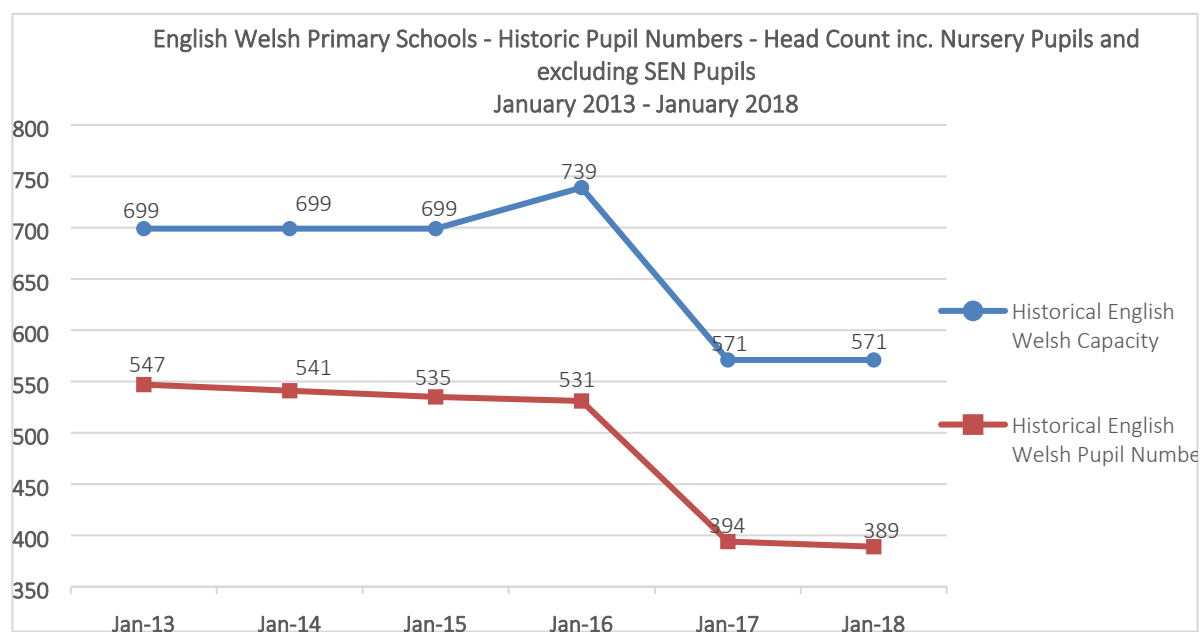
As can be seen in the above graph there was a major increase in capacity in 2016 of 236 spaces before a major decrease in 2018 of approx. 526 spaces. This is due to the fact that in 2018 there was only 2 Transitional schools left in Carmarthenshire (Betws and Llandybie) from 2016 where we had 4 Transitional schools which has been the highest number. This can also be seen with the pupil numbers. During 2016 there was a rise in pupil numbers of 169 pupils with a further rise in 2017 of 31 pupils before we see a significant reduction in pupil numbers in 2018 of 421 pupils. With the reduction in both total capacity and pupil numbers, in 2018 there are only 42 spare places in our Transitional Primary Schools.

(h) Transitional Primary Sector – Projected Trend



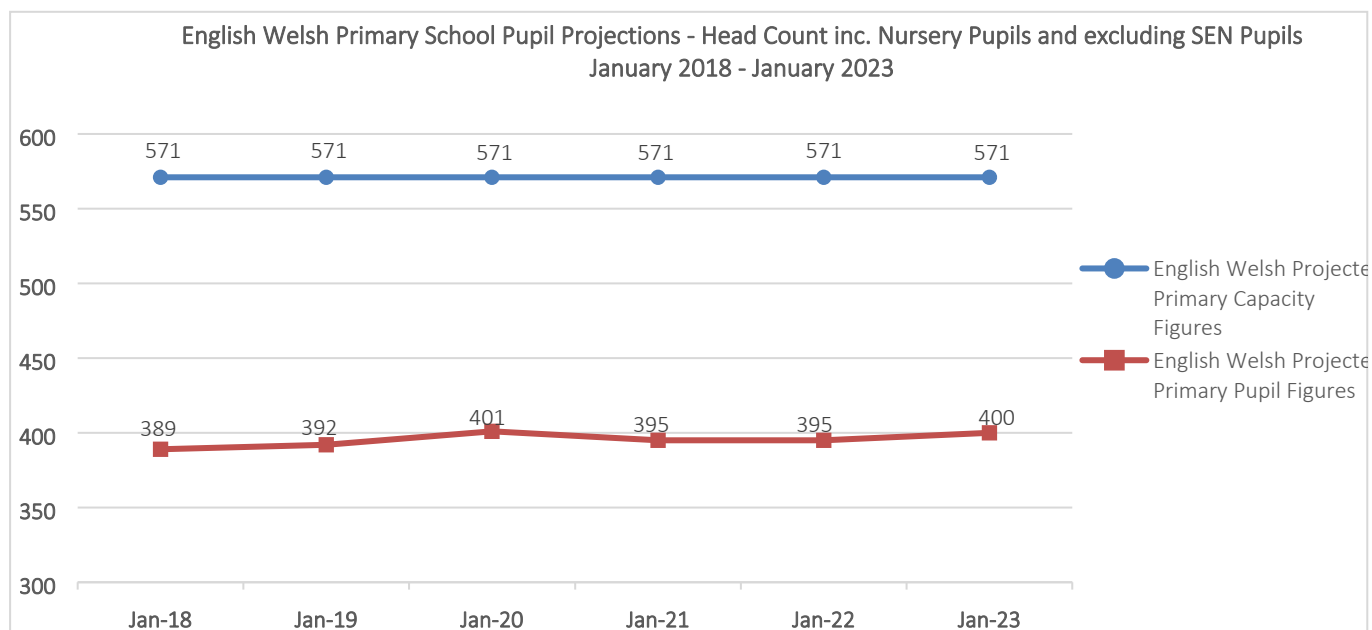
In 2018 there are only 2 Transitional Primary Schools left in Carmarthenshire. The above graph shows that over the next 5 years there is a steady increase in pupil numbers of approx. 40 pupils. By comparing our projected capacity figure of 356 and our projected pupil numbers, over the next 5 years there will be approx. 2-42 free spaces within our Transitional Primary Schools.

(i) English Welsh Primary Sector – Historic Trend



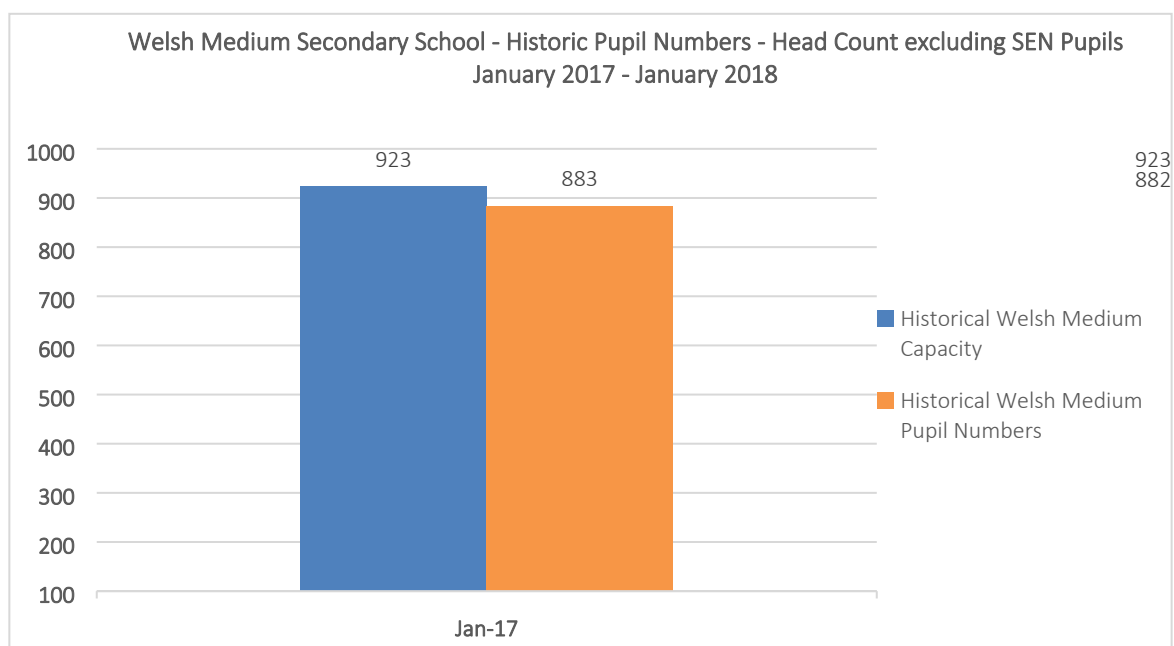
As can be seen in the above graph the capacity of our English Welsh Primary Schools were steady up until 2016 where there was an increase of 40 spaces before we see a significant reduction in 2017 of 168 spaces. This is due to the fact that up until 2016 there were 5 English Welsh Primary Schools within Carmarthenshire before we saw a re-organisation in 2017 and the number was reduced to 4 English Welsh Primary Schools. This is also reflected in the trend in pupil numbers. From 2013 to 2016 we do have a slight reduction in pupil numbers of 16 pupils. In 2017 due to the school re-organisation we see a significant reduction in pupil numbers of 137 pupils with a further reduction in pupil numbers in 2018 of 5 pupils. With the reduction in both total capacity and pupil numbers, there is approx. 182 free spaces within our English Welsh Primary Schools.

(j) English Welsh Primary Sector – Projected Trend



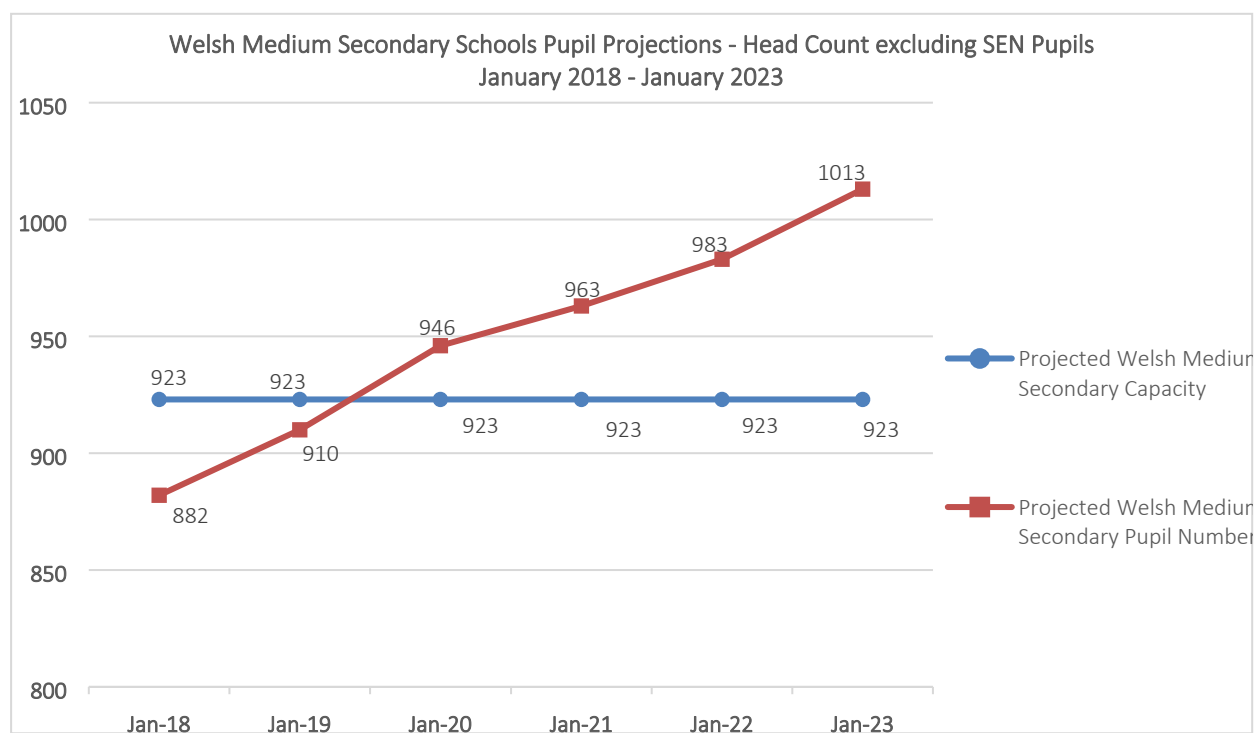
In 2018 there are only 4 English Welsh Primary Schools left in Carmarthenshire. Over the next 5 years the above graph shows that projected pupil numbers haven't got much change to them as they only vary by 12 pupils between 2018 and 2023. By comparing our projected capacity figure of 571 and our projected pupil numbers, over the next 5 years there will be approx. 170-182 free spaces within our English Welsh Primary Schools.

(k) Welsh Medium Secondary Sector – Historic Trend



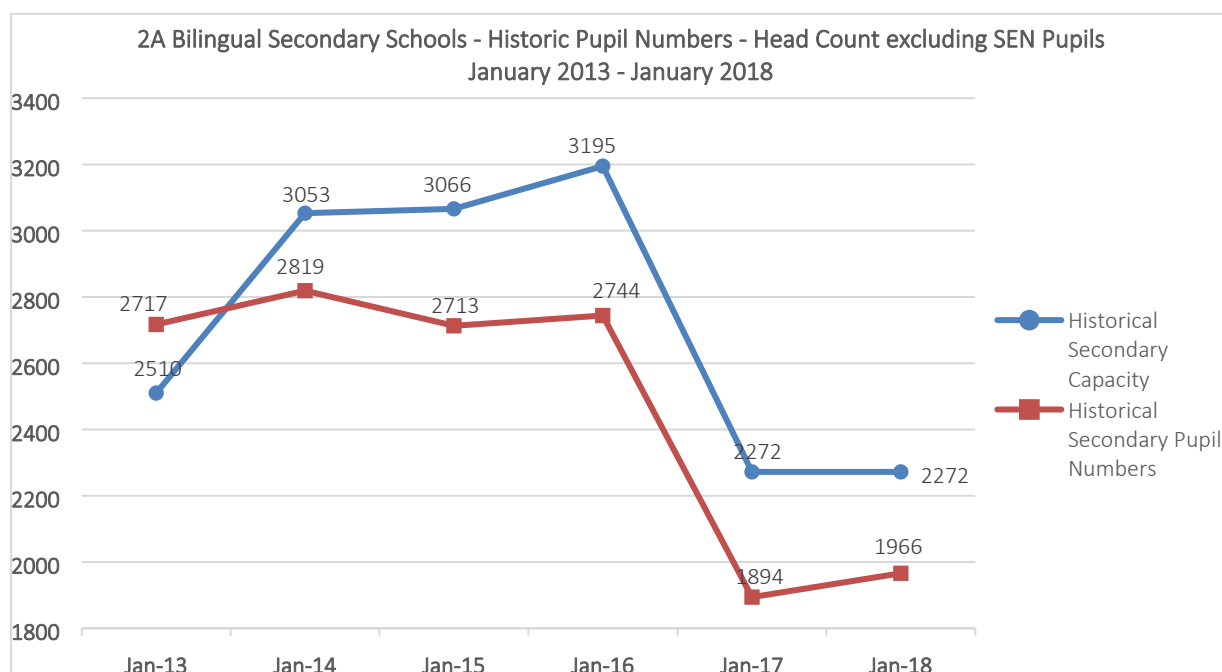
Since 2017 Bro Myrddin became our only Welsh Medium Secondary School. As can be seen in the above graph the capacity of the school hasn't changed over the last 2 years staying at 923. The pupil numbers have only gone down by 1 pupil over the last 2 year from 883 to 882. By comparing the capacity figure and pupil number there are currently 41 free spaces available in Bro Myrddin.

(I) Welsh Medium Secondary Sector – Projected Trend



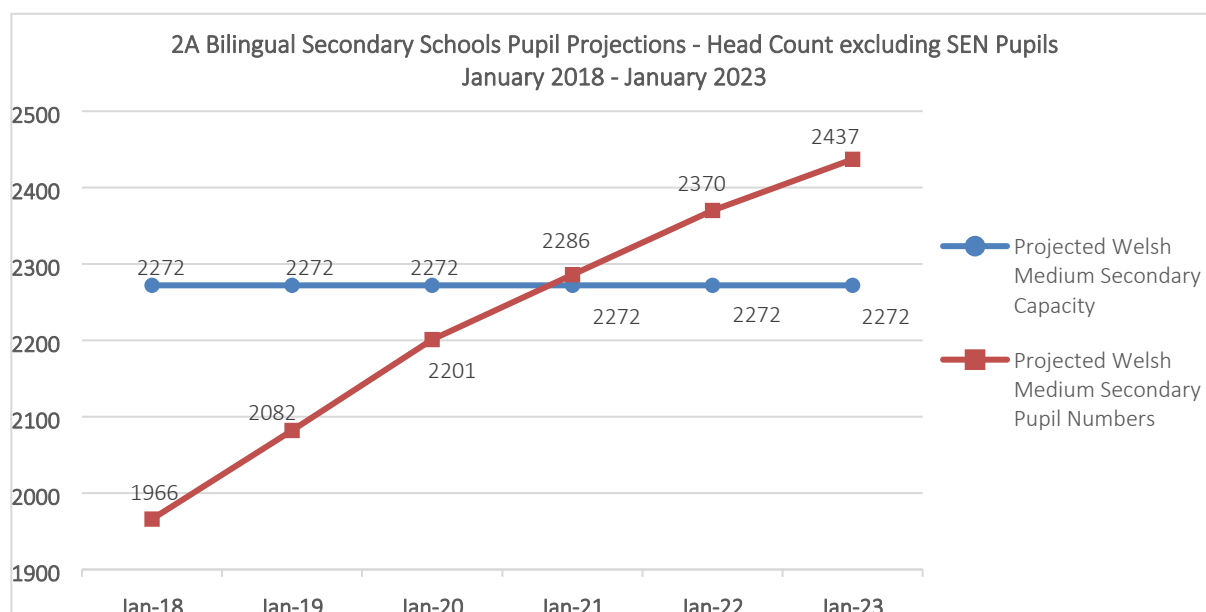
The above graph shows that over the next 5 years there will be a steady increase in pupil numbers at Bro Myrddin of 131 pupils. As can be seen in the above graph from 2019 onwards Bro Myrddin will be over capacity by 23-90 spaces.

(m) 2A Bilingual Secondary Sector – Historic Trend



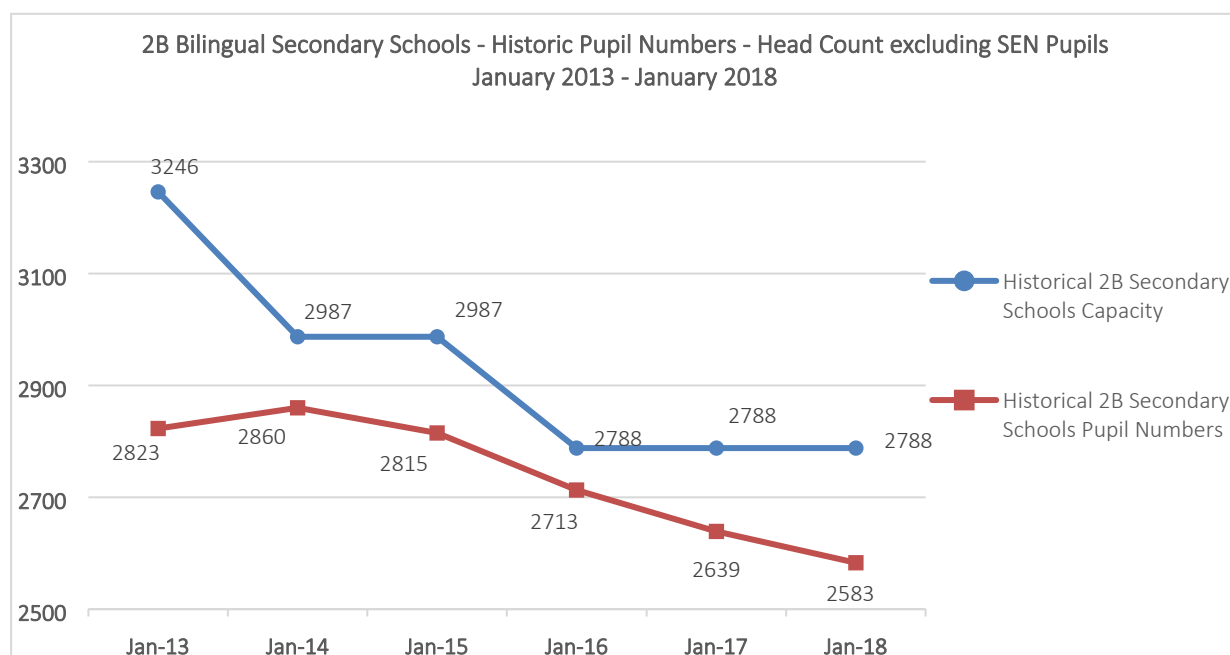
As can be seen in the above graph there was a significant increase in capacity in 2014 of 543 places which was due to the school re-organisation. In 2014 there was a steady increase in 2016 of 142 places. Since then there has been a significant reduction in the capacity due to Bro Myrddin becoming a WM Secondary School. As a result to this, the capacity dropped by 923 spaces. Pupil numbers increase in 2014 by 102 pupils before dropping by 106 pupils in 2015. In 2016 there was also a reduction in pupil numbers of 850 pupils due to Bro Myrddin becoming a WM Secondary School. In 2018 there has been a slight increase in pupil numbers of 72 pupils. With the increase in pupil numbers there is still 306 free spaces within our 2 2A Bilingual Secondary Schools (Maes Y Gwendraeth, Strade).

(n) 2A Bilingual Secondary Sector – Projected Trend



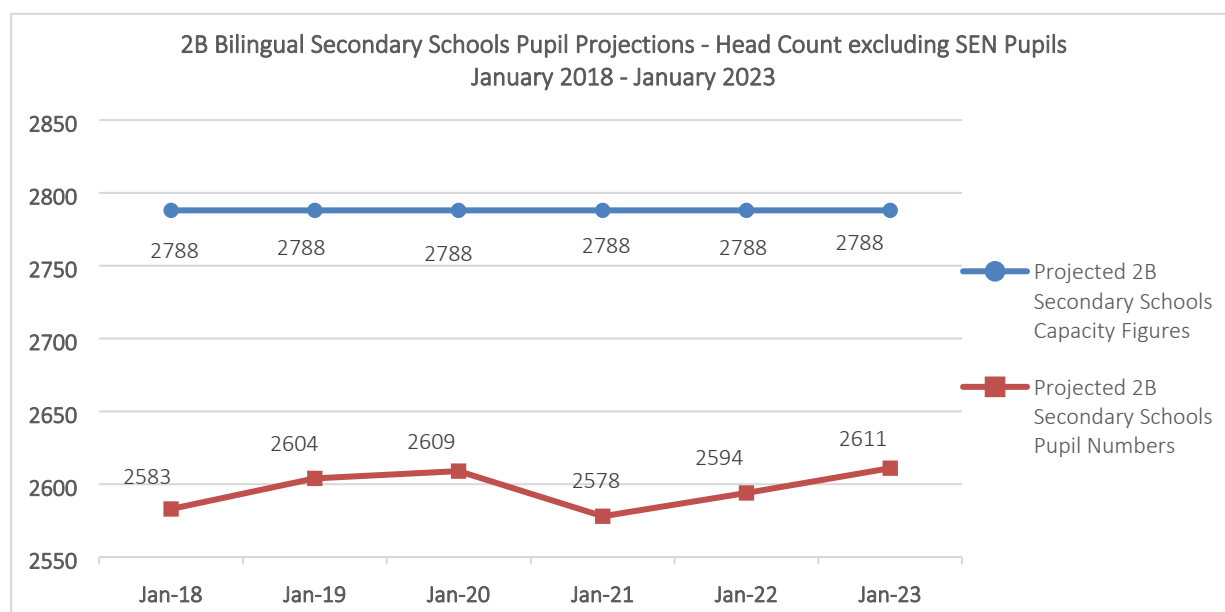
The above graph shows that over the next 5 years there will be a significant increase in pupil numbers of 471 pupils. As can be seen in the above graph from 2021 onwards our 2 2A Bilingual Secondary Schools (Maes Y Gwendraeth, Strade) will be over capacity by 14 – 165 places.

(o) 2B Bilingual Secondary Sector – Historic Trend



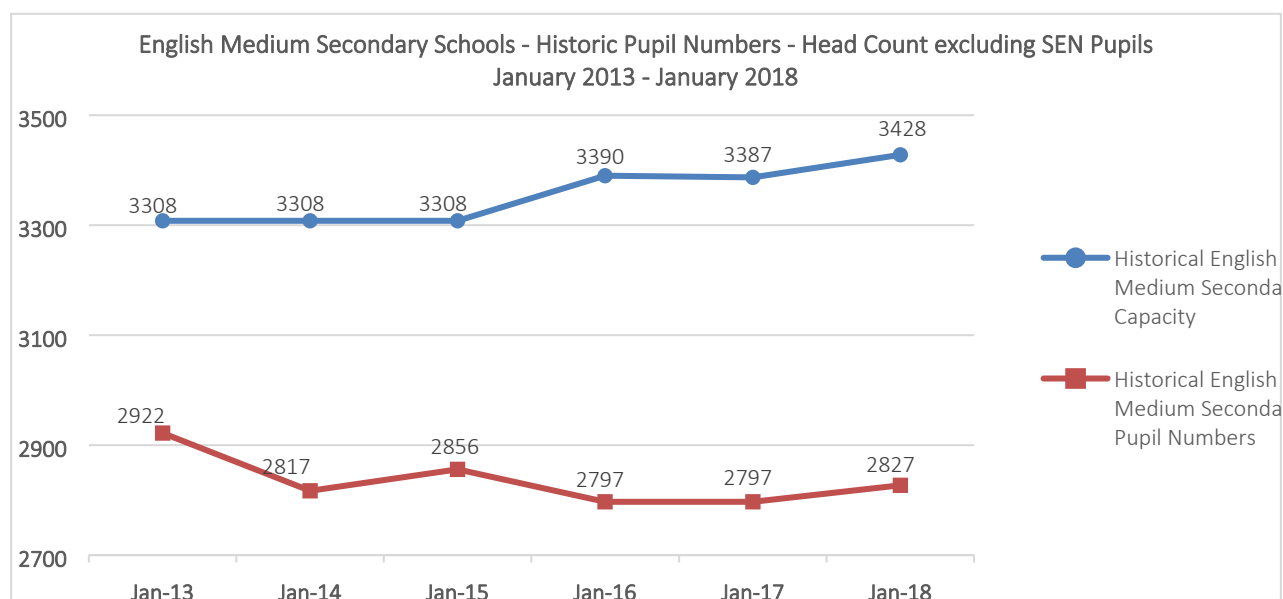
As can be seen in the above graph from 2013 – 2016 there has been a steady decline in the capacity of our 2B Secondary Schools by 458 places. Since 2016 there haven't been any changes in the capacity. In 2014 there was a slight increase in pupil numbers by 37 pupils. Since then there has been steady reduction in pupil numbers by 277 pupils. With the reduction in both capacity and pupil numbers there is still 205 free spaces within our 2 2B Secondary Schools (Bro Dinefwr, Dyffryn Aman).

(p) 2B Bilingual Secondary Sector – Projected Trend



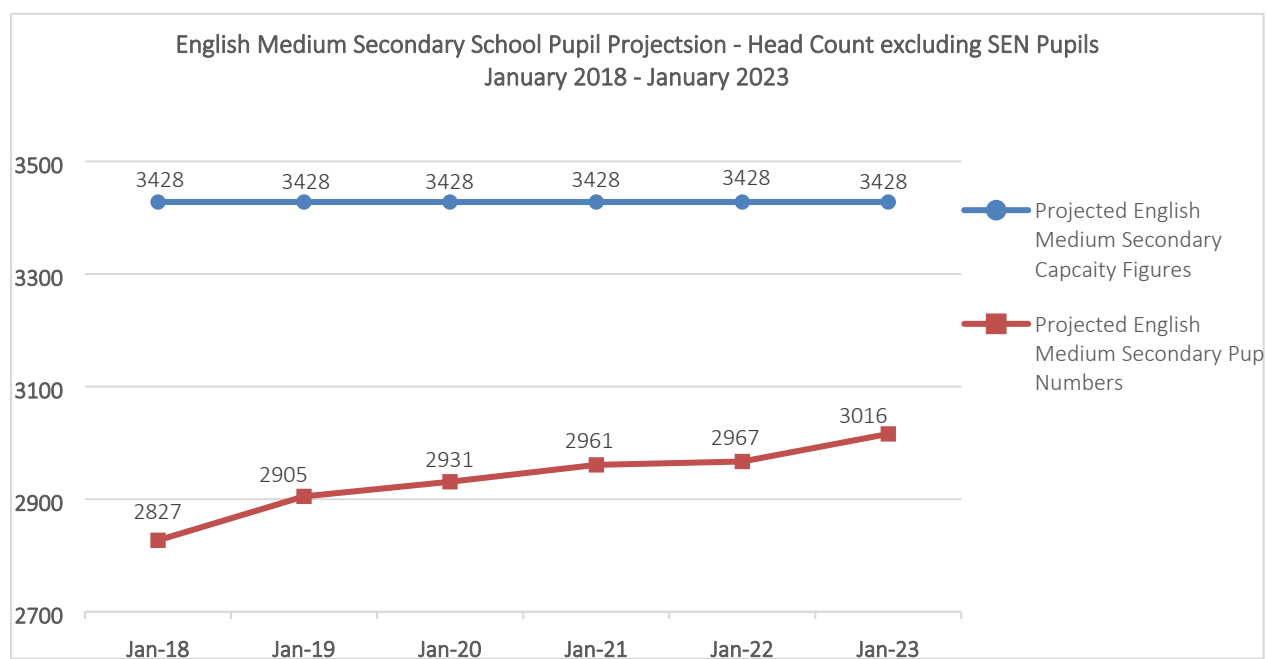
The above graph shows that over the next 5 years there will be a slight increase in pupil numbers until 2020 of 26 pupils before we see a drop in 2021 of 31 pupils. By 2023 there will be a slight increase in pupil numbers of 33 pupils. By comparing our projected capacity figure of 2788 and our projected pupil numbers over the next 5 years there will be approx. 177-210 free spaces in our 2 2B Secondary Schools (Bro Dinefwr, Dyffryn Aman).

(q) English Medium Secondary Sector – Historic Trend



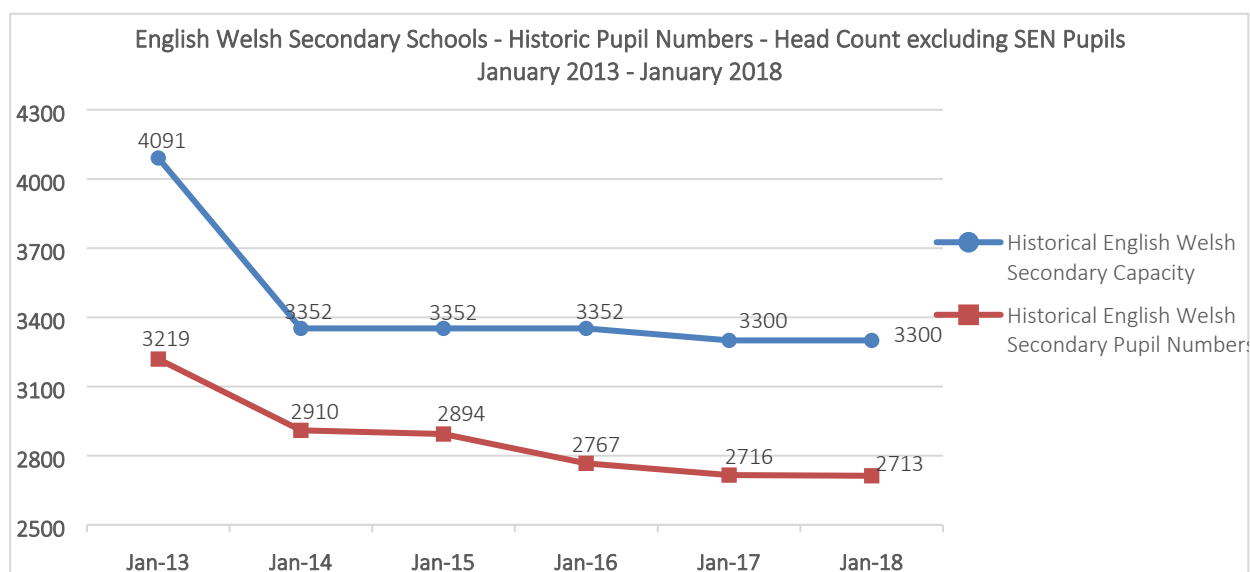
As can be seen in the above graph from 2013-2015 there wasn't any changes in the capacity before there was a slight increase in 2016 of 82 places. By 2018 there was a further increase in the capacity of 38 places. With the pupil numbers since 2013 there has been a steady decline in pupil numbers ranging from 105-125 pupils with only a slight increase in pupil numbers in 2015 of 39 pupils. With the increase in capacity and reduction in pupil numbers there are 601 free spaces within our 4 English Medium Secondary Schools (Bryngwyn, Coedcae, Glan-y-Môr, St John Lloyd).

(r) English Medium Secondary Sector – Projected Trend



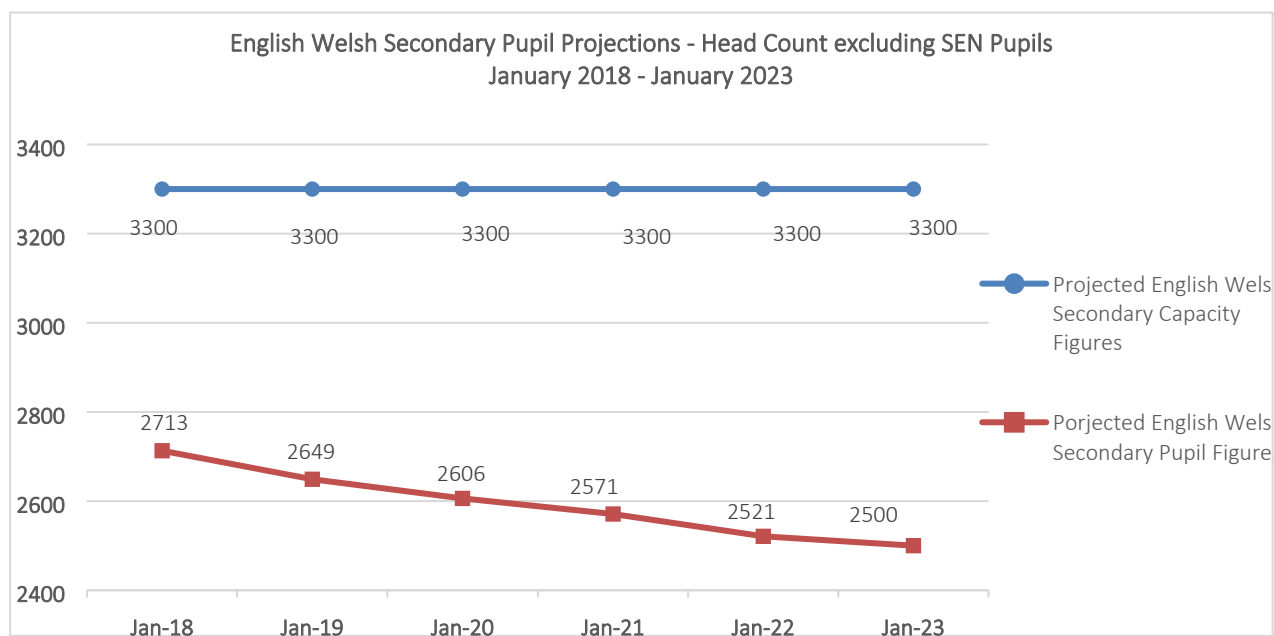
The above graph shows that over the next 5 years there is steady increase in pupil numbers of 189 pupils. By comparing our projected capacity figure of 3428 and our projected pupil numbers over the next 5 years there will be approx. 412-601 free spaces within our 4 English Medium Secondary Schools (Bryngwyn, Coedcae, Glan-y-Môr, St John Lloyd).

(s) English Welsh Secondary Sector – Historic Trend



As can be seen in the above graph in 2014 there was a significant reduction in capacity of 739 places. Since 2014 the capacity hasn't varied. We see the same trend with the pupil numbers where there was a reduction in pupil numbers in 2014 of 309 pupils. Since 2014 there has been a steady reduction in pupil numbers. In 2018 we see a reduction of 197 pupils. With both reduction in capacity and pupil numbers there is still 587 free spaces within our 3 English Welsh Secondary Schools (Dyffryn Taf, Emlyn, QE High).

(t) English Welsh Secondary Sector – Projected Trend



The above graph shows that over the next 5 years there is steady decline in pupil numbers of 213 pupils. By comparing our projected capacity figure of 3300 and our projected pupil numbers over the next 5 years there will be approx. 587-800 free spaces within our 3 English Welsh Secondary Schools (Dyffryn Taf, Emlyn, QE High).

PWYLLGOR CRAFFU ADDYSG A PHLANT

26^{ain} o DACHWEDD 2018

Y RHAGLEN MODERNEIDDIO ADDYSG

Cod Trefniadaeth Ysgolion 2018

Pwrpas:

Er mwyn cynghori'r aelodau o weithrediad y Cod Trefniadaeth Ysgolion 2018 diwygiedig gan Lywodraeth Cymru.

Ystyried a rhoi sylwadau ar y materion canlynol:

Y Cod Trefniadaeth Ysgolion 2018 diwygiedig gan Lywodraeth Cymru.

Rhesymau:

Er mwyn cynghori'r aelodau o weithrediad y Cod Trefniadaeth Ysgolion diwygiedig gan Lywodraeth Cymru, gan gynnwys yr elfen fwyaf sylweddol i gryfhau'r cod mewn perthynas â rhagdybiaeth yn erbyn cau ysgolion gwledig.

Ymgynghorwyd â'r Pwyllgor Craffu Perthnasol:

Pwyllgor Craffu Addysg a Phlant – 26ain Tachwedd

Angen i'r Bwrdd Gweithredol wneud penderfyniad: NAC OES

Angen i'r Cyngor wneud penderfyniad: NAC OES

Aelod y Bwrdd Gweithredol sy'n gyfrifol am y Portffolio:

Cyng. Glynog Davies (Addysg a Phlant)

Y Gyfarwyddiaeth: Addysg a Phlant Enw Pennaeth y Gwasanaeth: Simon Davies Awdur yr adroddiad: Sara Griffiths	Swyddi: Pennaeth Mynediad i Addysg Rheolwr Tim Moderneiddio	Rhifau Ffôn / Cyfeiriadau E-bost: 01267 246471 SiDavies@sirgar.gov.uk 01267 246618 SMGriffiths@sirgar.gov.uk
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EXECUTIVE SUMMARY

EDUCATION & CHILDREN SCRUTINY COMMITTEE 26TH NOVEMBER 2018

MODERNISING EDUCATION PROGRAMME (MEP) School Organisation Code 2018

The previous School Organisation Code came into force on 1 October 2013. Following three years of operation the Welsh Government reviewed the code reflecting on feedback and learning received since that time.

From the 1st November 2018 the Welsh Government implemented an updated School Organisation Code. These changes alter the requirements to take forward proposals which involve changes to schools, new schools or school closures.

The most substantial change is the strengthening of the code in respect of a presumption against closure of rural schools.

A copy of the School Organisation Code 2018 is attached.

Also attached is a copy of the Authority's process for undertaking School Organisation Proposals.

Recommendation

That the Education and Children Scrutiny Committee considers and comments on the revised School Organisation Code.

YES

DETAILED REPORT ATTACHED?

Appendix 1 – School Organisation Code 2018
Appendix 2 – Authority Process

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed:

S Davies

Head of Access to Education

Policy and
Crime &
Disorder

Legal

Finance

ICT

Risk
Management
Issues

Organisational
Development

Physical
Assets

NONE

YES

NONE

NONE

NONE

NONE

NONE

2. Legal

The Welsh Government's proposals affect elements of the procedure to publish statutory school organisation proposals.

CONSULTATIONS

I confirm that the appropriate consultations have taken place and the outcomes are as detailed below

Signed:

S Davies

Head of Access to Education

1. Scrutiny Committee

Education and Children's Services Scrutiny Committee – to be consulted on 26th November 2018.

Education and Children's Services Scrutiny Committee will be consulted on individual school reorganisation proposals as they are taken forward.

2. Local Member(s)

Local Members will be consulted on individual school reorganisation proposals as they are taken forward.

3. Community / Town Council

Town and Community Councils have not been consulted at this stage as this is a strategic matter for the County Council.

Town and Community Councils will be consulted on individual school reorganisation proposals as they are taken forward.

4. Relevant Partners

Key partner organisations, including the Church in Wales, Roman Catholic Church and Coleg Sir Gar, are consulted on proposals that affect them.

Schools affected will be fully consulted on individual school reorganisation proposals as they are taken forward.

5. Staff Side Representatives and other Organisations

Not applicable at this stage as this is a strategic matter.

Section 100D Local Government Act, 1972 – Access to Information List of Background Papers used in the preparation of this report:

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Welsh Government Consultation on School Organisation Code	MEP	https://beta.gov.wales/school-organisation-code

School Organisation Code



Statutory Code

Statutory Code document no: 011/2018

Date of issue: November 2018

Replaces statutory code document no: 006/2013

School Organisation Code

Audience

Local authorities, governing bodies of maintained schools, diocesan authorities and Estyn.

Overview

The School Standards and Organisation (Wales) Act 2013 requires that the Welsh Ministers issue a School Organisation Code.

The Code imposes requirements in accordance with which relevant bodies (the Welsh Ministers, local authorities, governing bodies and other promoters) must act. It also includes practical guidance to which relevant bodies must have due regard and sets out the policy context, general principles and factors that should be taken into account by those bringing forward proposals to reconfigure school provision and by those responsible for determining proposals.

Action required

See above.

Further information

Enquiries about this document should be directed to:

Schools Effectiveness Division

The Education Directorate

Welsh Government

Cathays Park

Cardiff

CF10 3NQ

Tel: 0300 025 1356/0300 025 7710

e-mail: SchoolsManagementDivision3@gov.wales



@WG_Education



Facebook/EducationWales

Additional copies

This document can be accessed from the Welsh Government's website at gov.wales/educationandskills

Related documents

School Standards and Organisation (Wales) Act 2013

Defining schools according to Welsh medium provision (2007)

Measuring the capacity of schools in Wales Welsh Government Circular

No: 021/2011 (2011)

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Summary

This Code on School Organisation (“the Code”) is made under Sections 38 and 39 of the School Standards and Organisation (Wales) Act 2013 (“the 2013 Act”).

Section 38 requires the Welsh Ministers to issue a Code that may impose requirements and include guidelines in respect of school organisation on the following (known collectively in this Code as “relevant bodies”):

- the Welsh Ministers;
- local authorities;
- the governing bodies of maintained schools¹; and
- the promoters of proposals to establish voluntary schools.

The Code applies to proposals in respect of maintained schools as defined at Section 98 of the 2013 Act. That is a school in Wales, which is a community, foundation or voluntary school, a community special school or a maintained nursery school. This does not include pupil referral units (PRUs).

The first edition of the Code came in to force on 1 October 2013 and applied in respect of all school organisation proposals published by way of statutory notice on or after that day. This is the second edition of the Code and it comes in to force on 1 November 2018 and comes into effect immediately subject to the following paragraph.

If a proposer has commenced consultation before 1 November 2018 the proposal **must** be published and determined in accordance with the first edition of the Code. Consultation will be considered to have commenced where a consultation document, required by section 3.2 of the first edition of the code, has been published.

The Code contains the following elements:

1. It imposes requirements in accordance with which relevant bodies (or persons exercising a function for the purpose of the discharge, by a local authority or the governing body of a maintained school, of functions in Part 2 (changes which require proposals)) must act. Failure by a relevant body to comply with the requirements set out in this Code may result in a complaint to the Welsh Ministers or to the Public Services Ombudsman for Wales. Where mandatory requirements are imposed by the Code or by the 2013 Act or another statute or statutory instrument, it is stated that the relevant bodies **must** comply with the particular provision. Where practices are prohibited, it is stated that the relevant bodies **must not** use this practice.

¹ The categories of maintained schools in Wales are community, voluntary controlled, voluntary aided, foundation and community special.

2. It includes statutory guidance to which relevant bodies **must** have regard and sets out the policy context, general principles and factors that should be taken into account by those bringing forward proposals to reconfigure school provision and by those responsible for determining proposals. Where guidance is given by the Code, it is stated that relevant bodies **should** follow this guidance unless they can demonstrate that they are justified in not doing so.
3. It provides a description of the statutory requirements set out in the 2013 Act.

The Code builds on good practice which already exists amongst local authorities and others, but does not aim to give exhaustive guidance on all aspects of school organisation. Local authorities and others will need to ensure that in carrying out their school organisation functions they act at all times in ways which are reasonable and founded on the interests of learners.

The Code is primarily designed for the use of the relevant bodies but all those with an interest in school organisation matters may also find it useful.

Presumption against the closure of rural schools

This second edition of the Code makes special arrangements for rural schools (defined within the Code), establishing a procedural presumption against the closure of rural schools. This requires proposers to follow a more detailed set of procedures and requirements in formulating a rural school closure proposal and in consulting on and reaching a decision as to whether to implement a rural school closure proposal. These are set out mainly in sections 1.8 and followed through in sections 3, 5, 7 and Annex A of this Code.

1. Development and consideration of proposals

1.1 Key background principles and policies

The planning and development of effective school organisation proposals is crucial to the Welsh Government's goal of transforming education in Wales and providing better educational outcomes.

Relevant bodies **should** aim to ensure that proposals support the Welsh Government's commitment to increase school effectiveness, and narrow inequalities in achievement between advantaged and disadvantaged areas, groups and individuals.

A list of legislation, overarching principles and policies which will assist proposers in the development and consideration of proposals is included at annex E. This list is not exhaustive.

1.2 Factors to be taken into account in preparing, publishing, approving or determining school organisation proposals

The following paragraphs set out the factors which **should** be taken into account by relevant bodies when exercising their functions of preparing and publishing school organisation proposals, or approving/determining them. Paragraphs 1.3 to 1.6 are applicable in the case of all proposals.

1.3 Quality and standards in education

Relevant bodies **should** place the interests of learners above all others. With reference to the five inspection areas of the Office of Her Majesty's Chief Inspector of Education and Training in Wales (Estyn) Common Inspection Framework (as of September 2017), they **should** consider the likely impact of the proposals on:

- standards and progress overall, of specific groups and in skills;
- wellbeing and attitudes to learning;
- teaching and learning experiences (quality of teaching, the breadth, balance and appropriateness of the curriculum, and the provision of skills;
- care support and guidance (tracking, monitoring and the provision of learning support, personal development and safeguarding); and
- leadership and management (quality and effectiveness of leaders and managers, self evaluation processes and improvement planning, professional learning, and use of resources)

at the school or schools which are the subject of the proposals and at any other school or educational institution which is likely to be affected. Relevant bodies

should pay particular attention to the impact of the proposals on vulnerable groups, including children with Special Educational Needs (SEN)².

Relevant bodies **should** also consider the ability of the school or schools which are the subject of the proposals to deliver the full curriculum at the foundation phase and each key stage of education. This consideration **should** include the quality of curriculum delivery and the extent to which the structure or size of the school is impacting on this.³

Where proposals involve the transfer of learners to alternative provision there **should** normally be evidence that the alternative would deliver outcomes and offer provision at least equivalent to that which is currently available to those learners (including learners with SEN). Advice from Estyn might reasonably be used as evidence in relation to alternative provision which is brand new. Proposers **should** ensure that the disruption to learners is minimised.

In assessing the impact of proposals on quality and standards in education and how effectively the curriculum is being delivered, relevant bodies **should** consider any relevant advice from Estyn, refer to the most recent Estyn reports or other evidence derived from performance monitoring, and take into consideration any other generally available information available on a school's effectiveness.

1.4 Need for places and the impact on accessibility of schools

Local authorities **must** ensure that there are sufficient schools providing primary and secondary education for their area. Schools are regarded as sufficient if they are sufficient in number, character and equipment to provide for all pupils the opportunity of appropriate education⁴. In order to fulfil these duties, local authorities **must** ensure that they plan thoroughly and engage fully with relevant partners, including the appropriate religious bodies⁵ for schools serving their area which have a designated religious character.

In the light of the above, relevant bodies **should** have regard to the following factors:

Where a school closure⁶, reduction in capacity or age range contraction is proposed:

- whether alternative school-based provision will have sufficient capacity and provide accommodation of at least equivalent quality, for existing and projected pupil numbers;

² The term Special Educational Needs (SEN) may in future be replaced by Additional Needs (AN)

³ Primary legislation sets out the statutory aims of the school curriculum in Wales at section 99 of the Education Act 2002.

⁴ Section 14 of the Education Act 1996.

⁵ An appropriate religious body is, in the case of a Church in Wales or Roman Catholic school, the appropriate diocesan authority, or in the case of other schools, the body representing the religion and religious denomination stated in relation to the school in an order made under section 69(3) of the School Standards and Framework Act 1998.

⁶ Any reference to 'school closure' included in this document means the discontinuance of a maintained school as set out in section 40 of the 2013 Act.

*In considering proposals relevant bodies **should** have regard to the relevant Building Regulations and associated Building Bulletins, and to the 'Welsh Government's circular on 'Measuring the capacity of schools in Wales' (Circular No: 021/2011). In addition, the Education (School Premises) Regulations 1999 set out the standards for school premises, including minimum areas of team game playing fields to which schools **must** have access. Statutory proposals **should** ensure that these standards are met.*

- with reference to the nature of the schools subject to proposals, whether the alternative school-based provision is sufficient to meet existing and projected demand for schools of the same:
 - a. language category as set out in "Defining schools according to Welsh medium provision" Welsh Assembly Government Information document No: 023/2007 or any successor documents; and
 - b. (if relevant) designated religious character.

*Proposals **should** ensure that the balance of school provision reflects the balance of demand. This means that where school provision is being reduced or removed, alternative school provision of the same nature (language category or, if relevant, religious character), wherever possible, **should** remain available and accessible to pupils in the local area. However in some areas it may not be compatible with the cost effective provision of education to continue to maintain access to schools of the same nature.*

*In all cases, existing pupils of compulsory school age at a school where a school closure, reduction in capacity or age range contraction is proposed **must** be able to continue receiving an education in their current language medium. Specific transition arrangements may be necessary in order to achieve this.*

*Where proposals affect schools where Welsh is a medium of instruction (for subjects other than Welsh) for some or all of the time, local authorities **should** carry out a Welsh Language Impact Assessment.*

In all cases local authorities should consider:

- *The extent to which the proposal would support the targets in the approved Welsh in Education Strategic Plan (WESP).*
- *How the proposal would expand or reduce Welsh language provision and in the case of the latter, set out why provision will be reduced.*

In the case of proposed school closures local authorities should consider:

- the nature of journeys to alternative provision and resulting journey times for pupils including SEN pupils; in particular whether primary school pupils will have one-way journeys in excess of 45 minutes or secondary school pupils one way journeys of over an hour.

*Arrangements for accessing the alternative provision should encourage sustainable transport; and **should** address the possible effect of any transport*

*difficulties on pupils' engagement with and attendance at school. Likely walking or cycling routes for safety and accessibility **should** be assessed prior to bringing forward proposals⁷*

Where a new school, increase in capacity or age range expansion is proposed;

- that there is evidence of current or future need/demand in the area for additional places, with reference to the school or proposed school's language category, designated religious character, and the gender intake (i.e. co-educational/single sex);

*The demand for additional provision of any type in an area **should** be assessed and evidenced. (In the case of Welsh medium provision this would include an assessment of the demand for Welsh Medium education conducted in accordance with any regulations made under section 86 of the 2013 Act).*

- whether proposals will improve access for disabled pupils in accordance with requirements under the Equality Act 2010.

1.5 Resourcing of education and other financial implications

It is important that funding for education is cost effective. Relevant bodies **should** take into account the following factors in relation to the resourcing of education:

- What effect proposals will have on surplus places in the area;

Some spare places are necessary to enable schools to cope with fluctuations in numbers of pupils, but excessive numbers of unused places that could be removed mean that resources are tied up unproductively.

*Where there are more than 10% surplus places in an area overall, local authorities **should** review their provision and **should** consider whether to make proposals for their removal if this will improve the effectiveness and efficiency of provision. A significant level of surplus provision is defined as 25% or more of a school's capacity (as defined in Circular 21/2011) **and** at least 30 unfilled places.*

Although local authorities are asked to manage excessive surplus places this does not automatically mean closing schools. Sections 1.7 and 1.8 of the Code encourage proposers to look at other options available to them and their schools, for example clustering, collaboration or federation with other schools to increase the school's viability or making use of the existing buildings as a community resource. They are also encouraged to rationalise school space by co-locating services within the school to offset costs.

*It **should not** normally be necessary to provide additional places at schools when there are others of the same type with surplus places within a reasonable distance.*

⁷ The Learner Travel Statutory Provision and Operational Guidance June 2014 Chapter 5.

However, proposals to increase the number of places in response to demand for a particular type of provision, e.g. Welsh medium, may still be appropriate; particularly if effective provision of school places is planned for the local authority area.

- whether proposals form part of the local authority's 21st Century Schools Investment Programme and contribute to the delivery of sustainable schools for the 21st Century and to the better strategic management of the school estate.

Relevant bodies **should** also take into account the following factors in relation to finance:

- the recurrent costs of proposals over a period of at least 3 years and whether the necessary recurrent funding is available;
- additional transport costs incurred as a result of proposals;

*Proposers **should** take into account the requirement on local authorities to provide free transport provision under the Learner Travel (Wales) Measure 2008 and **should** seek the advice of the relevant local authority transport department in relation to the impact the proposal might have on associated transport costs and their affordability.*

- the capital costs of proposals and whether the necessary capital funding is available;
- the scale of any projected net savings (taking into account school revenue, transport and capital costs);

*In relation to proposals where substantial upfront capital investment is required (for example to support a substantial remodelling, refurbishment or a new build project), the costs and savings of the proposals **should** be calculated over the lifespan of the relevant building, and compared against the costs and savings associated with the maintenance of the status quo.*

- whether, without the proposals, the schools affected would face budget deficits;
- whether any savings in recurrent costs will be retained in the local authority's local schools' budget; and
- whether the proceeds of sales (capital receipts) of redundant sites are to be made available to meet the costs of the proposal or contribute to the costs of future proposals which will promote effective management of school places.

*In general, local authorities **should** look to recycle assets from any surplus school buildings and sites in their ownership into the overall improvement of their schools estate rather than allocate those proceeds to projects outside the education portfolio, although these decisions ultimately rest with local authorities.*

1.6 Other general factors

Relevant bodies **should** take into account the following general factors:

- what impact proposals will have on educational attainment among children from economically deprived backgrounds;
- any equality issues, including those identified through equality impact assessments; and
- whether the school or schools involved are subject to any trust or charitable interests which might be affected by the proposals, for example in relation to the use or disposal of land.

*Proposals which affect charities **must** be consistent with charity law or the stated purpose of the charitable trust.⁸ Advice **should** be sought from the Charity Commission or the Welsh Ministers (as the Principal Regulator of governing bodies which are charities) where there is any uncertainty.*

Under section 82 of the School Standards and Framework Act 1998 the Welsh Ministers have the power to order modifications of a trust deed. The power is discretionary and Welsh Ministers would ordinarily expect trustees to approach the Charity Commission first.

1.7 Specific factors in the consideration of school closures

The prime purpose of schools is the provision of education and any case for closure **should** be robust and in the best interests of educational provision in the area. Nevertheless, in some areas, a school may also be the main focal point for community activity, and its closure could have implications beyond the issue of the provision of education. This may be a particular feature in rural areas if school buildings are used as a place to provide services to the local community.

The case prepared by those bringing forward proposals **should** show that the impact of closure on the community has been assessed through the production of a **Community Impact Assessment** and how any community facilities currently provided by the school could be maintained.

When considering whether a closure is appropriate, special attention **should** be given to the following:

- whether the establishment of multi-site schools might be considered as a means of retaining buildings, or the reasons for not pursuing this option;

⁸ All foundation and voluntary school governing bodies are charities under section 23 of the Schools Standards and Framework Act 1998 and community school sites may also be subject to charitable interests.

- whether alternatives to closure, such as clustering, collaboration or federation with other schools, might be considered (taking account of the scope for use of ICT links between school sites) or the reasons for not pursuing these as an alternative;
- whether the possibility of making fuller use of the existing buildings as a community or educational resource could be explored;

(Local authorities **should** consider whether it would be feasible and economical to co-locate local services within the school to offset the costs of maintaining the school);

- the overall effect of closure on the local community (including the loss of school based facilities which are used by the local community; and
- how parents' and pupils' engagement with the alternative school and any facilities it may offer could be supported (e.g. how pupils; particularly any less advantaged pupils) will be helped to participate in after school activities).

Although under the 2013 Act the requirement to consult does not apply to proposals to discontinue small schools with fewer than 10 pupils at the preceding January census point⁹ local authorities and governing bodies bringing forward such proposals **must** still take into account the factors set out in this Code.

1.8 Presumption against the closure of rural schools

This second edition of the Code makes special arrangements in regard to rural schools establishing a procedural presumption against their closure. This requires proposers to follow a more detailed set of procedures and requirements in formulating a rural school closure proposal and in consulting on and reaching a decision as to whether to implement a rural school closure proposal.

This does not mean that a rural school will never close but the case for closure must be strong and all viable alternatives to closure must have been conscientiously considered by the proposer, including federation.

Designation of 'rural school' for the purposes of the presumption against closure

A rural school for the purposes of the presumption against closure is identified using the Office for National Statistics' rural and urban classification, as being located within villages in the sparsest context, other (hamlet or dispersed) in sparsest context and other (hamlet or dispersed) in less sparse context

⁹ Section 56 of the 2013 Act defines a 'small school', for the purposes of deciding whether consultation is required, as a school with fewer than 10 registered pupils on the third Tuesday in January immediately preceding the date on which the proposals are made.

A list of schools derived from this classification is attached at annex F. Proposers should refer to the designation and the list of schools to establish whether the proposed closure under consideration concerns a rural school and the procedural presumption against closure applies.

Specific further steps required to be taken by the proposer in formulating a rural school proposal

As well as taking into account the factors in chapter 1 (paragraphs 1.3 to 1.6) which are relevant in the case of all proposals the proposer is required to follow the further steps below where the proposal relates to the possible closure of a rural school.

Formulating the proposal

Where the proposer is considering formulating a proposal to close a rural school, the proposer must clearly identify the reasons for formulating the proposal. This will be the key challenges which the school faces and the proposer wishes to address by proposing closure of the school.

The proposer is required to consider these reasons when making their decision on a proposal or any reasonable alternatives, so it is important that they are as clear and specific as possible. For example, reasons might relate to a falling school roll, difficulties delivering the curriculum or concerns about the school building.

Rather than simply stating that the school is no longer viable, the proposer should carefully consider and set out the reasons why it considers the school is no longer viable.

Identifying reasonable alternatives

The proposer must identify any reasonable alternatives to the proposal which might also address the reason for formulating the proposal. It is important to ensure that all reasonable alternatives identified are properly explored **before** the proposer decides to proceed to consult on closure.

The aim is to ensure that when an option to close a rural school is proposed, the decision to consult on that option is only taken after very careful consideration, and after all other reasonable alternatives have been considered and a clear assessment undertaken of their merits and viability.

Federation has been shown to have particular benefits for rural schools. Proposers **must** show how they have considered federation as an alternative to closure of a rural school.

Schools are major public and community assets; it is important that their future is considered not just from an education perspective, but across the full range of a local authority's responsibilities. Consideration of alternatives to closure could include whether there is scope for the school to be better integrated into a local authority's wider asset management and community planning process. This could for example, include building effective links with local community regeneration strategies.

Examples of alternatives to closure that might merit consideration include:

- clustering, collaboration with other schools (taking account of the scope for use of ICT links between school sites);
- Using the school as a 'community hub' to accommodate and support provision of a range of community services, e.g. health, childcare facilities, family and adult learning, community education, sport, recreation, social activity etc.
- Whether it would be feasible and economical to co-locate local services within the school to offset the costs of maintaining the school);
- Whether the establishment of multi-site schools might be considered as a means of retaining buildings:

As with all closure proposals the proposer must prepare a community impact assessment to explore the overall and long term impact on people and the community of the closure of the rural school and the loss of the building as a community facility. Examples of what the proposer **should** consider as part of the Community Impact Assessment are included at Annex C.

Once the proposer has identified all the reasonable alternatives, the proposer **must** assess for each alternative its

- likely impact on Quality and Standards in Education;
- likely impact on the community; and
- likely effect of different travelling arrangements.

Preparing a proposal paper for the decision maker

Before determining whether to proceed to consultation in accordance with chapter 3 of this code, the person(s) who determine whether or not a proposal should proceed to consultation must be presented with a paper ("the proposal paper") which, in addition to detailing the general factors in paragraphs 1.3 to 1.6 of Chapter 1 of this Code must also include:

- The reason for the closure proposal
- A list of the reasonable alternatives to closure that have been identified; and
- An assessment of the following for each of reasonable alternatives that has been identified:
 - The likely impact on Quality and Standards in Education.
 - The likely impact on the community.
 - The likely effect of different travelling arrangements;

The proposer should not make a decision as to whether to proceed to consultation until these preliminary requirements have been carried out and unless they are satisfied that implementation is the most appropriate response to address the key challenges identified as the reason for proposing discontinuance of the school.

Although under the 2013 Act the requirement to consult does not apply to proposals to discontinue small schools with fewer than 10 pupils at the preceding January census point¹⁰ local authorities and governing bodies bringing forward such proposals **should** still take into account the factors set out in Chapter 1 of this Code when developing and considering proposals. If the school is on the list of “rural schools” this includes satisfying the requirements set out in 1.8 “*Presumption against the closure of rural schools*”.

1.9 Specific factors to be taken into account for proposals to add or remove nursery classes

Relevant bodies **should** take into account the following specific factors:

- the standard of nursery education and the sufficiency of accommodation and facilities offered, both in the classroom and outdoors, and the viability of any school that wishes to add nursery places;
- whether there is a need for additional nursery places in the area;
- the levels of demand for certain types of nursery education e.g. Welsh medium or provision with a religious character;
- the effect of the proposals on other institutions, including private and third sector providers; and
- the extent to which proposals will integrate early years education with childcare services or are consistent with an integrated approach.

1.10 Specific factors to be taken into account for proposals to reorganise secondary schools or to add or remove sixth forms

Relevant bodies **should** take into account the following specific factors:

- whether proposals will lead to an improvement in the educational or training achievements of persons who are above compulsory school age but below the age of 19;
- whether proposals will contribute to an appropriate range of relevant courses and qualifications and high quality, employer informed, vocational learning routes targeted at pupils of all abilities, whilst maintaining GCSE, AS/A level and other established courses, as required under the Learning and Skills (Wales) Measure 2009 for 14-19 year old learners;
- whether proposals are likely to lead to increased participation in learning by pupils beyond compulsory school age, taking into account transport issues and costs to the learner and others, the affordability of such costs, and the likelihood of learners being willing to travel;

¹⁰ Section 56 of the 2013 Act defines a ‘small school’, for the purposes of deciding whether consultation is required, as a school with fewer than 10 registered pupils on the third Tuesday in January immediately preceding the date on which the proposals are made..

- the extent to which proposals contribute to the 14-19 agenda taking account of the views of regional 14-19 networks.;
- the effect of proposals on 11-16 provision in schools;
- how proposals would affect the viability of institutions already providing good-quality post-16 provision, including school sixth forms, Further Education Institutions and private training organisations;
- how proposals might affect the sustainability or enhancement of Welsh medium provision in the regional 14-19 network and wider area and promote access to availability of Welsh medium courses in post-16 education;
- the extent to which proposals will provide additional learner benefits compared with the status quo and other tenable options for post-16 organisation; and
- how proposals might affect the discretionary transport provision a local authority may provide to learners¹¹ above compulsory school age.

1.11 Specific factors to be taken into account for proposals to increase provision in voluntary schools or establish a new voluntary school

Relevant bodies **should** take into account whether:

- the local authority has confirmed that it will meet its liability to maintain the school;
- the governing body of a voluntary aided school will be able to meet its financial responsibilities for repairs and capital work; and
- the proposed land tenure arrangements give the school sufficient security of occupation of the site.

Where land tenure arrangements are not settled those determining proposals might indicate that they are minded to approve the proposals subject to satisfactory resolution of those issues. Such a decision could be appropriate where the promoters are unwilling to incur legal expenses to resolve the tenure issue until they know that there is a strong likelihood that the proposals will be approved.

¹¹ Section 6 of the Learner Travel (Wales) Measure 2008 gives a local authority the power to provide discretionary transport where they think fit to facilitate the travel of learners. Paragraphs 1.98 – 1.105 of the Welsh Government Learner Travel Statutory Provision and Operational Guidance 2014 provide further guidance on this provision.

1.12 Specific factors in the consideration of proposals for the change of language medium

Relevant bodies **should** take into account the following specific factors:

- the extent to which existing provision by the local authority of education in the medium of English and/or Welsh exceeds or falls short of demand or projected demand from parents for that type of provision, and the contribution the proposal would make to remedying that situation.
- the extent to which the proposal would support the targets in a local authority's Welsh in Education Strategic Plan (WESP).

1.13 Specific factors in the consideration of proposals for the change of school category

Relevant bodies **should** take into account the following specific factors:

- all categories of school - community, foundation, voluntary controlled or voluntary aided - are of equal status;
- all permissible proposals to change the category of a school will be considered on their individual merits¹² ; and
- whether any benefits can be identified.

*Changing category has the potential to cause disruption to the running of the school and/or place added burdens on the governing body and/or add complexity to school reorganisation or admissions. Therefore, there **should** be a presumption against changes where benefits cannot be identified.*

- Whether any trust deed relating to the school allows for the change of category proposed. If there is any doubt, or if a variation in the trust deed is clearly necessary, proposers **should** make early contact with the Charity Commission.

1.14 Additional factors to be taken into account in preparing, publishing, approving or determining proposals for the reorganisation of SEN provision

Policies and principles

The principles and plans set out elsewhere in this Code **should** be taken into account in the consideration of proposals for the reorganisation of maintained special schools and specialist resource bases in mainstream schools.

¹² Schools are not permitted to change their category to foundation and schools with a religious character may not become community schools.

Relevant bodies **should** consider how proposals fit with the local authority's plans for promoting inclusion (i.e. providing for a higher proportion of pupils with SEN to attend mainstream settings) wherever that is appropriate in meeting a child or young person's individual needs, and with its overall strategy for ensuring adequate provision for the full range of SEN.

Relevant bodies **should** have regard to the factors set out below in relation to proposals affecting special schools and specialist resource bases in mainstream schools.

Standards of provision

In addition to the usual considerations in relation to standards of provision, relevant bodies **should** consider:

- whether proposals will improve standards of accommodation for pupils with SEN, including building accessibility;
- how proposals will address any health, safety and welfare issues;
- how proposals, where appropriate, will support increased inclusion; and
- the impact of proposals on other SEN provision within the immediate and wider local authority area including out of county where appropriate.

Need for places and the impact on accessibility of schools

In addition to the considerations listed in 1.4, relevant bodies **should** consider:

- whether there is a need for a particular type of SEN provision within the area;
- whether there is surplus SEN provision within the area;
- whether SEN provision would be more effective or efficient if regional provision were made; and
- the impact of proposals on the transportation of learners with SEN.

Other factors

Relevant bodies **should** consider:

- how changes to SEN provision in schools are likely to impact on all other services provided in an area for pupils with disabilities and/or SEN.

1.15 Factors to be taken into account in approving/determining school organisation proposals

When approving proposals, relevant bodies who are the proposer:

- **must** consider whether there are any other related proposals;
- **must** ensure that the statutory consultation has been conducted in accordance with this Code (the requirement to consult does not apply to proposals to discontinue a school which is a small school);
- **must** ensure that the proposal has been published in accordance with this Code and the notice contains all the required information;
- **must** consider the consultation document and consultation report;
- **must** consider the objections and the objection report and any responses to the notice supporting the proposals;
- **should** consider, in the case of a proposal to change the category of a school, whether, there are any benefits. If no benefits can be identified, such proposals **should not** be approved; and
- **must not** approve change of category proposals where a variation in the trust deed is necessary but has not yet taken place.

When determining proposals relevant bodies:

- **must** consider whether there are any other related proposals;
- **must** consider the extent to which the statutory consultation has been conducted in accordance with this Code (the requirement to consult does not apply to proposals to discontinue a school which is a small school);
- **must** consider the extent to which the proposal has been published in accordance with this Code and whether the notice contains all the required information;
- **must** consider the consultation document and consultation report;
- **must** consider the objections and the objection report and any responses to the notice supporting the proposals;
- **should** consider, in the case of a proposal to change the category of a school, whether, there are any benefits. If no benefits can be identified, such proposals **should not** be approved; and
- **must not** approve change of category proposals where a variation in the trust deed is necessary but has not yet taken place.

2. Changes that require proposals

Statutory procedures are usually necessary to make significant changes to schools. The procedures are designed to enable changes to be made where they are considered necessary, but in a way which protects the interests of learners and allows interested parties the opportunity to have their say in the process.

2.1 Elements of school reorganisation that require the publication of proposals

Proposals **must** be published for the following elements of school reorganisation:

1. the opening of a maintained school (including a special school);
2. the closing of a maintained school (including a special school);
3. to make a regulated alteration to a maintained school; and
4. to change the category of a maintained school¹³.

2.2 Proposals to change the category of a school

The governing bodies of maintained schools may make proposals to change the category of their school. However, it should be noted that no alteration may be made to a maintained school that changes its designated religious character or causes it to acquire or lose a designated religious character. Community schools are not permitted to have a religious character. It is not possible for voluntary aided, voluntary controlled or foundation schools with a designated religious character to become a community school through a change of category proposal. Similarly community schools cannot become voluntary schools with a designated religious character. No proposals may be made for any category of school to become a foundation school.

2.3 Regulated alterations

Schedule 2 to the 2013 Act describes a number of regulated alterations to maintained schools (including special schools) which must not be carried out unless the relevant local authority and/or the governing body have complied with the requirements imposed by this Code. Although the regulated alterations are described below reference should also be made to Schedule 2 to the 2013 Act.

Regulated alterations to community, foundation, voluntary schools, community special schools and maintained nursery schools

- the transfer of any school to a new site or sites unless a main entrance of the school on its new site or sites would be within 1.609344 kilometres (one mile) of any of a main entrance of the school on its current site or sites;

¹³ Except to foundation – the 2013 Act prohibits schools from changing their category to foundation.

- changing a school (including a special school) from single-sex to mixed or vice-versa. (A school is treated as admitting pupils of one sex only if the admission of pupils of the other sex is limited to pupils over compulsory school age, and does not exceed 25% of the age group in question).

Regulated alterations to community, foundation, voluntary schools, and community special schools

- a change in the age range of a school (including a special school) by a year or more (not including the introduction or discontinuation of part-time or full-time Further Education or changes to provision for pupils over compulsory school age who are repeating a course of education completed before they reached the end of compulsory school age);
- the introduction of, or ending of, sixth form provision at a school;
- the alteration of the medium of instruction of a class of pupils in an age group or groups (including nursery pupils) at a primary school (or primary education in relation to middle or special schools) which falls within the description in column 1 of the table below so that it falls within the description in the corresponding entry in column 2.

Column 1	Column 2
At least 20% but no more than 80% of the teaching is conducted through the medium of English.	An increase or decrease of more than 20% in the teaching which is conducted through the medium of Welsh.
At least 20% but no more than 80% of the teaching is conducted through the medium of Welsh.	An increase or decrease of more than 20% in the teaching which is conducted through the medium of English.
More than 80% of the teaching is conducted through the medium of English, and some teaching is conducted through the medium of Welsh.	An increase of more than 10% in the teaching which is conducted through the medium of Welsh.
More than 80% of the teaching is conducted through the medium of Welsh, and some teaching is conducted through the medium of English.	An increase of more than 10% in the teaching which is conducted through the medium of English.
No teaching is conducted through the medium of Welsh.	More than 10% of the teaching is conducted through the medium of Welsh.
No teaching is conducted through the medium of English.	More than 10% of the teaching is conducted through the medium of English.
Some teaching is conducted through the medium of English.	No teaching is conducted through the medium of English.
Some teaching is conducted through the medium of Welsh.	No teaching is conducted through the medium of Welsh.

- the alteration of the teaching of pupils in a year group at a secondary school (or secondary education in relation to middle or special schools) which falls within the description in column 1 of the table below so that it falls within the description in the corresponding entry in column 2.

Column 1	Column 2
Five or more relevant subjects are taught (wholly or mainly) through the medium of Welsh to any pupils.	A decrease by four or more in the number of the relevant subjects taught (wholly or mainly) through the medium of Welsh to any pupils.
Five or more relevant subjects are taught (wholly or mainly) through the medium of English to any pupils.	A decrease by four or more in the number of the relevant subjects taught (wholly or mainly) through the medium of English to any pupils.
Every relevant subject is taught (wholly or mainly) through the medium of Welsh to all pupils.	Three or more relevant subjects are taught (wholly or mainly) through the medium of English to any pupils.
Every relevant subject is taught (wholly or mainly) through the medium of English to all pupils.	Three or more relevant subjects are taught (wholly or mainly) through the medium of Welsh to any pupils.
One or more relevant subject is taught (wholly or mainly) through the medium of Welsh to any pupils.	No relevant subject is taught (wholly or mainly) through the medium of Welsh to any pupils.
One or more relevant subject is taught (wholly or mainly) through the medium of English to any pupils.	No relevant subject is taught (wholly or mainly) through the medium of English to any pupils.

(Relevant subjects are defined as any subjects apart from English and Welsh which are taught at a school).

Regulated alterations to community, foundation and voluntary schools

- an enlargement of the premises of a school (excluding nursery and special schools), which would increase the capacity of the school by at least 25% or 200 pupils as compared with the school's capacity on the appropriate date. In determining an increase in capacity all enlargements that have taken place since the appropriate date are to be taken into account together with the proposed enlargement. The "appropriate date" is the latest date of:
 - the date falling five years before the date on which it is planned to implement the proposals to make the enlargement;
 - the date when the school first admitted pupils;

- the date (or the latest date) when any previous statutory proposals that involved enlarging the premises of the school were implemented. This includes where there has been a previous decrease in a school's capacity in the last five years.

For the purposes of an enlargement of school premises "capacity" is to be determined in accordance with the formulae set out from time to time by the Welsh Ministers (currently Circular No: 21/2011);

A "temporary enlargement" is the enlargement of a school's premises which it is anticipated, at the time of its making, will be in place for fewer than three years.

- the making permanent of a temporary enlargement of the school where that temporary enlargement would have been a regulated alteration when undertaken but for the fact that it was temporary;
- the reduction in the physical capacity of a mainstream school, except where the proposed capacity will be greater than the highest number of pupils on roll at the school at any time in the previous two school years prior to the publication of the proposal. In this context, "capacity" is to be determined in accordance with the formulae set out from time to time by the Welsh Ministers (currently Welsh Government Circular No: 21/2011 Measuring the Capacity of Schools in Wales)¹⁴;
- the introduction or removal of SEN provision or any change in the type of such provision. This is where the provision is in a mainstream school but the pupils who are admitted are in addition to admission number of the school. The provision **must** also be recognised by the local authority as reserved for pupils with SEN;
- the introduction or ending of banding arrangements for the admission of pupils into a mainstream school (under section 101 of the School Standards and Framework Act 1998 (the 1998 Act));
- the introduction or ending of boarding, or an increase or decrease in boarding provision in mainstream schools by 50 pupils or 50% of capacity, whichever is the greater;

Regulated alterations to community special schools

- for special schools (except where the school is in a hospital) an increase in the number of pupils for whom the school makes provision which, when taken together with all such previous increases in the number of pupils, would increase the number of pupils by 10% or the relevant number of such pupils (whichever is the lesser). The relevant number is 5 where the school only makes boarding provision, and is 20 in other cases. Any

¹⁴ The effect of this is that where schools have spare capacity that capacity can be removed without the need for a statutory proposal. However, where schools are full or near full, a proposal must be published to reduce the school's capacity.

previous increase in the number of pupils is taken from the appropriate date. The appropriate date is whichever is the latest date of the following:

- 19 January 2012;
 - the date when the school first admitted pupils; and
 - the date (or the latest date) when any previous statutory proposals that involved enlarging the premises of the school were implemented.
- for a special school, the introduction or ending of boarding provision, or the alteration of boarding provision such that the number of pupils for whom provision is made is increased or decreased by 5 pupils;
 - a change in the type of special educational needs for which a special school makes provision;

Regulated alterations to maintained nursery schools

- the enlargement, or making permanent of a temporary enlargement, of the teaching space at a nursery school, by 50% or more;
- the addition or removal of provision (in a nursery school) which is recognised by the local authority as reserved for pupils with special educational needs, or any change in the type of such provision;
- for a nursery school at which a group of pupils is taught wholly or mainly through the medium of Welsh, an alteration so that all the pupils are taught wholly or mainly through the medium of English;
- for a nursery school at which a group of pupils is taught wholly or mainly through the medium of English, an alteration so that all the pupils are taught wholly or mainly through the medium of Welsh.

2.4 Who can make a proposal?

A local authority may make proposals to:

- establish, discontinue or make a regulated alteration (see 3.3 of Code) to community or maintained nursery schools;
- discontinue a voluntary or foundation school;
- increase or decrease the capacity of a foundation or voluntary school without a religious character.

Governing bodies of foundation or voluntary schools may make proposals to:

- discontinue their school;
- make a regulated alteration to their school.

Any person may make proposals to establish a new voluntary school. However, local authorities **should** work with the relevant religious body when the proposal is to establish a voluntary school with a religious character.

No new foundation school or foundation special school may be established in Wales.

Local authorities may also make proposals to add or remove school sixth forms at voluntary and foundation secondary schools, but only if they have first gained the consent of the Welsh Ministers to do so. Consent **must** be sought by means of a written application that clearly sets out the local authority's rationale for the proposal.

In addition, the 2013 Act provides the Welsh Ministers with the power to make proposals to:

- a) remedy excessive or insufficient provision of school places (where they have already issued a direction to a local authority or governing body to that effect) (section 59);
- b) secure regional provision for special educational needs (where they have already issued a direction to a local authority/local authorities/governing bodies to that effect) (section 68); and
- c) add or remove school sixth forms (section 71) .

3. Consultation

3.1 Principles

Section 48 of the 2013 Act requires that before school organisation proposals are published under sections 41-45, they **must** first be subject to consultation. In addition, proposals published under section 68 by the Welsh Ministers to secure regional provision for special educational needs or published under section 71 to reorganise sixth forms **must** also be subject to prior consultation.

The requirement to consult does not apply to proposals to discontinue a small school¹⁵ made under section 43. However, where a closure proposal relates to a small school with fewer than 10 pupils which is designated as a rural school local authorities and governing bodies bringing forward such proposals **should** still take into account the factors set out in Chapter 1 this Code, including the further requirements which relate to the closure of rural schools set out in 1.8 “*Presumption against the closure of rural schools*”.

Case law has established that the consultation process **should**:

- be undertaken when proposals are still at a formative stage;
- include sufficient reasons and information for particular proposals to enable intelligent consideration and response;
- provide adequate time for consideration and response; and;
- ensure that the product of consultation is conscientiously taken into account when the ultimate decision is taken.

The process and guidance which follow have been developed with due regard to the principles listed above. Those considering bringing forward proposals will need to be fully aware of this process and guidance. However, proposers **must** be mindful of the four underlying principles and take any necessary additional steps to ensure that those principles are fully upheld.

3.2 Attention to detail

It is essential that proposers seek and achieve high standards both in the information that underpins school consultations and in the consultation documents that are published. These will be examined closely by communities, school staff and parents, and errors in details can easily undermine confidence in a proposal. Failure to provide accurate, high quality consultation documents can result in consultations being abandoned, taking much longer than expected and to increased conflict with communities.

¹⁵ The 2013 Act defines a small school as a school with fewer than 10 registered pupils on the third Tuesday in the January immediately preceding the date on which the proposals are made. This date is chosen as it is the date that all schools in Wales are required to submit the Pupil Level Annual Census to the Welsh Government; this includes the number of pupils on roll.

From time to time proposers will have conducted 'informal' consultation with particular stakeholders at an earlier stage in the development of proposals. Such consultation **must not** be seen as a substitute for any part of the formal consultation processes set out below.

3.3 Procedures

There is no requirement for proposers to hold consultation meetings although there will be circumstances where proposers will consider that meeting with certain groups of consultees will assist greatly in the dissemination of information and provide a suitable platform for the consultees to make their views known.

Proposers may use other ways to engage consultees as they think appropriate. For example, open days or 'drop-in' sessions might provide interested parties with a convenient way to access information seek clarification and provide comments.

In the case of proposals to reorganise schools for which land and/or buildings are held on trust or which have a designated religious character, the proposer **must** conduct consultation with the trustees and/or appropriate religious body before the consultation document is published. The proposer **must** allow 28 days for the receipt of comments and **must** have due regard to those comments before any decision is made to proceed to general consultation.

Where, in the course of consultation, a new option emerges which the proposers decide to pursue, they **must** consult afresh on this option before proceeding to publication.

3.4 Consultation document

Those bringing forward statutory proposals **must** publish a consultation document in hard copy and electronically on their website or that of the relevant local authority. Hard copies **must** be available on request. Consideration **should** be given to publishing in other formats where accessibility might otherwise be an issue.

The consultation document **must** be published on a school day of the school or schools subject to the proposal and consultees **must** be given at least 42 days to respond to the document, with at least 20 of these being school days.¹⁶ Consultation documents should not be published on a school day which includes a school session which is devoted (wholly or mainly) to improving teaching standards or management practices of staff at the school (INSET days).

The following **must** be advised by letter or email of the availability of the consultation document and that recipients can, if they wish, obtain a hard copy of the consultation document on request (but see also section 3 on Consultation with Children and Young People):

¹⁶ A school day is defined in section 579 of the Education Act 1996 as any day on which at that school there is a school session. A school session can be a morning session or an afternoon session, so a school day is any day when the school meets for all or part of the day.

- Parents (and where possible prospective parents) carers and guardians, and staff members of schools affected by the proposals;
- in the case of proposals affecting secondary provision, parents of pupils attending primary schools from which pupils normally transfer to that secondary school;
- the maintaining or proposed maintaining authority for any school likely to be affected by the proposals;
- any other local authority (including those in England, where appropriate) likely to be affected - including in the case of dedicated SEN provision any authority placing or likely to place pupils with SEN in it;
- the Church in Wales and Roman Catholic Diocesan Authority for the area in which any school likely to be affected is located;
- any other appropriate religious body for any school likely to be affected by the proposals;
- the governing body of any school which is the subject of the proposals;
- the governing body of other schools which the proposer consider are likely to be affected by the proposals;
- the Welsh Ministers*;
- Constituency and Regional Assembly Members (AMs) and Members of Parliament (MPs) representing the area served by/intended to be served by any school which is the subject of the proposals;
- Estyn;
- teaching and staff trade unions representing teachers and other staff at any school which is the subject of the proposals;
- the relevant Regional Education Consortium;
- the Police and Crime Commissioner for the area served by/intended to be served by any school which is the subject of the proposals;
- any community or town council for the area served by/ intended to be served by any school which is the subject of the proposals;
- in the case of proposals affecting nursery provision any independent or voluntary providers who may be affected including Mudiad Meithrin;
- in the case of proposals affecting nursery provision, the Children and Young People's Partnership and/or the Early Years Development and Childcare Partnerships where present;
- in the case of proposals affecting SEN provision, any relevant health or third sector bodies with an interest;
- in the case of proposals affecting secondary provision, any further education institutions serving the area of the school; and

- in the case of proposals affecting Welsh language provision, the Welsh Language Commissioner.

* In the case of the Welsh Ministers emails should be sent to the following Welsh Government mailbox: Schoolsmanagementdivision3@gov.wales. It is not necessary to send emails to individual Welsh Ministers.

In the case of all proposals, the consultation document **must** contain the following information:

Description and Benefits

- a detailed description of the status quo setting out its strengths and weaknesses and the reasons why change is considered necessary;
- a detailed description of the proposal or proposals (a proposer may consult on more than one potential proposal), the projected timetable for statutory procedures and for implementation of the proposals and any proposed interim arrangements which might be necessary for their implementation. In describing the proposals, proposers **should** normally refer to them using the terms set out in this Code (e.g. school closure) but where two or more existing schools become one school operating on more than one site (e.g. where former infant and junior schools become a primary school) the terms 'merger' or 'amalgamation' might be used;
- the expected benefits of the proposals and disadvantages when compared with the status quo;
- any risks associated with the proposals and any measures required to manage these;
- a description of any alternatives considered and the reasons why these have been discounted (but see para 1.8 "*Presumption against the closure of rural schools*");
- information on any changes to learner travel arrangements were the proposals to be implemented and the impact on accessibility of provision.

Details of affected schools

- the names, locations and categories (i.e. community, voluntary controlled, voluntary aided, foundation) of all existing schools likely to be affected by the proposals (for example, in the case of a proposal to close a school information **should** be provided about all the surrounding schools to which it might reasonably be considered that pupils may wish to transfer);

- the number of pupils on roll currently¹⁷ and the figures recorded for the previous four annual school censuses at all existing schools likely to be affected by the proposals;
- five year forecasts of pupil rolls at all existing schools likely to be affected by the proposals both currently (i.e. based on the existing configuration of schools) and if the proposals are implemented;
- the pupil places capacity¹⁸ of all existing schools likely to be affected by the proposals;
- the number of nursery places at any existing school likely to be affected by the proposals;
- information about the quality of accommodation at all existing schools likely to be affected by the proposals including reference to the local authority's most recent condition survey using the categories of the original 21st Century Schools Survey;
- the language medium of all existing schools likely to be affected by the proposals (using the Welsh Government Circular 23/2007 "Defining schools according to Welsh medium provision").

Quality and standards in education

- an analysis of the likely impact of the proposals on the quality of the following (reference to relevant Estyn five inspection areas are included in brackets):
 - a) standards (standards and progress overall, of specific groups and in skills); wellbeing and attitudes to learning;
 - b) teaching and learning experiences (quality of teaching, the breadth, balance and appropriateness of the curriculum, and the provision of skills;
 - c) care support and guidance (tracking, monitoring and the provision of learning support, personal development and safeguarding); and
 - d) leadership and management (quality and effectiveness of leaders and managers, self evaluation processes and improvement planning, professional learning, and use of resources)

at the school or schools which are the subject of the proposals and at any other school or educational institution which is likely to be affected.
- information from the most recent Estyn reports for each school likely to be affected;
- the likely impact of the proposals on the ability of school or schools which are the subject of the proposals or any other school which is likely to be

¹⁷ For primary schools, the number of nursery pupils should be shown separately and excluded from forecasts.

¹⁸ The Welsh Government Circular 21/2011 "Measuring the Capacity of Schools in Wales".

affected, to deliver the full curriculum at the foundation phase and each key stage of education.

Welsh in Education Strategic Plan (WESP)

- the extent to which the proposal would support the targets in the approved Welsh in Education Strategic Plan.
- How the proposal would expand or reduce Welsh language provision. In the case of the latter, set out why provision will be reduced.

Finance

- the financial costs of the proposal and any potential savings (including where appropriate the current costs per pupil and the projected costs upon completion) – capital and recurrent (including school transport and staff costs);
- the sources from which capital funding will be provided;
- how any capital receipts or recurrent costs savings will be deployed;

Land and buildings

- details of any potential transfer or disposal of land or buildings that may need to occur as a result of the proposals.

Consultation details

- details of how people can make their views known including the address to which comments in writing can be made and the deadline for those comments;
- details of how people can ask further questions about the proposals or suggest alternatives to the proposals;
- a statement to the effect that responses to consultation will not be counted as objections to the proposal and that objections can only be registered following publication of the notice;
- an explanation of the publication process, the making of objections and determination of published proposals.
- a space for consultees to respond to the consultation
- an opportunity for consultees to register their wish to be notified of publication of the consultation report.

Where proposals involve establishing a new school the following information **must** also be included in the consultation document:

- the new school's:
 - a. proposed admission number and admission arrangements;

- b. age range;
- c. pupil places capacity and/or number of nursery places;
- d. location;
- e. category (i.e. Community, Voluntary Aided or Voluntary Controlled);
- f. language category (as defined by Information document No. 023/2007);
- g. details of the proposed accommodation to include a list of proposed facilities;
- h. in the case of a special educational needs (SEN) resource base in a mainstream school or a special school, information on the special needs of the pupils proposed to be admitted;
- i. home to school transport arrangements (including any transitional arrangements) and the local authority's transport policy.¹⁹

Where proposals involve the closure of a school the following information **must** be included in the consultation document:

- details of any alternatives to closure that have been considered and the reasons why these have not been taken forward (but see para 1.8 *"Presumption against the closure of rural schools"*); ;
- the impact of proposals on the local community, the likely impact on staff of schools named in proposals;
- in the case of alternative provision:
 - a. the name and location of the proposed alternative provision;
 - b. a comparison of the quality and standard of education provided at the school from which pupils would be transferred and the proposed alternative school or schools and an outline of any steps necessary in order to ensure that any shortcomings in the latter are addressed;
 - c. admission arrangements at the proposed alternative school;
 - d. a comparison of the quality of accommodation at the school from which pupils would be transferred and at the proposed alternative and an outline of any steps necessary in order to ensure that any shortcomings in the latter are addressed;
 - e. information on any building works necessary to ensure that transferred children can be accommodated at the alternative provision;
 - f. the impact on pupils' journeys to school and on school transport costs;

¹⁹ Section 3 of the Learner Travel (Wales) Measure 2008 sets a threshold for entitlement for free home to school transport provision at 2 miles or further for primary education and 3 miles or further for compulsory aged secondary school education.

g. information regarding available walking routes to the alternative provision;

h. the language medium at the proposed alternative school.

Where proposals involve the closure of a rural school and the decision has been made to consult on the proposal, the following information **must** be contained in the consultation document along with the information that **must** be contained for all proposals:

- The reason for the closure proposal (i.e. a description of the key challenges that the school faces and the proposer wishes to address);
- The alternatives to closure that have been identified and an assessment of these alternatives to include:
 - the likely impact on quality and standards in education,
 - the likely impact on the community and
 - the likely effect of different travelling arrangements.

In addition consultees must be informed of their opportunity to:

- make representations regarding the alternatives to closure that have been identified by the proposer as well as the main proposal;
- suggest other alternatives to closure which would address the reasons for closure (i.e. the key challenges the school faces which the proposer is seeking to address).

Where the proposal concerns adding or removing nursery provision. The following information **must** be included in the consultation document:

- the sufficiency of accommodation and facilities offered, both in the classroom and outdoors, and the viability of any school that wishes to add nursery places;
- whether there is a need for additional nursery places in the area;
- the levels of demand for certain types of nursery education e.g. Welsh medium or provision with a religious character;
- the effect of the proposals on other institutions, including private and third sector providers; and
- the extent to which proposals will integrate early years education with childcare services or are consistent with an integrated approach.

Where the proposal concerns adding or removing sixth form provision. The following information **must** be included in the consultation document:

- whether proposals will lead to an improvement in the educational or training achievements of persons who are above compulsory school age but below the age of 19 in the area;
- whether proposals will contribute to an appropriate range of relevant courses and qualifications and high quality, employer informed, vocational learning routes targeted at pupils of all abilities, whilst maintaining GCSE, AS/A level and other established courses, as required under the Learning and Skills (Wales) Measure 2009 for 14-19 year old learners;
- whether proposals are likely to lead to increased participation in learning by pupils beyond compulsory school age, taking into account transport issues and costs to the learner and others, the affordability of such costs, and the likelihood of learners being willing to travel;
- the extent to which proposals contribute to the 14-19 agenda taking account of the views of local 14-19 networks and learning partnerships;
- the effect of proposals on 11-16 provision in schools;
- how proposals would affect the viability of institutions already providing good-quality post-16 provision, including school sixth forms, Further Education Institutions and private training organisations;
- how proposals might affect the sustainability or enhancement of Welsh medium provision in the local 14-19 network and wider area and promote access to availability of Welsh medium courses in post-16 education;
- the extent to which proposals will provide additional learner benefits compared with the status quo and other tenable options for post-16 organisation; and
- how proposals might affect the discretionary transport provision a local authority may provide to learners²⁰ above compulsory school age.

Where proposals relate to a special school or involve specialist resource bases attached to mainstream schools the following information **must** be included in the consultation document:

- the impact on SEN provision;
- how proposals will contribute more generally to enhancing the quality of education and support for children with SEN.

Where the proposal concerns a change of language medium. The following information **must** be included in the consultation document:

- projected demand from parents for the type of provision proposed; and

²⁰ Section 6 of the Learner Travel (Wales) Measure 2008 gives a local authority the power to provide discretionary transport where they think fit to facilitate the travel of learners. Paragraphs 1.98 – 1.105 of the Welsh Government Learner Travel Statutory Provision and Operational Guidance 2014 provides further guidance on this provision.

- the extent to which existing provision, of the type proposed exceeds or falls short of demand or projected demand.

Where any school involved or affected provides teaching through the medium of Welsh the following information **must** be included in the consultation document:

- an assessment of the impact of proposal on the Welsh language (a Welsh language impact assessment must be included either in the main part of the consultation document or as an Annex); and
- an explanation of how the proposal forms part of the WESP.

Where the proposal concerns a school with a designated religious character the following information **must** be included in the consultation document:

- the impact on availability and access to places at a school with the same designated religious character.

Where the proposal concerns a change of category the following information **must** be included in the consultation document:

- the effect of the change of category on governance arrangements and the governing body's powers over policies and arrangements in respect of admissions, employment and the curriculum; and
- any proposed changes to policies and arrangements in respect of admissions, employment and the curriculum.

In some circumstances, proposers may consider it appropriate to consult on a range of options rather than one specific proposal, but in such cases, all of the information set out above **must** be provided in relation to each of the identified options.

3.5 Consultation with children and young people

Proposers **must** also make suitable arrangements to consult with pupils of any affected school (or part of a school in the case of provision reserved for children with SEN) and, where possible, with children and young people who are likely to attend those schools. As a minimum, this **must** include consultation with the school councils of the affected schools, but **should** also include consultation with individual learners where this is appropriate and practicable. Governing bodies **must** help facilitate this aspect of the consultation.

The information given to children and young people **must** be presented in such a way that it is relevant to their age and level of likely understanding and allows them to reach an informed opinion. The agreed children and young people's participation standards for Wales are available on the Welsh Government's website; proposers **should** refer to these and act in accordance with them.

<https://gov.wales/topics/people-and-communities/people/children-and-young-people/rights/ParticipationforChildrenandYoungPeople/?lang=en>

If consulting with individual learners, proposers **should** produce and distribute a version or versions of the consultation document appropriate to the age/ages of the children and young people affected. The consultation document **should** also clearly explain to children and young people the difference between the consultation and objection periods and how and when they can object to proposals. Where necessary, proposers **should** provide assistance to children and young people who wish to submit a consultation response.

3.6 Consultation reports

The proposer **must** publish a consultation report on their website or that of the relevant local authority. The report **must** be published at least two weeks prior to the publication of a statutory notice:

- summarising each of the issues raised by consultees;
- responding to these by means of clarification, amendment to the proposal or rejection of the concerns, with supporting reasons;
- setting out Estyn's response to the consultation in full; and
- responding to Estyn's response by means of clarification, amendment to the proposal or rejection of the concerns, with supporting reasons.

The consultation report might also make recommendations – for example, to the local authority's executive or the governing body – about how to proceed i.e. to publish the proposals as consulted on with any appropriate modifications, to abandon the proposals and retain the status quo or to significantly recast the proposals and re-consult.

Proposers **must** ensure that any views expressed by children and young people affected by the proposals are highlighted in the consultation report and that it is accessible to them.

Where the proposal relates to the closure of a rural school in addition to the steps to be taken in respect of the consultation report for all schools the following special requirements apply:

Following the consultation period, when the proposer is reviewing the proposal prior to publication the proposer is required to carry out a further assessment for the proposal and each of the alternatives that were set out in the proposal paper. This involves the same matters that the proposer was required to assess in formulating the proposal:

- the likely impact on quality and standards in education,
- the likely impact on the community and
- the likely effect of different travelling arrangements.

The purpose of this further assessment is to take account of any further information that has come forward through the consultation or otherwise.

In its consultation report, the proposer is required to explain its assessment of the proposal and the reasonable alternatives identified, how this assessment differs from their earlier assessment (if at all) and its assessment of any further reasonable alternatives. Finally, the proposer is required to confirm whether it considers the implementation of the proposal, (wholly or partly) to be the most appropriate response to the reasons it identified for the proposal and give reasons for its conclusion.

Although under the 2013 Act the requirement to consult does not apply to proposals to discontinue small schools with fewer than 10 pupils at the preceding January census point²¹ local authorities and governing bodies bringing forward such proposals **should** still take into account the factors set out in Chapter 1 of this Code when developing and considering proposals. If the school is on the list of “rural schools” this includes satisfying the requirements at 1.8 “*Presumption against the closure of rural schools*”.

The consultation report **must** be published electronically, either on the proposer’s website or on the relevant local authority’s website. In addition, hard copies **must** be available on request. This **must** take place before any proposal is published.

The following **must** be advised by letter or email of the availability of the consultation report:

- parents (and where possible prospective parents) carers and guardians, and staff members of schools which are subject to the proposals;
- in the case of proposals affecting secondary provision, parents of pupils attending primary schools from which pupils normally transfer to that secondary school; and
- consultees who had requested notification.
- the maintaining or proposed maintaining authority for any school likely to be affected by the proposals;
- any other local authority (including, those in England, where appropriate) likely to be affected – including in the case of dedicated SEN provision any authority placing or likely to place statement pupils in it;
- the Church in Wales and Roman Catholic Diocesan Authority for the area in which any school likely to be affected is located;
- any other appropriate religious body for any school likely to be affected by the proposals;
- the governing body of any school which is the subject of the proposals;
- the governing body of other schools which the proposer considers are likely to be affected by the proposals;

²¹ Section 56 of the 2013 Act defines a ‘small school’, for the purposes of deciding whether consultation is required, as a school with fewer than 10 registered pupils on the third Tuesday in January immediately preceding the date on which the proposals are made.

- the Welsh Ministers*;
- Constituency and Regional Assembly Members (AMs) and Members of Parliament (MPs) representing the area served by/intended to be served by any school which is the subject of the proposals;
- Estyn;
- teaching and staff trade unions representing teachers and other staff at any school which is the subject of the proposals;
- the relevant Regional Education Consortium;
- the Police and Crime Commissioner for the area served by/intended to be served by any school which is the subject of the proposals;
- any community or town council for the area served by/ intended to be served by any school which is the subject of the proposals;
- in the case of proposals affecting nursery provision any independent or voluntary providers who may be affected including Mudiad Meithrin;
- in the case of proposals affecting nursery provision, the Children and Young People's Partnership and/or the Early Years Development and Childcare Partnerships where present;
- in the case of proposals affecting SEN provision, any relevant health or third sector bodies with an interest;
- in the case of proposals affecting secondary provision, any further education institutions serving the area of the school; and
- in the case of proposals affecting Welsh language provision, the Welsh Language Commissioner.

* In the case of the Welsh Ministers emails should be sent to the following Welsh Government mailbox: Schoolsmanagementdivision3@gov.wales. It is not necessary to send emails to individual Ministers.

Unless proposers have applied for and been granted a time extension by the Welsh Ministers, proposals **must** be published within 26 weeks of the end of the period allowed for consultation responses, otherwise the proposals will lapse and a new consultation document **must** be issued to revive them.

Applications to the Welsh Ministers for a time extension **must** be made in writing before the 26 week period has elapsed and **must** set out the reasons why an extension is considered necessary. In deciding whether to approve an extension, the Welsh Ministers will take into account the reasons given for the application, the nature of the proposals and any other relevant factors. The Welsh Ministers would be unlikely to approve any application which would result in more than a year

elapsing between the end of the period allowed for consultation responses and the publication of a statutory notice.

Statutory proposals are sometimes brought forward as a result of strategic reviews into school provision carried out by local authorities. Whilst it is good practice to consult on such reviews, such consultation **must not** take the place of the formal consultation necessary on individual proposals as required by the Code.

Where the prospective proposers are not a local authority they **should** discuss their intentions with the local authority which would maintain any proposed new or altered provision at an early stage, i.e. before formal consultation commences.

Proposers **should not** refer to the period allowed for objections as the consultation period. The term consultation only applies to the period before final decisions are made to proceed to publish a proposal.

Consultees can submit views either in favour of or against a proposal. Consultees **should** be advised that unfavourable comments made during the consultation period will not be treated as objections and that if they wish to object, that they need to do so in writing during the statutory objection period. If consultees submit a request during the objection period that a response submitted at consultation stage should be treated as an objection, this **should** normally be accepted. Those responsible for publishing proposals **should** make every effort to ensure that those who have expressed opposition or concern during the consultation period are aware that statutory notices have been published.

4. Publication of statutory proposals

4.1 Manner of publication

If the proposer decides to proceed with a proposal they **must** publish the proposal²² by way of a notice (referred to in this Code as a “statutory notice”).

The statutory notice **must** be published on a school day but not on a school day which includes a session which is devoted (wholly or mainly) to improving teaching standards or management practices of staff at the school (INSET days).

The objection period (see 4.2) **must** include 15 school days²³ (in addition to the day on which it is published).

The statutory notice **must** be published:

- i. on the proposer’s website (if it has one);
- ii. on the website of the existing/proposed maintaining local authority, where the local authority is not the proposer;
- iii. by being posted at or near the main entrance to any existing school which is the subject of the proposal, or, if there is more than one main entrance, all of them;
- iv. where a new school is being established, in a conspicuous place in the area to be served by the school;
- v. by providing any school which is the subject of proposals with copies of the notice to distribute to pupils, parents carers and guardians, and staff members (the schools may distribute the notice by email);
- vi. in the case of proposals affecting secondary provision, parents of pupils attending primary schools from which pupils normally transfer to that secondary school.

Furthermore, on the day that the statutory notice is published, the following **must** be sent either a hard copy of the notice or be emailed a link to the relevant website:

- the maintaining or proposed maintaining authority for any school likely to be affected by the proposals;
- any other local authority (including, where appropriate, a local authority in England) likely to be affected - including in the case of dedicated SEN provision any authority placing or likely to place pupils with SEN in it;
- the Church in Wales and Roman Catholic Diocesan Authority for the area in which any school likely to be affected is located;

²² Section 48 2013 Act.

²³ A school day is defined in section 579 of the Education Act 1996 as any day on which at that school there is a school session. A school session can be a morning session or an afternoon session, so a school day is any day when the school meets for all or part of the day.

- any other appropriate religious body for any school likely to be affected by the proposals;
- the governing body of any school which is the subject of the proposals
- other schools which the proposers consider are likely to be affected by the proposals;
- the Welsh Ministers*;
- Constituency and Regional Assembly Members (AMs) and Members of Parliament (MPs) representing the area served by/intended to be served by any school which is the subject of the proposals;
- Estyn;
- teaching and staff trade unions representing teachers and other staff at any school which is the subject of the proposals;
- the relevant Regional Education Consortium;
- the Police and Crime Commissioner for the area served by/intended to be served by any school which is the subject of the proposals;
- any community or town council for the area served by/ intended to be served by any school which is the subject of the proposals;
- in the case of proposals affecting nursery provision, any independent or voluntary providers who may be affected including Mudiad Meithrin;
- in the case of proposals affecting nursery provision, the Children and Young People's Partnership and/or the Early Years Development and Childcare Partnerships where present;
- in the case of proposals affecting SEN provision, any relevant health or third sector bodies with an interest;
- in the case of proposals affecting secondary provision, any further education institutions serving the area of the school; and
- in the case of proposals affecting Welsh language provision, the Welsh Language Commissioner.

* In the case of the Welsh Ministers emails should be sent to the following Welsh Government mailbox: Schoolsmanagementdivision3@gov.wales It is not necessary to send emails to individual Ministers.

It is no longer a requirement to publish the proposal in a newspaper.

4.2 Length of objection period

The 2013 Act provides that anyone wishing to make objections to a school organisation proposal has the opportunity to do so. To be considered as statutory objections, objections **must** be made in writing or by email, and sent to the proposer before the end of 28 days beginning with the day on which the notice was published ("the objection period").

4.3 Content of published statutory notice

The published statutory notice **must** contain the following information:

- the name of the persons or body publishing the proposal;
- the planned date of implementation (or dates if implementation is to be staged);
- details of how to obtain a copy of the consultation report;
- the date by which objections should be sent and the address to send them to, including the relevant email address.

Additionally

- a statutory notice for a proposal to establish a new school **must** state:
 - the proposed language category of the school as defined by Information Document No: 023/2007;
 - the name of the proposed maintaining local authority;
 - the location of the site of the school (and where appropriate the postal address);
 - whether the school will be single or mixed sex;
 - the age range of the school;
 - the category of the school - community, voluntary aided, voluntary controlled, community special;
 - whether the governing body or the local authority will be the admission authority;
 - the proposed arrangements for transport of pupils;
 - the admission number for each relevant age group in the first year of implementation or at each stage of implementation - “admission number” is to be determined in accordance with the calculation set out from time to time by the Welsh Ministers (currently contained in the Welsh Government Circular No: 21/2011);
 - the proposed capacity of the school – “capacity” is to be determined in accordance with the formulae set out from time to time by the Welsh Ministers (currently Welsh Government Circular No: 21/2011);
 - for a special school, information on the type of SEN for which provision will be made;
 - whether the school will have a religious character, and if so the nature of that character and the proposed appropriate religious body;
 - whether the admission arrangements of the school will make any provision for selection by ability permitted by section 101 of the School Standards and Framework act 1998 (pupil banding);

- in the case of a new voluntary school, whether the proposals are to be implemented by the local authority or the promoters and, if the proposals are to be implemented by both, the extent to which they are to be implemented by each such body.
- A statutory notice for a proposal to alter a school or change its category **must** state:
 - the name and address of the school subject to the proposal;
 - the name of the maintaining local authority;
 - a description of the proposed alteration or change of category;
 - where the alteration involves enlargement, or a reduction in capacity, the current number of pupils, the capacity of the school and the proposed capacity – “capacity” is to be determined in accordance with the formulae set out from time to time by the Welsh Ministers (currently Welsh Government Circular No: 21/2011);
 - the number of pupils to be admitted in each relevant age group in the first year of implementation or at each stage of implementation;
 - in the case of a change in the type of SEN provision, the alternative provision for pupils and the impact on school transport; and
 - any implications the alteration might have on home to school transport provision.
- A statutory notice for a proposal to discontinue a school **must** state:
 - the name and address of school to be closed;
 - the name of the maintaining local authority;
 - the school’s religious character if it has one, and if so, the appropriate religious body;
 - details of the alternative school/s which pupils can attend, including any interim arrangements and the language category of the alternative school/s as defined by Information Document No: 023/2007;
 - details of any measures being taken to increase the number of places available in alternative schools; and
 - arrangements for transport of pupils to alternative schools.

Note: Sometimes a proposal will need to incorporate two separate elements, e.g. a school might transfer to a new site and also be enlarged. In this case two proposals, which can be incorporated into one statutory notice, may be necessary.

Annex B comprises several recommended statutory notice templates which proposers may find helpful in the construction of a statutory notice.

5. Determining proposals (other than proposals made by the Welsh Ministers)

5.1 Objection reports

Under section 49 of the 2013 Act when objections have been received proposers **must** publish a summary of the statutory objections and the proposer's response to those objections ("the Objection Report"). This **must** take place:

(a) in the case of a local authority that is required to determine its own proposals under section 53 of the Act (see 5.4 below), before the end of 7 days beginning with the day of its determination; and

(b) in all other cases, before the end of 28 days beginning with the end of the objection period.

The Objection Report **must** be published by being posted:

- i. on the proposer's website (if it has one);
- ii. on the website of the existing/proposed maintaining local authority, where this differs from i. above.

In addition, hard copies **must** be made available on request.

The following **must** be advised by letter or email of the availability of the Objection Report:

- Parents (and where possible prospective parents) careers and guardians, and staff members of schools which are the subject of the proposals;
- in the case of proposals affecting secondary provision, parents of pupils attending primary schools from which pupils normally transfer to that secondary school;
- the maintaining or proposed maintaining authority for any school likely to be affected by the proposals;
- any other local authority (including, where appropriate, a local authority in England) likely to be affected - including in the case of dedicated SEN provision any authority placing or likely to place pupils with SEN in it;
- the Church in Wales and Roman Catholic Diocesan Authority for the area in which any school likely to be affected is located;
- any other appropriate religious body for any school likely to be affected by the proposals;
- the governing body of any school which is the subject of the proposals;
- the governing body of other schools which the proposer consider are likely to be affected by the proposals;
- the Welsh Ministers*;

- Constituency and Regional Assembly Members (AMs) and Members of Parliament (MPs) representing the area served by/intended to be served by any school which is the subject of the proposals;
- Estyn;
- teaching and staff trade unions representing teachers and other staff at any school which is the subject of the proposal;
- the relevant Regional Education Consortium;
- the Police and Crime Commissioner for the area served by/intended to be served by any school which is the subject of the proposals;
- any community or town council for the area served by/ intended to be served by any school which is the subject of the proposals;
- in the case of proposals affecting nursery provision any independent or voluntary providers who may be affected, including Mudiad Meithrin;
- in the case of proposals affecting nursery provision, the Children and Young People's Partnership and/or the Early Years Development and Childcare Partnerships where present;
- in the case of proposals affecting SEN provision, any relevant health or third sector bodies with an interest in the case of proposals affecting secondary provision, any further education institutions serving the area of the school;
- in the case of proposals affecting secondary provision, any further education institutions serving the area of the school; and
- in the case of proposals affecting Welsh language provision, the Welsh Language Commissioner.

* In the case of the "Welsh Ministers" emails should be sent to the following Welsh Government mailbox: Schoolsmanagementdivision3@gov.wales It is not necessary to send emails to individual Ministers.

5.2 Approval by the Welsh Ministers (section 50 of the 2013 Act)

Proposals require approval by the Welsh Ministers under section 50 of the 2013 Act if:

- (a) the proposals affect sixth form education; or
- (b) the proposals have been made by a proposer other than the relevant local authority and an objection has been made by that authority and has not been withdrawn in writing before the end of 28 days beginning with the end of the objection period.

Proposals affect sixth form education if:

- (a) they are proposals to establish or discontinue a school providing education suitable only to the requirements of persons above compulsory school age; or
- (b) they are proposals to make a regulated alteration to a school, the effect of which would be that provision of education suitable to the requirements of persons above compulsory school age at the school increases or decreases.

Where a proposal requires approval by the Welsh Ministers, the proposers **must** notify the Welsh Ministers within 35 days of the end of the objection period and forward to them copies of the statutory objections in addition to the objection report set out at paragraph 5.1. The proposer **must** also send to the Welsh Ministers any proposals which it considers are related to the proposals requiring determination. The Welsh Ministers will then decide whether these other proposals require determination by them.

A proposal shall be regarded as “related” if its implementation (or non-implementation) would prevent or undermine the effective implementation of another proposal. Where proposals are “related”, the decisions should be compatible.

The Welsh Ministers may decide to approve, reject or approve the proposals with modifications.

Modifications would normally only include changes to matters such as the timing of implementation or admission numbers. The Welsh Ministers **must not** make modifications that would in effect substitute a new proposal for the proposal which was published. Before making any modification, the Welsh Ministers **must** first consult with the proposer and the relevant governing body/ies and local authority (where they are not the proposers), and obtain the proposer’s agreement to the modification.

Approvals can be made conditional on a specified event occurring by a specified date.

5.3 Approval by the local authority (section 51 of the 2013 Act)

Proposals published under section 48 require approval under section 51 of the 2013 Act if:

- (a) they do not require approval by the Welsh Ministers;
- (b) they have been made by a proposer other than the relevant local authority; and
- (c) an objection to the proposals has been made and has not been withdrawn in writing before the end of 28 days beginning with the end of the objection period.

Procedures

Where proposals require approval by the local authority, the proposer **must** notify the local authority of a proposal requiring approval and forward to them the documents listed below within 35 days of the end of the objection period:

- a copy of the consultation document;
- a copy of the consultation report;
- a copy of the published notice;
- a copy of the objection report;
- copies of the statutory objections;
- copies of all of the above in relation to any proposals which are related to the proposals requiring approval.

Local authorities **must** decide whether any related proposals sent to them require their approval.

They **must** deal with all proposals which require approval without delay in so far as that is compatible with the proper consideration of the issues. In any event, the local authority **must** issue its decision, within 16 weeks (112 days) beginning with of the end of the objection period. However a failure to comply with that time limit does not affect the validity of any decision reached.

Local authorities **must** decide whether to approve, reject or approve with modifications, the proposals.

Modifications can only include changes to matters related to implementation such as changes to admission numbers or to the timing of implementation. The local authority **must not** make modifications that would, in effect, substitute a new proposal for the proposal which was published. Before making any modification, the local authority **must** first consult with the proposer and obtain their consent to the modification. They **must** also obtain the consent of the Welsh Ministers. If consent cannot be obtained, and the local authority believes that the proposals are not acceptable in their published state, they **must** reject the proposals. The local authority **must** also consult with the governing body of any school to which the proposals relate (where the governing body is not the proposer).

Approvals may be made conditional on a specified event occurring by a specified date.

5.4 Determination by proposers (section 53 of the 2013 Act)

Where proposals do not require approval under section 50 and 51 of the 2013 Act, they fall to be determined by the proposer.

Under section 53 of the 2013 Act, determination by the proposer **must** be made within 16 weeks (112 days) of the end of the objection period. Where the proposer fails to determine the proposal within the period of 16 weeks it is taken to have

withdrawn the proposal and it is required to republish the proposals if it wishes to proceed.

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 within 28 days beginning with the end of the objection period.

5.5 Local authority decision making

Where local authorities are required to approve or determine proposals which have received objections, an amendment²⁴ to Schedule 2 to the Local Authority (Executive Arrangements) (Functions and Responsibilities) (Wales) Regulations 2007 (as amended) permits the local authority's executive to exercise this function. Executives and/or Cabinets are already responsible for overseeing school organisation planning, including decisions to consult on and to publish 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.

However, if they choose to do so, local authorities will not be prevented by Schedule 2 to the relevant regulations from adopting alternative, locally agreed processes for taking such decisions. These might include the formation of a local decision making committee, potentially in collaboration with other local authorities in their region.

Where local authorities choose to follow this route, they will need to consider carefully how they will ensure that such bodies deliver fair and robust decision making.

Annex D provides details of a possible model for a local decision making committee.

²⁴ The Local Authorities (Executive Arrangements) (Functions and Responsibilities) (Wales) (Amendment) Regulations 2013 No.2438 (W. 235).

5.6 Decision notification

Decisions (in relation to proposals which require approval or determination) **must** be made and issued in the form of a decision letter. The decision letter **must** set out clearly the reasons for the decision with reference to sections 1.3 to 1.6 of this Code and the specific factors in sections 1.7 to 1.14 [which includes the additional factors to be considered and requirements in relation to the closure of rural schools].

Additionally a decision letter for a proposal to discontinue a school designated as a rural school must state why the proposer is satisfied that such implementation is the most appropriate response to the reasons it identified for formulating the proposal.

Decision letters **must** be published electronically on the proposer's website (if it has one) and that of the relevant local authority (if different).

The following **must** be advised by letter or email of the availability of the decision letter:

- Parents (and where possible prospective parents) carers and guardians, and staff members of schools which are the subject of the proposals;
- In the case of proposals affecting secondary provision, parents of pupils attending primary schools from which pupils normally transfer to that secondary school;
- the maintaining or proposed maintaining authority for any school likely to be affected by the proposals;
- any other local authority (including, where appropriate, a local authority in England) likely to be affected - including in the case of dedicated SEN provision any authority placing or likely to place pupils with SEN in it;
- the Church in Wales and Roman Catholic Diocesan Authority for the area in which any school likely to be affected is located;
- any other appropriate religious body for any school likely to be affected by the proposals;
- the governing body of any school which is the subject of the proposals;
- the governing body of other schools which the proposer considers are likely to be affected by the proposals;
- the Welsh Ministers;
- Constituency and Regional Assembly Members (AMs) and Members of Parliament (MPs) representing the area served by/intended to be served by any school which is the subject of the proposals;
- Estyn;
- teaching and staff trade unions representing teachers and other staff at any school which is the subject of the proposals;
- the relevant Regional Education Consortium;

- the Police and Crime Commissioner for the area served by/intended to be served by any school which is the subject of the proposals;
- any community or town council for the area served by/ intended to be served by any school which is the subject of the proposals;
- in the case of proposals affecting nursery provision, any independent or voluntary providers who may be affected including Mudiad Meithrin;
- in the case of proposals affecting nursery provision, the Children and Young People's Partnership and/or the Early Years Development and Childcare Partnerships where present;
- in the case of proposals affecting SEN provision, any relevant health or third sector bodies with an interest;
- in the case of proposals affecting secondary provision, any further education institutions serving the area of the school; and
- in the case of proposals affecting Welsh language provision, the Welsh Language Commissioner.

* In the case of the Welsh Ministers emails should be sent to the following Welsh Government mailbox: Schoolsmanagementdivision3@gov.wales It is not necessary to send emails to individual Ministers.

5.7 Referral of local authority decisions to the Welsh Ministers

Under section 54 of the 2013 Act where proposals have been approved or rejected by a local authority the following bodies may, before the end of 28 days beginning with the day of the decision, refer the proposals to the Welsh Ministers for consideration:

- i. Another local authority affected by the proposals;
- ii. The appropriate religious body for any school affected;
- iii. The governing body of a voluntary or foundation school subject to the proposals;
- iv. A trust holding property on behalf of a voluntary or foundation school subject to the proposals; and
- v. A further education institution affected by the proposals.

Referrals should be sent by email to the Welsh Government mailbox schoolsmanagementdivision3@gov.wales. The body referring the decision **should** inform the relevant local authority that a referral has been made.

The body making the referral will need to set out in a letter why they believe that the decision reached by the local authority is wrong.

The Welsh Ministers will decide whether the bodies referred to in i, ii and iv are affected by the proposals and therefore require consideration.

Where a proposal requires consideration by the Welsh Ministers, the local authority **must** provide them, on request, with copies of the statutory objections and any other information considered necessary by the Welsh Ministers.

Where a proposal requires their consideration the Welsh Ministers may decide to approve, reject or approve the proposals with modifications.

Modifications would normally only include changes to matters such as the timing of implementation or admission numbers. The Welsh Ministers **must not** make modifications that would in effect substitute a new proposal for the proposal which was published. Before making any modification, the Welsh Ministers **must** first consult with the proposer and the relevant governing body/ies and local authority (where they are not the proposers), and obtain the proposer's agreement to the modification.

Approvals can be made conditional on a specified event occurring by a specified date.

Proposals to discontinue a small school²⁵ may not be referred to the Welsh Ministers.

²⁵ Under section 54 of the 2013 Act proposals made under section 43 or 44 to discontinue a school which is a small school (see section 56) may not be referred to the Welsh Ministers under this section. Section 56 defines a small school as a school with fewer than 10 registered pupils on the third Tuesday in January immediately preceding the date on which the proposals are made.

6. Implementing proposals

6.1 Implementation – general

Proposals **must** normally be implemented as determined or approved (with or without modifications). Proposers **should** notify the Welsh Ministers by email when a proposal is implemented. Emails should be sent to the following Welsh Government mailbox: Schoolsmanagementdivision3@gov.wales. It is not necessary to send emails to individual Welsh Ministers.

However, under Section 55 of the 2013 Act if a proposer is satisfied, after consultation with any affected governing body, that a proposal would be unreasonably difficult to implement on the original implementation date, or that circumstances have so altered since the proposal was approved that its implementation on the original date was inappropriate, it may modify the proposal so that its implementation is delayed by up to three years.

If a proposer is satisfied, after consultation with any affected governing body, either that implementation of proposals would be unreasonably difficult or that circumstances have so altered since the proposals were approved that their implementation would be inappropriate altogether, it may determine that the proposals should be abandoned.

In the case of proposals to close a school, and after consultation with any affected governing body, a proposer may also determine to bring forward implementation by a period of up to 13 weeks. Implementation **must** only be brought forward where a school has no remaining pupils on roll or so few pupils that delivery of the curriculum is severely compromised.

Where proposals have received approval by the local authority (under section 51 of the 2013 Act) or the Welsh Ministers (under section 50 of the 2013 Act), proposers **must** only make a determination to delay, bring forward or abandon a proposal with the agreement of the Welsh Ministers. Any such application for agreement **must** be made in writing with the proposer's reasons clearly set out.

Where a proposal has been determined by the local authority under section 53 of the 2013 Act the local authority itself may determine to delay, bring forward or abandon the proposal.

Notification of any determination to delay, bring forward or abandon a proposal **must** be given to relevant parties including the Welsh Ministers, Estyn, the maintaining local authority, and the governing bodies, parents, pupils and staff of any affected school, as appropriate, within seven days of it being made. The notification **must** set out, briefly, the reasons for that determination.

If a proposal has been approved by the Welsh Ministers or by a local authority subject to a specified event occurring by a specified date, and that condition is not met by that date, the proposals **must** be considered as rejected unless the proposer has sought and received agreement from the Welsh Ministers or the local authority to have that condition varied by the substitution of a later date.

6.2 Implementation – change of category

Part 3 of Schedule 5 to the 2013 Act sets out full details relating to the transfer of land. Any transfers will take place on the implementation date. Where a community school becomes a voluntary aided or voluntary controlled school, any land other than playing fields held by a local authority transfers automatically to the school's trustees.

Where a foundation, voluntary aided or voluntary controlled school without a religious character becomes a community school any publicly funded land transfers automatically to the local authority. Publicly funded land is defined in schedule 4 to the 2013 Act and includes land provided by the local authority or by means of a capital grant (within the meaning of Chapter 6 of Part 3 to the Education Act 1996). Any other land held by trustees or the governing body **must** be transferred to the local authority by means of a transfer agreement to be drawn up by the parties. Such a transfer may be subject to an agreed payment by the local authority. If the parties are unable to reach agreement in relation to a transfer, either party may apply to the Welsh Ministers to exclude the transfer of any area of land. The Welsh Ministers **must** then decide whether or not to direct its exclusion.

7. The closure of a school with fewer than 10 registered pupils

Where a school has fewer than 10 registered pupils (or there are no pupils remaining at a school) at the January census point the 2013 Act permits governing bodies/local authorities to undertake a streamlined procedure to bring about official closure.²⁶

This consists solely of the issue of the notice of closure – the requirement for general consultation being waived, provided sufficient equivalent school places have been identified which would be reasonably accessible to those pupils actually or potentially displaced. If objections are made, the proposal would be determined in all cases by the proposer. However, before bringing forward such proposals, proposers **must** seek the views of any trust with an interest in the school or the appropriate religious body and take these views into account before proceeding.

In the case of schools where some pupils remain, proposers **must** make sure that the closure notice is brought to the pupils' attention, that its meaning is made clear to them, and that appropriate steps are taken to enable these pupils to respond to the notice if they so wish. It is essential that pupils are provided with the opportunity to contribute to the decision making process and proposers **must** ensure that full account is taken of any views they express before a final decision is taken.

Proposers are encouraged to share information with parents and other schools and **should** ensure that they receive a copy of the notice. Any schools identified as those most likely to receive pupils **must** also be notified.

The existence of streamlined procedures in relation to the proposed closure of schools with fewer than 10 registered pupils does not mean that governing bodies or local authorities are required to bring forward closure proposals in relation to such schools.

The possible closure of such schools **should** be considered in the light of the factors set out at section 1. If the school is on the list of "rural schools" this includes considering the factors and satisfying the requirements set out in section 1.8 "*Presumption against the closure of rural schools*" before issuing a closure notice. This means that the proposer should also:

- identify clear and specific reasons for formulating the proposal;
- identify any reasonable alternatives to closure which might also address the reasons for the proposal and provide evidence to show that it has carefully considered all other viable options (including federation), with a clear assessment of the merits and their viability including:
 - ✓ The likely education benefits;
 - ✓ The likely impact on the community;
 - ✓ The likely impact on travelling arrangements; and
- set out in the proposal paper (which is a paper to be presented to the decision maker) the alternatives that have been identified, give an assessment of these and explain why

the proposer considers in the light of the assessment that implementation of the closure proposal would be the most appropriate response to the reasons for the proposal.

8. Proposals by the Welsh Ministers to rationalise school places

Where the Welsh Ministers have previously directed a local authority or governing body to bring forward proposals to remedy excessive or insufficient school places, they may publish their own proposals to the same effect.

The specific criteria upon which the Welsh Ministers might decide to issue a direction or subsequently publish a proposal would vary depending on the circumstances pertaining to a particular area, but in general terms these are powers of last resort and would be used where a local authority has failed to ensure that:

- their area is served by schools which are sufficient in number, character and equipment to provide for all pupils the opportunity of appropriate education; or
- each child in their area has reasonable access to one of those schools; or
- funding for education is cost effective and resources are used to secure the best possible educational outcomes for children and young people.

The proposals **must** be published in accordance with the provisions included in Chapter 4 above.

Any person may object to the proposals within the 28 day objection period. If objections are received, the Welsh Ministers **must** cause a local inquiry to be held to consider the proposals. Any other school organisation proposals which have been published and not determined **must** be referred to the local inquiry if the Welsh Ministers believe they are related to the proposal which is the subject to objection (and unless the Welsh Ministers form the opinion that they should be implemented).

The local inquiry **must** be conducted by a person appointed for that purpose by the Welsh Ministers and in accordance with any procedures set out by them at the time of the local inquiry's establishment.

Where a local inquiry has been held, the Welsh Ministers **must** consider the report of the person conducting the local inquiry. They may then do one of the following:

1. adopt with or without modifications, or determine not to adopt any of the proposals made by the Welsh Ministers;
2. approve with or without modifications, or reject any other proposals which are referred to the local inquiry;
3. make further proposals to rationalise school places.

If the Welsh Ministers decide to make further proposals there is no requirement to cause a further local inquiry to be held.

Where these further proposals made by the Welsh Ministers have not been referred to a local inquiry the Welsh Ministers may after considering any objections:

1. adopt the proposal with or without modifications; and
2. determine not to adopt the proposal.

Modifications made by the Welsh Ministers **should** normally extend only to include changes to admission numbers or to the timing of implementation. The Welsh Ministers **must not**

make modifications that would in effect substitute a new proposal for the proposal which was published.

Proposals can be approved or adopted subject to a specified event occurring by a specified date.

Proposals approved or adopted **must** be implemented in accordance with Chapter 6 above.

9. Proposals by the Welsh Ministers for regional provision for special educational needs

Where the Welsh Ministers have previously made an order directing a local authority or a governing body to bring forward school organisation proposals for the purpose of securing regional provision for children with special educational needs, they may publish their own proposals to the same effect.

The proposals **must** be consulted upon in accordance with Chapter 3 above and published in accordance with Chapter 4.

Any person may object to the proposals within the 28 day objection period.

The Welsh Ministers may, after considering any objections;

1. adopt the proposals with or without modification;
2. determine not to adopt the proposals.

Modifications made by the Welsh Ministers **should** normally extend only to include changes to admission numbers or to the timing of implementation. The Welsh Ministers **must not** make modifications that would in effect substitute a new proposal for the proposal which was published.

Proposals can be adopted subject to a specified event occurring by a specified date.

Proposals which are adopted **must** be implemented in accordance with Chapter 6 above.

10. Proposals by the Welsh Ministers to restructure sixth form education

Under section 71 of the 2013 Act, the Welsh Ministers may make proposals for:

1. the establishment by a local authority of a school or schools to provide secondary education suitable to the requirements of sixth formers only (a 'sixth form school');
2. the introduction or ending of sixth form provision at a school, or;
3. the discontinuance of a sixth form school.

The proposals **must** be consulted upon in accordance with Chapter 3 above and published in accordance with Chapter 4.

Any person may object to the proposals within the 28 day objection period.

The Welsh Ministers may, after considering any objections;

1. adopt the proposals with or without modification
2. determine not to adopt the proposals

Modifications made by the Welsh Ministers **should** normally extend only to include changes to admission numbers or to the timing of implementation. The Welsh Ministers **must not** make modifications that would in effect substitute a new proposal for the proposal which was published.

Proposals can be adopted subject to a specified event occurring by a specified date.

Proposals which are adopted **must** be implemented in accordance with Chapter 6 above.

11. Governing body notice to discontinue a foundation or voluntary school

Section 80 of the 2013 Act permits the governing body of a foundation or voluntary school to discontinue the school by giving the Welsh Ministers and the local authority responsible for maintaining the school two years notice of its intention to do so. Before given notice, the governing body **must**:

1. gain the consent of the Welsh Ministers if expenditure has been incurred on the school premises (otherwise than in connection with repairs) by the Welsh Ministers or local authority;
2. consult the Welsh Ministers if discontinuing the school would affect facilities for full time education suitable to requirements of persons over compulsory school age who have not attained the age of 19; and
3. consult the trustees for any land or buildings held on trust and/or the appropriate religious body where the school has a designated religious character and have regard to any comments which are received.

Where governing bodies require advice in relation to property held on charitable trust, they should contact the Charity Commission.

Annex A: Illustrative flow chart for statutory proposals

Step 1

The proposer should refer to the designation of rural schools and the list of rural schools derived from it to establish if a proposed closure involves a rural school and the presumption against closure of rural schools set out in this Code applies.

Step 2

The proposer should refer to section 1 of the School Organisation Code (the Code) which provides the factors to be taken into account in preparing, publishing, approving or determining all school organisation proposals.

Step 3

In the case of proposals to reorganise schools for which land and/or buildings are held on trust, or which have a designated religious character the proposer must consult the trustees and/or appropriate religious body before the consultation is published and allow 28 days for the receipt of comments and must have due regard to those comments before any decision is made to proceed to general consultation.

Step 4

Approval to proceed to formal consultation should be obtained. Where the proposer is the local authority the decision is normally made by the executive committee or cabinet. Where the governing body of a school is the proposer the governing body must make the decision.

Step 5

The proposer must publish a consultation document on its website and make it available in hard copy. If the proposer is other than the local authority the consultation document can also be published on the relevant local authority's website. The consultation document must be published on a school day and consultees must have at least 42 days in which to respond, with at least 20 of these being school days. Section 3 of the Code sets out the information that all consultation documents and the additional information that consultation documents on proposed closure of rural schools must contain and provides a list of those parties who must be advised of its availability. The proposer must make suitable arrangements to consult with pupils of any school affected.

Step 6

The proposer must publish a summary of the consultee's comments and the proposer's own responses to the comments (the consultation report) at least 2 weeks prior to publishing a notice. Section 3 of the Code provides information about the consultation report and lists the parties that must be advised of its availability.

Step 7

Where the local authority is the proposer normally the executive committee or cabinet meets to consider the consultation and whether or not to proceed with the proposal. Where the governing body of a school is the proposer they should meet to consider the consultation and decide whether or not to proceed. If the decision is to proceed, Step 8 is taken. If a new option emerges during consultation which the proposers wish to consider, then Steps 1-5 are repeated.

Step 8

Proposals must be published within 26 weeks of the end of the consultation period allowed for consultation responses, otherwise the proposal will lapse and a new consultation is required.

If the proposer decides to proceed with the proposal the proposer must publish a statutory notice providing a 28 day notice period for objections. The notice **must** be published on a school day and with 15 school days (not including the day of publication) in the notice period. Section 4 of the Code sets out the information a notice must contain and explains how it must be published.

Step 9a

If there are no objections and the proposal does not require the approval of the Welsh Ministers. Where the proposer is the local authority normally the executive committee or cabinet meets to determine whether or not to proceed. Where the proposer is the governing body of the school the governing body should meet and determine whether or not to proceed.

Step 9b

If objections are received, the proposer **must** publish a summary of the objections and their responses to those objections (the objection report).

Step 10a

If the proposal does not require approval by the Welsh Ministers or the local authority, it **must** receive final determination by proposers within 16 weeks of the end of the objection period.

Step 10b

If the proposal requires determination by the Welsh Ministers, the proposer **must** send to the Welsh Ministers within 35 days of the end of the objection period the objections and the objection report. The Welsh Ministers will

Step 10c

If the proposal requires determination by the local authority, the proposer **must** send to the local authority within 35 days of the end of the objection period the consultation document, the consultation report, the published notice, the objections and the objection

	<p>normally aim to determine proposals within 16 weeks of the end of objection period.</p>	<p>report.</p> <p>The local authority must issue a decision within 16 weeks of the end of the objection period.</p> <p>Within 28 days of the local authority's determination proposals may be referred to the Welsh Ministers by the following:</p> <ul style="list-style-type: none"> i. Another local authority; ii. The appropriate religious body for any school affected (the diocesan authority); iii. The governing body of a voluntary or foundation school; subject to the proposals iv. A trust holding property on behalf of a voluntary or foundation school; subject to the proposals v. A further education institution affected by the proposals.
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Step 11

If proposals receive approval or the proposer determines to implement them, they **should** be implemented in accordance with the date given in the statutory notice, or any subsequent modified date.

Annex B: Examples of statutory notices

Example of a statutory notice to establish a new community or voluntary school

[Insert name and address of those publishing the proposals].

Notice is given in accordance with section 41 of the School Standards and Organisation (Wales) Act 2013 and the School Organisation Code that [*proposer's name*], having consulted such persons as required, propose to establish a new [*state language category*²⁷] school to be maintained by [*state name of maintaining local authority*] at [*state location and, where appropriate, the postal address*] for [*boys*]/ [*girls*] / [*boys and girls*] aged [*insert age range*].

The [*insert name of proposer*] undertook a period of consultation before deciding to publish this proposal. A consultation report containing a summary of the issues raised by consultees, the proposer's responses and Estyn's full response is available on [*insert the proposer's website or if one is not available the relevant local authority's website*].

It is proposed to implement the proposal on [*insert date*]. [*Where implementation is planned in stages, the date on which each stage is planned to be implemented **should** be given*].

The proposed new school will be a [*insert community or voluntary aided or voluntary controlled*] school.

[*insert the governing body or the name of the local authority*] will be the admission authority.

The admission number for [*state the relevant age group or age groups*²⁸] at the new school in the first school year in which the proposals have been implemented is [*state number*] [*Where the proposals are to be implemented in stages, the admission number in the first school year in which each stage has been implemented **must** be given*]. [*If there is to be a separate admission number for the sixth form it **should** be included*].

The new school's pupil capacity will be [*insert capacity figure*²⁹]. [*It would also be useful to include the number of nursery places being provided if appropriate*].

[*For a special school, information on the special educational needs of pupils for which provision will be made*].

[*Give information on whether it is proposed that the admission arrangements for the new school will make provision for pupil banding*].

[*In the case of a new voluntary school, give information about its religious character and proposed appropriate religious body if it is to have a religious character*].

²⁷ Proposers should refer to the Welsh Assembly Government information document 23/2007 Defining schools according to Welsh medium provision.

²⁸ A "relevant age" group" is defined in section 142(1) of the 1998 Act as meaning "an age group in which pupils are normally admitted (or, as the case may be, will normally be admitted) to the school". There could, therefore, be more than one relevant age group, in which case the number to be admitted must be given in relation to each such relevant age group.

²⁹ Proposers should refer to the Welsh Government Circular 21/2011 Measuring the capacity of schools in Wales or any successor document.

[Give information about the proposed arrangements for transport of pupils to the new school].

[In the case of proposals to establish a new voluntary school, state whether the proposals are to be implemented by the local education authority or the promoters, and, if the proposals are to be implemented by both, the extent to which they are to be implemented by each such body].

Within a period of 28 days of the date on which the proposal was published, that is to say by *[insert date]* any person may object to the proposals.

Objections should be sent to *[name and address of proposer]*.

Signed

For the *[local authority]*.

[Date – **should** be the same as the date of publication].

EXPLANATORY NOTE

[It may be useful to include an Explanatory Note explaining the proposals in simple language and providing further information and background to the proposals].

Example of a statutory notice to discontinue a maintained community, foundation, voluntary or nursery school

[Insert name and address of those publishing the proposals].

Notice is given in accordance with section 43 of the School Standards and Organisation (Wales) Act 2013 and the School Organisation Code that *[proposer's name]*, having consulted such persons as required, propose to discontinue *[name and address of school]*. The school is currently maintained by *[state name of maintaining local authority]* *[and if relevant, state school's religious character]*.

The *[insert name of proposer]* undertook a period of consultation before deciding to publish this proposal. A consultation report containing a summary of the issues raised by consultees, the proposer's responses and Estyn's full response is available on *[insert the proposer's website or if one is not available the relevant local authority's website]*.

It is proposed to implement the proposals on *[insert date]* (2).

[Insert details of the schools which pupils at the school to be discontinued may attend, including any interim arrangements and the language category of the alternatives as defined by Information Document No: 023/2007].

[Insert details of any other measures proposed to be taken to increase the number of school places available in consequence of the proposed discontinuance].

[Insert particulars of the proposed arrangement for transport of pupils to other schools].

[Proposals to discontinue a rural school must state the reasons why the proposer is satisfied that such implementation is the most appropriate response to the reasons the proposer identified in formulating the proposal.]

Within a period of 28 days of the date on which the proposal was published, that is to say by *[insert date]* any person may object to the proposals.

Objections should be sent to *[name and address of the proposer]*.

Signed

For the *[local authority or governing body]*.

*[Date – **should** be the same as the date of publication].*

EXPLANATORY NOTE

[It may be useful to include an Explanatory Note explaining the proposals in simple language and providing further information and background to the proposals].

Example of a statutory notice to make a regulated alteration to a maintained community, foundation, voluntary or nursery school

Notice is given in accordance with section 42 of the School Standards and Organisation Act 2013 and the School Organisation Code that [*proposer's name*], having consulted such persons as required, proposes to alter [*name and address of school*] so that [*add description of proposed change/s*]. The school/s is/are currently maintained by [*state name of maintaining local authority*].

The [*insert name of proposer*] undertook a period of consultation before deciding to publish this proposal. A consultation report containing a summary of the issues raised by consultees, the proposer's responses and Estyn's full response is available on [*insert the proposer's website or if one is not available the relevant local authority's website*].

It is proposed to implement the proposal on [*insert date*]. [*Where implementation is planned in stages, the date on which each stage is planned to be implemented **should** be given*].

[*Where the alteration involves enlargement, or a reduction in capacity, insert*] The current number of pupils at the school is [*insert number*], the pupil capacity of the school is [*insert pupil places capacity*³⁰] and the proposed capacity once the proposal is implemented will be [*insert proposed capacity*].

[*Where the alteration involves enlargement or a reduction in capacity insert*] The admission number for [*state the relevant age group or age groups*³¹] at the school in the first school year in which the proposals have been implemented will be [*state number*] [*include a separate sixth form number if appropriate*] [*Where the proposals are to be implemented in stages, the admission number in the first school year in which each stage has been implemented **must** be given*]. [*where appropriate*] There will be xx nursery places.

[*Where the alteration involves a change in the type of provision, provide information on the alternative provision for pupils and the impact on school transport*].

Within a period of one 28 days of the date on which the proposal was published, that is to say by [*insert date*] any person may object to the proposals.

Objections should be sent to [*name and address of the proposer*].

Signed

For the [*local authority or governing body*].

[*Date – **should** be the same as the date of publication*].

³⁰ Proposers should refer to the Welsh Government Circular 21/2011 Measuring the capacity of schools in Wales or any successor document.

³¹ A "relevant age group" is defined in section 142(1) of the 1998 Act as meaning "an age group in which pupils are normally admitted (or, as the case may be, will normally be admitted) to the school". There could, therefore, be more than one relevant age group, in which case the number to be admitted must be given in relation to each such relevant age group.

EXPLANATORY NOTE

[It may be useful to include an Explanatory Note explaining the proposals in simple language and providing further information and background to the proposals].

Annex C: Community impact and Welsh-medium impact assessments

The Welsh Government takes the view that the requirement for assessments should not be overly burdensome and does not consider that it is necessary to commission such work from external consultants. Local authorities are already under a duty to carry out equality impact assessments which could provide the basis for the impact assessments specified in this guidance.

Community Impact

Impact assessments **should** ideally be included in consultation documents. Whilst these notes do not prescribe what should be included in a community impact assessment, proposers might include the following:

- information on the proportion of pupils from the catchment area that attend the school;
- information on the proportion of pupils from outside the catchment area that attend the school;
- information about any other facilities the school accommodates e.g. youth club/play group;
- information about any other facilities or services the school provides e.g. after school clubs, community library;
- if accommodation, facilities or services are provided by a school, where they would be provided in the event of closure;
- whether other facilities available in the immediate local or wider community will or could be enhanced in the event of a school closure (e.g. improvements to village halls, playgrounds, provision of holiday play schemes);
- information about the facilities and services provided at any alternative school;
- information about the distance and travelling time involved in attending an alternative school of the same language category;
- how parents' and pupils' engagement with the alternative school and any facilities it may offer could be supported (e.g. how pupils (and particularly any less advantaged pupils) will be helped to participate in after school activities);
- impact on health and wellbeing e.g. if pupils would be less able to walk or cycle to school;
- Information about any wider implications the changes would have on public transport provisions;
- Information on wider community safety issues.

There are many other considerations that are also likely to be relevant in terms of an impact assessment for a rural school closure for example:

- Whether closure would encourage families with school-age children to leave the community or discourage young families from moving to the community;
- What impact closure might have on other services provided locally, for instance if the school is the only remaining public building in a community;
- Whether, or not, the school is a real hub of community life, used for other purposes – such as public meetings, local events, fetes, surgeries, and other get togethers – which would either cease or be diminished by being required to move elsewhere;
- Whether or not the loss of the school, and potentially families, will have a detrimental effect on the wider economy of the community;
- how parents' and pupils' engagement with the alternative school and any facilities it may offer could be supported (e.g. how pupils; particularly any less advantaged pupils) will be helped to participate in after school activities);
- the overall effect of closure on the local community (including the loss of school based facilities which are used by the local community).

Early engagement and communication with the local community is a good way of establishing and understanding all of the relevant factors.

Welsh language Impact

These notes are not prescriptive or exhaustive but the impact assessment in respect of the Welsh language might include the following:

- information on the language category of the school;
- information on the language category of any alternative school;
- information about standards in the Welsh language in the school and any alternative school;
- information about after school activities which provide additional opportunities to use Welsh in the school and any alternative school (e.g. the Urdd, Mentrau Iaith clubs);
- information about whether the school provides facilities for members of the community to learn Welsh, or undertake activities through the medium of Welsh, and where any alternative facilities could be provided;
- whether it might be appropriate to provide additional after school facilities at any alternative school to further secure standards in the Welsh language;
- how parents' and pupils' engagement with any alternative school and any specific language enhancement it offers could be supported (e.g. how pupils will be helped to participate in activities provided by the Urdd, Mentrau Iaith;
- observations provided by the local authority's Welsh medium education forum (if it has one)³²;
- information on how the proposal fits with the authority's Welsh in Education Strategic Plan and any future actions that will be needed in consequence of the change to continue to comply with the scheme or meet targets in the scheme.

³² The Welsh in Education Strategic Plans and Assessing Demand for Welsh Medium Education (Wales) Regulations 2013 provides a definition of a Welsh medium education forum. However, it should be noted that a local authority is not required to have such a forum.

Annex D: Local decision-making committee

The model set out below represents one potential way of establishing a 'local decision making committee'.

The size of the committee would be significant in shaping its effectiveness. Too large and it would be unwieldy and difficult to establish a consensus. Too small and there might be too little debate and too narrow a perspective. A committee with five members might represent an ideal size.

The make up of the committee will also be important in determining how it is perceived. If the intention is to emphasise its separation from the local authority's executive, it might be necessary to 'disqualify' members of the executive and anyone who has a connection to the local authority, proposer (if different from the local authority) or the school to which the proposals relate, which might raise doubts over their ability to act impartially regarding the proposal.

Providing they are not 'disqualified', local authorities might decide to appoint committees made up of local authority members only, or of persons unconnected with the local authority (including members of another local authority), or of any combination of the two.

Where a school with a designated Church in Wales or Roman Catholic religious character (or which is intended to have such a religious character) is the subject of a proposal, the local authority might invite the Diocesan Board of Education for the relevant diocese of the Church in Wales or the Bishop of the relevant Roman Catholic Church diocese to nominate a representative to be one of the members of the committee. In the case of any other voluntary school with a designated religious character, the person or persons by whom the foundation governors are appointed might be invited to nominate a representative.

Local authorities might want to ensure that at least one member of the committee has direct experience of working in the education sector. An existing or former member of a school's senior management team or an experienced school governor might be suitable in this respect.

In the event that the committee is to be comprised of local authority members only, the local authority might want to consider making it politically balanced in the sense set out at sections 15 and 16 of the Local Government and Housing Act 1989.

The local authority may wish to recruit, train and retain a pool of eligible persons and appoint to a committee as and when required. This would provide a number of advantages including reducing the time needed to set up a committee when required and helping the local authority to ensure potential committee members have sufficient training.

Local authorities could also co-operate to develop shared regional pools. This would increase the potential number of eligible and suitably experienced candidates whilst at the same time providing more opportunities for committee members to gain experience and develop expertise in making school organisation decisions. However, when appointing panels from any such regional pool, local authorities might want to ensure at least some members have specific local knowledge.

The local authority would want to ensure that all committee members receive appropriate training before considering proposals, and that experienced committee members are kept

abreast of any amendments to guidance and are given the opportunity of undertaking refresher training. Training need not be extensive but might look to ensure that committee members are familiar with the guidance contained in the Code and are familiar with the relevant parts of the 2013 Act. Two or more local authorities could collaborate to deliver training which, in addition to possible financial savings, could provide benefits such as the wider sharing of good practice.

It would be advisable for the committee to have the services of a clerk provided by the local authority. Whilst the clerk would not be a member of the committee they might act as an independent source of advice. To enable this, clerks would need a good understanding of the Code and the relevant parts of the 2013 Act and would have received appropriate training. The local authority, where necessary, would need to provide the committee with appropriate legal advice. It would be advisable for the clerk not to have been involved at any stage in the proposal that the committee are considering or to have any interest in any decision reached by the committee members.

The key tasks of the clerk would be to:

- make the necessary administrative arrangements for the committee;
- be an independent source of advice on procedure, the Code and the relevant parts of the 2013 Act;
- record the proceedings, decision and the reasons for it; and
- ensure notification and publication of the decision in accordance with paragraph 5.13.

To enable a committee to reach an informed decision, the local authority would need to forward to the appointed clerk the documents set out paragraph 5.3 above, shortly after of the end of the objection period. It would be advisable for the committee to reach its decision on the basis of this written evidence rather than seek or consider new information (unless they consider it will assist in the determination within the timescale), or consider oral representations.

Annex E: Legislation and national policies which will assist in the development of proposals

- United Nations Convention on the Rights of the Child
- The Well-being of Future Generations (Wales) Act 2015 (see below)
- Cymraeg 2050, A Million Welsh Speakers
- Action Plan, Cymraeg 2050
- One Wales: One planet, a new sustainable development scheme for Wales May 2009 or any successor strategy
- Child Poverty Strategy for Wales (issued February 2011 Information document number 95/2011), or any successor strategy
- Faith in Education
- Local plans for economic or housing development
- Welsh in Education Strategic Plans (made under part 4 of the School Standards and Organisation (Wales) Act 2013)
- Children and Young People's Plans (or successor plans)
- 21st Century Schools – Capital Investment Programme and the relevant wave of investment
- Learner Travel Statutory Provision and Operational Guidance 2014
- Measuring the capacity of schools in Wales, Circular No: 021/2011
- Children and Young People's National Participation Standards

The Well-being of Future Generations (Wales) Act 2015

The Well-being of Future Generations (Wales) Act 2015 ('the 2015 Act') sets out new ways of working – of planning and making decisions – for local authorities and other public bodies it lists. The aim is that, by improving these things, the overall well-being of Wales will be better improved by the things public bodies collectively do. The Act and the statutory guidance makes it clear that local authorities must, in the course of their corporate planning and their delivery against those plans:

- balance short term needs against the ability to meet **long term** needs;
- think about the impact their objectives have on other organisations' objectives, and on the well-being of Wales, in an **integrated** way;
- **involve** in those processes people who reflect the diversity of the population they serve;
- work together **collaboratively** with other organisations to better meet each others' objectives; and
- deploy their resources to **prevent** problems from getting worse or from occurring in the first place.

The statutory guidance, for organisations subject to the Act, sets out the expectations for how the duties should be met:

<http://gov.wales/topics/people-and-communities/people/future-generations-act/?lang=en>

The Act itself is available to view online:

<http://www.legislation.gov.uk/anaw/2015/2/contents/enacted>

Current practice on the use of surplus school accommodation, Information document No 158/2014

Annex F: List of rural schools

School Ref	School Name	Local Authority
6602133	Ysgol Gymuned Bodffordd	Isle of Anglesey
6602135	Ysgol Gymuned Bryngwran	Isle of Anglesey
6602141	Ysgol Gynradd Garreglefn	Isle of Anglesey
6602142	Ysgol Gymuned y Ffridd	Isle of Anglesey
6602145	Ysgol Gymuned Moelfre	Isle of Anglesey
6602146	Ysgol Gynradd Llanbedrgoch	Isle of Anglesey
6602153	Ysgol Gymuned Llanfechell	Isle of Anglesey
6602155	Ysgol Gynradd Llangoed	Isle of Anglesey
6602156	Ysgol Henblas	Isle of Anglesey
6602157	Ysgol Gymuned Llannerch-y-Medd	Isle of Anglesey
6602160	Ysgol Pencarnisiog	Isle of Anglesey
6602162	Ysgol Penysarn	Isle of Anglesey
6602163	Ysgol Santes Gwenfaen	Isle of Anglesey
6602165	Ysgol Gynradd Rhosybol	Isle of Anglesey
6602173	Ysgol Gynradd y Tywyn	Isle of Anglesey
6602227	Ysgol Rhyd y Llan	Isle of Anglesey
6605200	Ysgol Caergeiliog	Isle of Anglesey
6612008	Ysgol Gynradd Abererch	Gwynedd
6612010	Ysgol Beddgelert	Gwynedd
6612015	Ysgol Gynradd Borth-y-Gest	Gwynedd
6612017	Ysgol Brynaerau	Gwynedd
6612036	Ysgol Gynradd Chwilog	Gwynedd
6612039	Ysgol Crud-y-Werin	Gwynedd
6612046	Ysgol Gynradd Edern	Gwynedd
6612048	Ysgol Bro Plenydd	Gwynedd
6612049	Ysgol Gynradd Garndolbenmaen	Gwynedd
6612059	Ysgol Gynradd Llanaelhaearn	Gwynedd
6612060	Ysgol Gynradd Llanbedrog	Gwynedd
6612066	Ysgol Gynradd Llangybi	Gwynedd
6612070	Ysgol Gynradd Llanllyfni	Gwynedd
6612075	Ysgol Babanod Morfa Nefyn	Gwynedd
6612078	Ysgol Baladeulyn	Gwynedd
6612081	Ysgol Gynradd Nebo	Gwynedd
6612093	Ysgol Gynradd Pentreuchaf	Gwynedd
6612103	Ysgol Sarn Bach	Gwynedd
6612110	Ysgol y Gorlan	Gwynedd
6612111	Ysgol yr Eifl	Gwynedd
6612112	Ysgol Gynradd Tudweiliog	Gwynedd
6612185	Ysgol Gynradd Dyffryn Dulas	Gwynedd
6612189	Ysgol Gynradd Dyffryn Ardudwy	Gwynedd
6612190	Ysgol Bro Cynfal	Gwynedd
6612192	Ysgol Edmwnd Prys	Gwynedd
6612194	Ysgol Gynradd Llanbedr	Gwynedd

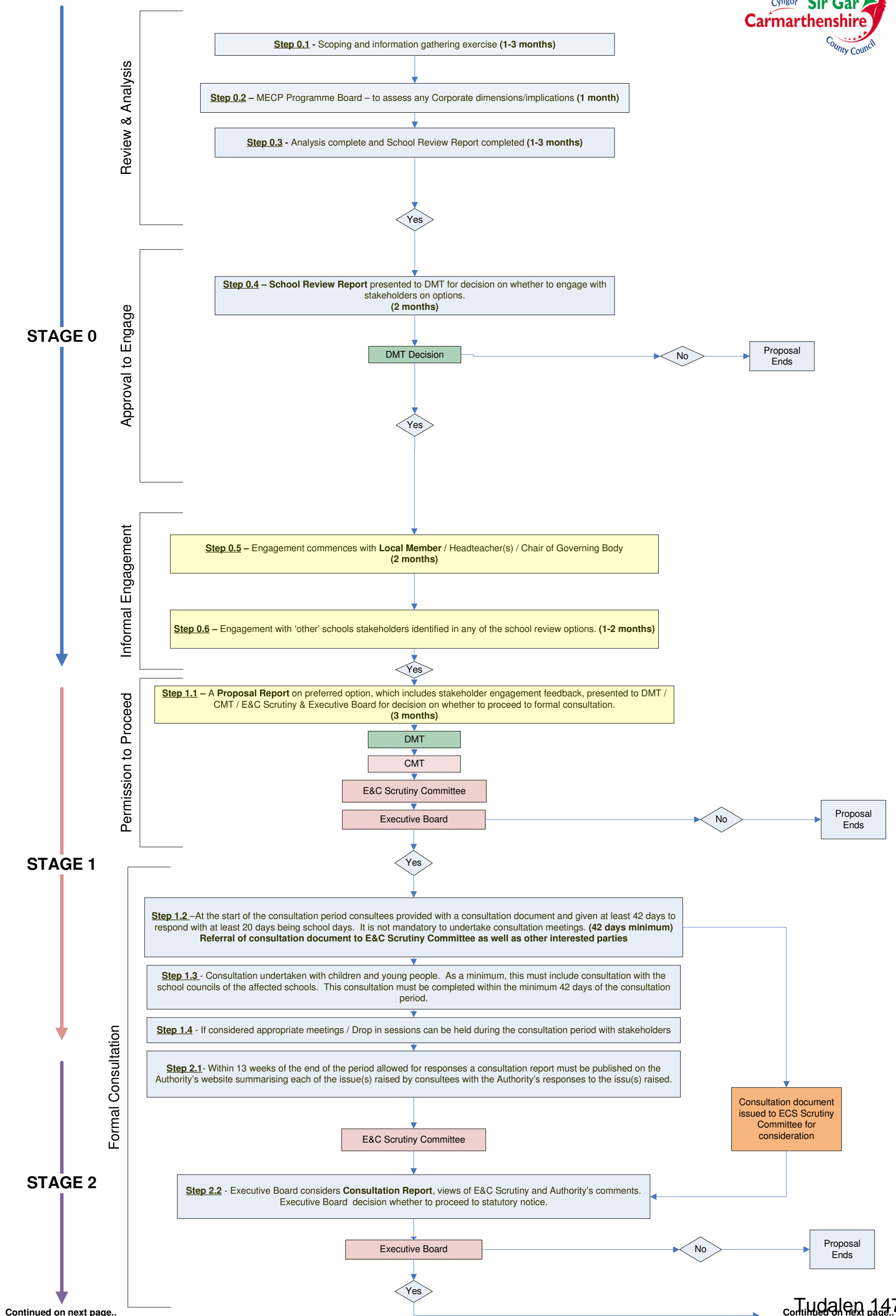
6612198	Ysgol y Garreg	Gwynedd
6612199	Ysgol O M Edwards	Gwynedd
6612207	Ysgol Gynradd Pennal	Gwynedd
6612210	Ysgol Talsarnau	Gwynedd
6612211	Ysgol Gynradd Tanygrisiau	Gwynedd
6612213	Ysgol Bro Hedd Wyn	Gwynedd
6612214	Ysgol Bro Tryweryn	Gwynedd
6612220	Ysgol Ffridd y Llyn	Gwynedd
6612228	Ysgol Craig y Deryn	Gwynedd
6612229	Ysgol Bro Llifon	Gwynedd
6613004	Ysgol Pont y Gof	Gwynedd
6613010	Ysgol Foel Gron	Gwynedd
6613018	Ysgol Gynradd Llandwrog	Gwynedd
6613023	Ysgol Gynradd Llanystumdwy	Gwynedd
6622012	Ysgol Betws y Coed	Conwy
6622043	Ysgol Dolwyddelan	Conwy
6622086	Ysgol Penmachno	Conwy
6622107	Ysgol Tal-y-Bont	Conwy
6622123	Ysgol Cerrigydrudion	Conwy
6622222	Ysgol Capel Garmon	Conwy
6622270	Ysgol Pentrefoelas	Conwy
6623021	Ysgol Llangelynnin	Conwy
6623032	Ysgol Ysbyty Ifan	Conwy
6623039	Ysgol Llanddoged	Conwy
6623340	Ysgol y Plas	Conwy
6632070	Ysgol Bodfari	Denbighshire
6632124	Ysgol Cefn Meiriadog	Denbighshire
6632164	Ysgol Gellifor	Denbighshire
6632168	Ysgol Pentrecelyn	Denbighshire
6632214	Ysgol Betws Gwerful Goch	Denbighshire
6632216	Ysgol Caer Drewyn	Denbighshire
6632267	Ysgol Bro Dyfrdwy	Denbighshire
6633044	Ysgol Llanbedr	Denbighshire
6633045	Ysgol Llanfair Dyffryn Clwyd	Denbighshire
6633057	Ysgol Pant Pastynog	Denbighshire
6642050	Rhos Helyg C.P. School	Flintshire
6642064	Ysgol y Foel	Flintshire
6642065	Brynford C.P. School	Flintshire
6652140	Llanarmon D.C. School	Wrexham
6653042	Eyton V.C. School	Wrexham
6653054	Borderbrook V.C. School	Wrexham
6653326	St Chad's V.A. School	Wrexham
6653347	St Paul's V.A. School	Wrexham
6662002	Abermule C.P. School	Powys
6662003	Arddleen C.P. School	Powys
6662004	Ysgol Gynradd Gymunedol Dyffryn Banw	Powys

6662005	Berriew C.P. School	Powys
6662008	Caersws C.P. School	Powys
6662009	Ysgol Gynradd Carno	Powys
6662018	Leighton C.P. School	Powys
6662019	Ysgol Llanbrynmair	Powys
6662020	Llandinam C.P. School	Powys
6662021	Ysgol Gynradd Llanfair Caereinion	Powys
6662033	Meifod C.P. School	Powys
6662041	Ysgol Pontrobert	Powys
6662044	Ysgol Dyffryn Trannon	Powys
6662049	Guilsfield C.P. School	Powys
6662051	Buttington Trewern C.P. School	Powys
6662053	Brynhafren C.P. School	Powys
6662054	Churchstoke C.P. School	Powys
6662057	Ysgol Gynradd Llanfyllin	Powys
6662058	Ysgol Gynradd Glantwymyn	Powys
6662059	Ysgol Pennant	Powys
6662066	Franksbridge C.P. School	Powys
6662068	Llanbister C.P. School	Powys
6662071	Llanfihangel Rhydithon C.P. School	Powys
6662076	Radnor Valley C.P. School	Powys
6662077	Crossgates C.P. School	Powys
6662084	Ysgol Dolafon	Powys
6662092	Sennybridge C.P. School	Powys
6662115	Cradoc C.P. School	Powys
6662122	Irfon Valley C.P. School	Powys
6662129	Ysgol Rhiw-Bechan	Powys
6662146	Llanrhaeadr ym Mochnant C.P. School	Powys
6663000	Llanfechain School	Powys
6663002	Montgomery School	Powys
6663016	Forden School	Powys
6663021	Llandysilio School	Powys
6663022	Castle Caereinion School	Powys
6663026	Gladestry School	Powys
6663031	Newbridge-On-Wye School	Powys
6663033	Clyro School	Powys
6663036	Rhayader School	Powys
6663037	Llanelwedd School	Powys
6663046	Llangedwyn School	Powys
6663301	St. Michael's School	Powys
6663303	Llansantffraid School	Powys
6663316	Llanbedr School	Powys
6663317	Archdeacon Griffiths Primary School	Powys
6665200	Ysgol Gynradd Llanerfyl	Powys
6672284	Ysgol Cilcennin	Ceredigion
6672285	Ysgol Ciliau Parc	Ceredigion

6672288	Ysgol Gynradd Dihewyd	Ceredigion
6672289	Ysgol Felinfach	Ceredigion
6672291	Ysgol Gynradd Llanarth	Ceredigion
6672293	Ysgol Llannon	Ceredigion
6672298	Ysgol Talgarreg	Ceredigion
6672303	Ysgol Comins Coch	Ceredigion
6672308	Ysgol Llanfarian	Ceredigion
6672309	Ysgol Llanfihangel-y-Creuddyn	Ceredigion
6672310	Ysgol Llangwryfon	Ceredigion
6672311	Ysgol Gynradd Llanilar	Ceredigion
6672312	Ysgol Mynach	Ceredigion
6672313	Ysgol Penllwyn	Ceredigion
6672315	Ysgol Syr John Rhys	Ceredigion
6672316	Ysgol Rhydypennau	Ceredigion
6672317	Ysgol Tal y bont	Ceredigion
6672320	Ysgol Beulah	Ceredigion
6672323	Ysgol Gynradd Llechryd	Ceredigion
6672324	Ysgol Gynradd Penparc	Ceredigion
6672345	Ysgol Trewen	Ceredigion
6672353	Ysgol Pontrhydfendigaid	Ceredigion
6672362	Ysgol Craig yr Wylfa	Ceredigion
6672363	Ysgol Penrhyn coch	Ceredigion
6672366	Ysgol Y Dderi	Ceredigion
6672367	Ysgol Cenarth	Ceredigion
6672369	Ysgol Bro Siôn Cwilt	Ceredigion
6672371	Ysgol T Llew Jones	Ceredigion
6672372	Ysgol Rhos Helyg	Ceredigion
6672373	Ysgol Dyffrfryn Cledlyn	Ceredigion
6673058	Ysgol Myfenydd	Ceredigion
6682209	Ysgol Eglwysrwr	Pembrokeshire
6682223	Ysgol Brynconin	Pembrokeshire
6682231	Ysgol Llanychllwydog	Pembrokeshire
6682233	Ysgol Maenclochog	Pembrokeshire
6682250	Puncheston C.P. School	Pembrokeshire
6682253	St Dogmaels C.P. School	Pembrokeshire
6682254	Wolfscastle C.P. School	Pembrokeshire
6682261	Templeton C.P. School	Pembrokeshire
6682266	Tavernspite C.P. School	Pembrokeshire
6682270	Ysgol Croesgoch	Pembrokeshire
6682273	Roch C.P. School	Pembrokeshire
6682384	Coastlands C.P. School	Pembrokeshire
6682385	Ysgol Clydau	Pembrokeshire
6682390	Ysgol y Frenni	Pembrokeshire
6683035	Cilgerran School	Pembrokeshire
6683036	Cosheston School	Pembrokeshire
6683050	Spittal School	Pembrokeshire

6683058	Ger Y Llan School	Pembrokeshire
6683315	St.Aidan's School	Pembrokeshire
6683321	St Oswalds School	Pembrokeshire
6692002	Ysgol Maesybont	Carmarthenshire
6692014	Ysgol Gynradd Peniel	Carmarthenshire
6692034	Bancyfelin C.P. School	Carmarthenshire
6692037	Meidrim C.P. School	Carmarthenshire
6692065	Talley C.P. School	Carmarthenshire
6692067	Ysgol Cwrt Henri	Carmarthenshire
6692080	Llangadog C.P. School	Carmarthenshire
6692104	Ysgol Gynradd Brynsaron	Carmarthenshire
6692109	Llanpumsaint School	Carmarthenshire
6692119	Llanmiloe C.P. School	Carmarthenshire
6692166	Ysgol Llansteffan	Carmarthenshire
6692170	Abernant C.P. School	Carmarthenshire
6692180	Beca School	Carmarthenshire
6692182	Ysgol Gynradd Hafodwenog	Carmarthenshire
6692184	Ysgol Llanybydder	Carmarthenshire
6692185	Ysgol y Fro	Carmarthenshire
6692187	Cynwyl Elfed School	Carmarthenshire
6692384	Ysgol Griffith Jones	Carmarthenshire
6692386	Ysgol Carreg Hirfaen	Carmarthenshire
6692387	Ysgol Cae'r Felin	Carmarthenshire
6692389	Ysgol Bro Brynach	Carmarthenshire
6693000	Abergwili School	Carmarthenshire
6693002	Tremoilet School	Carmarthenshire
6693003	Laugharne School	Carmarthenshire
6693013	Ferryside School	Carmarthenshire
6693026	Ysgol Llanllwni	Carmarthenshire
6693307	Penboyr School	Carmarthenshire
6702133	Ysgol Gynradd Felindre	Swansea
6702167	Penclawdd C.P. School	Swansea
6702217	Knelston C.P. School	Swansea
6722275	Tynyrheol C.P. School	Bridgend
6732126	Llancarfan C.P. School	The Vale of Glamorgan
6762108	Fochriw C.P.School	Caerphilly
6792305	Cross Ash C. P. School	Monmouthshire

Department for Education & Children Modernising Education Programme
Illustrative Flow Chart for Strategic Review and Statutory Proposals



Continued from page 1..

STAGE 2

Statutory Procedure

STAGE 3

Implementation

Step 2.3 - Proposals published on Authority website and posted in the named and neighbouring schools and within the locality giving opportunity for statutory objections. One month period provided for written response period. **(28 days)**

Step 2.4 - If objections received an objection report must be published providing a summary of the objections and the Authority's responses to them.

E&C Scrutiny Committee

Step 3.1 - Executive Board considers objection report, views of E&C Scrutiny Committee and Authority's comments. Executive Board recommendation to County Council for decision whether to approve proposal.

Executive Board

Step 3.2 – An **Objection Report** presented to County Council to consider any objections received in writing or e-mail and Authority's responses. County Council makes decision to proceed or withdraw proposals.

County Council decision

No

Proposal Ends

Yes

Step 3.3a - If the proposal requires determination by the Welsh Ministers (Sixth form education), the proposer must send to the Welsh Ministers within 35 days of the end of the objection period. The Welsh Ministers will normally determine proposals within 16 weeks of the end of the objection period.

When a proposal affects 6th form education it is referred to Welsh Ministers regardless of any objections being received.

Step 3.3b - The local authority **must** issue a decision within 16 weeks of the end of the objection period. Within 28 days of the local authority's determination proposals may be referred to Welsh Ministers by the following:

1. Another local authority
2. The appropriate religious body for any school affected (the diocesan authority)
3. The governing body of a voluntary or foundation school
4. A trust holding property on behalf of a voluntary or foundation school
5. A further education institution affected by the proposals.

Yes

Referral to Welsh Ministers for decision

No

Proposal Ends

Yes

Step 3.4 – Decisions must be published electronically on the website and all stakeholders must be advised by letter or e-mail of the availability of the decision including the **objection report**. Decision letter must be published within 7 days of determination date.

Step 3.5 - Not mandatory - Parents/Guardians are notified of LA/Ministers decision one term before proposal can be implemented. (e.g. For a proposal to be implemented from the start of the Autumn term notification must be given before the end of the previous Spring term)

Step 3.6 - LA Implements Proposal in accordance with the date given in the statutory notice, or any subsequent modified date, usually at the start of the academic year in September

PWYLLGOR CRAFFU ADDYSG A PHLANT

26^{ain} TACHWEDD 2018

Adroddiad Monitro Cyllideb Cyfalaf a Refeniw 2018/19

Ystyried y materion canlynol a chyflwyno sylwadau arnynt:

- Bod y Pwyllgor Craffu yn derbyn yr adroddiad monitro'r gyllideb ar gyfer y Gwasanaethau Addysg a Phlant.

Rhesymau:

- I ddatgan sefyllfa bresennol y gyllideb i'r Pwyllgor ar y 31^{ain} Awst 2018, ynglyn â 2018-19.

**Angen cyfeirio'r mater at y Bwrdd Gweithredol er mwyn gwneud penderfyniad:
NAC OES**

Aelodau'r Bwrdd Gweithredol sy'n gyfrifol am y Portffolio:

- Cyng. Glynog Davies (Addysg a Phlant)
- Cyng. David Jenkins (Adnoddau)

Y Gyfarwyddiaeth: Gwasanaethau Corfforaethol Enw Cyfarwyddwr y Gwasanaeth: Chris Moore Awdur yr adroddiad: Chris Moore	Swydd: Cyfarwyddwr y Gwasanaethau Corfforaethol	Rhif Ffôn / Cyfeiriad E-bost: 01267 224120 CMoore@sirgar.gov.uk
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EXECUTIVE SUMMARY

**EDUCATION & CHILDREN SCRUTINY
COMMITTEE**

26th NOVEMBER 2018

**Revenue & Capital Budget
Monitoring Report 2018/19**

The Financial Monitoring Report is presented as follows :

Revenue Budgets

Appendix A

Summary position for the Education & Children Scrutiny Committee. Services within the Education & Children Scrutiny remit are forecasting a £1,905k overspend.

Appendix B

Report on Main Variances on agreed budgets.

Appendix C

Detail variances for information purposes only.

Capital Budgets

Appendix D

Details the main variances, which shows a forecasted net spend of £8,076 compared with a working net budget of £7,320k giving a £756k variance. The variance (negative slippage) will be incorporated into future year's budgets.

Appendix E

Details a full list of schemes.

DETAILED REPORT ATTACHED?

**YES – A list of the main variances is
attached to this report**

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report.

Signed: **Chris Moore** Director of Corporate Services

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
NONE	NONE	YES	NONE	NONE	NONE	NONE

3. Finance

Revenue – The Education & Children Service is projecting that it will be over its approved budget by £1905k.

Capital – The capital programme shows a variance of +£756k against the 2018/19 approved budget

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below:

Signed: **Chris Moore** Director of Corporate Services

1. Local Member(s) – N/A
2. Community / Town Council – N/A
3. Relevant Partners – N/A
4. Staff Side Representatives and other Organisations – N/A

Section 100D Local Government Act, 1972 – Access to Information
List of Background Papers used in the preparation of this report:

THESE ARE DETAILED BELOW:

Title of Document	File Ref No. / Locations that the papers are available for public inspection
2018/19 Budget	Corporate Services Department, County Hall, Carmarthen

Mae'r dudalen hon yn wag yn fwriadol

Education & Children's Services Scrutiny Report

Budget Monitoring as at 31st August 2018 - Summary

Division	Working Budget				Forecasted				Aug 2018 Forecasted Variance for Year £'000	Jun 2018 Forecasted Variance for Year £'000
	Expenditure £'000	Income £'000	Net non- controllable £'000	Net £'000	Expenditure £'000	Income £'000	Net non- controllable £'000	Net £'000		
Director & Strategic Management	1,186	0	-94	1,092	1,159	-0	-94	1,065	-28	-13
Education Services Division	129,249	-14,789	18,100	132,559	130,345	-14,829	18,100	133,616	1,057	1,125
Access to Education	8,519	-5,809	2,167	4,877	8,577	-5,732	2,167	5,012	135	103
School Improvement	2,819	-608	463	2,674	3,340	-1,099	463	2,704	30	36
Curriculum & Wellbeing	5,501	-4,112	590	1,980	6,105	-4,463	590	2,233	253	205
Children's Services	22,509	-5,510	2,541	19,540	23,909	-6,509	2,541	19,941	401	444
Corporate Standby Efficiency	-57	0	0	-57	0	0	0	0	57	0
GRAND TOTAL	169,727	-30,829	23,768	162,665	173,435	-32,632	23,768	164,571	1,905	1,899

Education & Children's Services Scrutiny Report

Budget Monitoring as at 31st August 2018 - Main Variances

Tudalen 154	Division	Working Budget		Forecasted		Aug 2018 Forecasted Variance for Year £'000	Notes	Jun 2018 Forecasted Variance for Year £'000
		Expenditure £'000	Income £'000	Expenditure £'000	Income £'000			
	Director & Strategic Management							
	Business Support	405	0	375	-0	-30	Part year vacancy -£20k. Reduction in supplies and services - postages, photocopying recharges, admin and office equipment -£10k	-15
	Education Services Division							
	School Expenditure not currently delegated	225	0	243	0	18	Additional costs relating to previous years' Church Schools insurance premiums	0
	School Redundancy & EVR	1,875	0	2,254	0	379	Budget utilised on existing commitments. Schools are supported and challenged on staffing structure proposals.	340
	Special Educational Needs	2,892	-1,493	3,508	-1,463	646	Additional 5 classes to meet increased demand in specialist provision £457k. Full year impact of additional pupils commencing Out of County placements in 2017-18 and fewer pupils from other authorities in specialist provisions within Carmarthenshire, with these places being utilised by Carmarthenshire pupils £161k. Supply costs in SEN management to meet increased demand in inclusion cases £28k.	800
	Education Other Than At School (EOTAS)	1,975	-217	2,049	-274	18	Reduction of income due to staff illnesses.	-4
	Sensory Impairment	368	0	356	0	-12	Member of staff on maternity leave	-9
	Educational Psychology	843	0	871	-12	16	Service demand currently requires staffing level in excess of budget	27
	Access to Education							
	School Modernisation	55	-5	178	-69	60	Transport recharges outside of Transport Policy for former pupils of closed schools £28k. Premises costs and historic utility costs re closed schools £32k	44
	School Meals & Primary Free Breakfast Services	8,254	-5,804	8,189	-5,664	76	Budget pressures across the service especially sickness cover, kitchens' maintenance and food price increases. Strategic review of meal provision commencing September 2018 to identify service efficiencies.	72
	School Improvement							
	School Effectiveness Support Services	562	-78	577	-63	30	Premises costs for Neuadd Y Gwendraeth	36

Education & Children's Services Scrutiny Report

Budget Monitoring as at 31st August 2018 - Main Variances

Division	Working Budget		Forecasted		Aug 2018 Forecasted Variance for Year £'000	Notes	Jun 2018 Forecasted Variance for Year £'000
	Expenditure £'000	Income £'000	Expenditure £'000	Income £'000			
Curriculum and Wellbeing							
Music Services for Schools	965	-865	1,182	-854	229	SLA income from schools has reduced more quickly than the progress with staff restructuring. Service is currently appraising options to address the financial position. Awaiting further developments nationally in terms of possible additional funding for music services.	210
Welsh Language Support	461	-175	718	-410	22	Overspend due to earmarked sum for potential repayment to Swansea University. This matter has been referred to legal.	-0
Children's Services							
Commissioning and Social Work	6,706	-78	6,707	-100	-21	Projected salary savings. Movement in period due to salary savings and a reduction in forecasted legal costs	202
Fostering Services & Support	3,950	0	3,995	-32	13	Increase in boarding out allowances in line with Welsh Government guidelines. Forecast increase in residence orders and boarding out payments based on April - August 2018 activity	-2
Out of County Placements (CS)	701	0	969	-62	206	More use of independent care agencies that are more expensive to use, due to a lack of in house placements suitable for their complex needs which require 24 hour support.	-6
Garreglwyd Residential Unit	562	-163	647	-155	93	Contribution from LHB for Tripartite funding is only at draft SLA level due to on-going lack of engagement from LHB. Additional tripartite staffing and premises costs for new placement are also not yet agreed.	181
Short Breaks and Direct Payments	531	-30	711	-145	65	Increased take up of Direct Payments, based on April - August 2018 . Also increased costs for after school and holiday club provision. This provision is currently under review.	22
Education Welfare	393	0	458	-1	64	Review of staffing structure to be progressed Autumn 2018. Any part year impact would reduce the forecast overspend.	46
Other Variances					-23		-45
Corporate Standby Efficiency					57		0
Grand Total					1,905		1,899

Education & Children's Services Scrutiny Report

Budget Monitoring as at 31st August 2018 - Detail Variances

Tudalen 156 Division	Working Budget				Forecasted				Aug 2018	Notes	Jun 2018
	Expenditure £'000	Income £'000	Net non- controllable £'000	Net £'000	Expenditure £'000	Income £'000	Net non- controllable £'000	Net £'000	Forecasted Variance for Year £'000		Forecasted Variance for Year £'000
Director & Management Team	781	0	-192	589	783	0	-192	591	2		0
Business Support	405	0	98	503	375	-0	98	473	-30	Part year vacancy (-£20k). Reduction in supplies and services - postages, photocopying recharges, admin and office equipment (-£10k)	-15
Total Director & Strategic Management	1,186	0	-94	1,092	1,159	-0	-94	1,065	-28		-13
Education Services Division											
Schools Delegated Budget	120,525	-13,079	0	107,446	120,525	-13,079	0	107,446	-0		-0
School Expenditure not currently delegated	225	0	17,683	17,907	243	0	17,683	17,926	18	Additional costs relating to previous years' Church Schools insurance premiums	0
School Redundancy & EVR	1,875	0	21	1,896	2,254	0	21	2,275	379	Budget utilised on existing commitments. Schools are supported and challenged on staffing structure proposals.	340
School Modernisation	227	0	18	245	223	0	18	241	-4		-4
Early Years Non-Maintained Provision	319	0	9	327	316	0	9	324	-3		-27
Special Educational Needs	2,892	-1,493	122	1,522	3,508	-1,463	122	2,167	646	Additional 5 classes to meet increased demand in specialist provision (£457k). Full year impact of additional pupils commencing Out of County placements in 2017-18 and fewer pupils from other authorities in specialist provisions within Carmarthenshire, with these places being utilised by Carmarthenshire pupils (£161k). Supply costs in SEN management to meet increased demand in inclusion cases (£28k).	800
Education Other Than At School (EOTAS)	1,975	-217	175	1,932	2,049	-274	175	1,950	18	Reduction of income due to staff illnesses.	-4
Sensory Impairment	368	0	15	384	356	0	15	372	-12	Member of staff on maternity leave	-9
Educational Psychology	843	0	58	901	871	-12	58	917	16	Service demand currently requires staffing level in excess of budget	27
Education Services Division Total	129,249	-14,789	18,100	132,559	130,345	-14,829	18,100	133,616	1,057		1,125
School Admissions	211	0	34	245	210	0	34	244	-1		-12
School Modernisation	55	-5	1,118	1,167	178	-69	1,118	1,227	60	Transport recharges outside of Transport Policy for former pupils of closed schools (£28k). Premises costs and historic utility costs re closed schools (£32k)	44
School Meals & Primary Free Breakfast Services	8,254	-5,804	1,016	3,465	8,189	-5,664	1,016	3,541	76	Budget pressures across the service especially sickness cover, kitchens' maintenance and food price increases. Strategic review of meal provision commencing September 2018 to identify service efficiencies.	72
Total Access to Education	8519	-5809	2167	4877	8577	-5732	2167	5,012	135		103

Education & Children's Services Scrutiny Report

Budget Monitoring as at 31st August 2018 - Detail Variances

Division	Working Budget				Forecasted				Aug 2018 Forecasted Variance for Year £'000	Notes	Jun 2018 Forecasted Variance for Year £'000
	Expenditure £'000	Income £'000	Net non- controllable £'000	Net £'000	Expenditure £'000	Income £'000	Net non- controllable £'000	Net £'000			
School Effectiveness Support Services	562	-78	275	759	577	-63	275	789	30	Premises costs for Neuadd Y Gwendraeth	36
National Model for School Improvement	1,115	-58	64	1,121	1,550	-492	64	1,121	-0		0
Education Improvement Grant	669	0	0	669	669	0	0	669	-0		0
Other School Grants incl PDG	473	-472	124	125	544	-544	124	125	-0		-0
School Improvement Total	2,819	-608	463	2,674	3,340	-1,099	463	2,704	30		36
Post 16 Funding	177	-177	0	1	177	-177	0	1	0		-0
Music Services for Schools	965	-865	65	165	1,182	-854	65	394	229	SLA income from schools has reduced with greater expediency than the progress with staff restructuring. Service is currently appraising options to address the financial position. Awaiting further developments nationally in terms of possible additional funding for music services.	210
Behaviour Management	144	0	3	147	143	0	3	146	-1		-13
Welsh Language Support	461	-175	35	320	718	-410	35	343	22	Overspend due to earmarked sum for potential repayment to Swansea University. This matter has been referred to legal.	-0
Families First Grant (Youth)	613	-611	23	26	613	-611	23	26	0		0
Participation	80	0	31	112	78	0	31	109	-3		1
Youth Offending & Prevention Service	1,560	-788	284	1,056	1,545	-773	284	1,056	-0		-0
Adult & Community Learning	411	-407	100	104	416	-407	100	109	5		6
Cynnydd	595	-594	48	49	786	-784	48	49	-0		-0
Cam Nesa	495	-495	0	0	447	-447	0	0	-0		0
Total Curriculum and Wellbeing	5501	-4112	590	1,980	6105	-4463	590	2,233	253		205
Commissioning and Social Work	6,706	-78	1,446	8,074	6,707	-100	1,446	8,053	-21	Projected salary savings. Movement in period due to salary savings and a reduction in forecasted legal costs	202
Corporate Parenting & Leaving Care	916	-52	103	967	1,137	-284	103	957	-10		0
Fostering Services & Support	3,950	0	82	4,032	3,995	-32	82	4,045	13	Increase in boarding out allowances in line with Welsh Government guidelines. Forecast increase in residence orders and boarding out payments based on April - August 2018 activity	-2
Adoption Services	501	0	54	555	651	-158	54	547	-8		-4

Education & Children's Services Scrutiny Report

Budget Monitoring as at 31st August 2018 - Detail Variances

Tudalen 158 Division	Working Budget				Forecasted				Aug 2018	Notes	Jun 2018
	Expenditure £'000	Income £'000	Net non- controllable £'000	Net £'000	Expenditure £'000	Income £'000	Net non- controllable £'000	Net £'000	Forecasted Variance for Year £'000		Forecasted Variance for Year £'000
Out of County Placements (CS)	701	0	4	705	969	-62	4	911	206	More use of independent care agencies that are more expensive to use, due to a lack of in house placements suitable for their complex needs which require 24 hour support. Contribution from LHB for Tripartite funding is only at draft SLA level due to on-going lack of engagement from LHB. Additional tripartite staffing and premises costs for new placement are also not yet agreed.	-6
Garreglwyd Residential Unit	562	-163	118	517	647	-155	118	609	93		181
Residential and Respite Units	925	0	107	1,033	919	0	107	1,027	-6		-9
Childcare	441	-152	27	316	441	-153	27	316	0		0
Short Breaks and Direct Payments	531	-30	52	553	711	-145	52	618	65	Increased take up of Direct Payments, based on April - August 2018 . Also increased costs for after school and holiday club provision. This provision is currently under review.	22
Children's/Family Centres and Playgroups	163	-4	18	176	190	-32	18	176	-0		-3
Flying Start Grant	3,413	-3,407	164	170	3,391	-3,385	164	170	0		7
Families First Grant	1,603	-1,392	166	378	1,929	-1,718	166	378	0		2
Aids & Adaptions	0	0	0	0	0	0	0	0	0		0
Family Aide Services	217	0	45	262	217	0	45	262	-0		-0
Other Family Services incl Young Carers and ASD	365	-92	25	297	367	-94	25	298	0		8
Out of Hours Service	212	-64	1	150	144	0	1	146	-4		-0
Children's Services Mgt & Support (incl Care First)	911	-76	50	884	1,034	-190	50	894	9		0
Education Welfare	393	0	80	472	458	-1	80	537	64	Review of staffing structure to be progressed Autumn 2018. Any part year impact would reduce the forecast overspend.	46
Total Children's Services	22,509	-5,510	2,541	19,540	23,909	-6,509	2,541	19,941	401		444
Corporate Standby efficiency	-57	0	0	-57	0	0	0	0	57		0
TOTAL FOR EDUCATION & CHILDREN'S SERVICES	169,727	-30,829	23,768	162,665	173,435	-32,632	23,768	164,571	1,905		1,899

Education & Children's services						
Capital Budget Monitoring - Report for August 2018 - Main Variances						
	Working Budget			Forecasted		
	Expenditure £'000	Income £'000	Net £'000	Expenditure £'000	Income £'000	Net £'000
DEPARTMENT/SCHEMES						
EDUCATION & CHILDREN	13,811	-6,491	7,320	12,369	-4,293	8,076
MEP External Funding Income	0	-6,491	-6,491	0	-4,293	-4,293
Ysgol Pen Rhos CP School - New School	-170	0	-170	496	0	496
Ysgol Trimsaran - New School Building	189	0	189	568	0	568
Gorslas - New School	1,827	0	1,827	300	0	300
Ysgol Coedcae - Phase 1	404	0	404	557	0	557
St John Lloyd	473	0	473	593	0	593
Ysgol Y Castell	39	0	39	100	0	100
Five Roads	1,655	0	1,655	600	0	600
Pembrey CP	853	0	853	500	0	500
Other Projects with Minor Variances	8,541	0	8,541	8,655	0	8,655

Mae'r dudalen hon yn wag yn fwiadol

Education & Children Services

Capital Budget Monitoring - Scrutiny Report for August 2018 - Detailed Variances

Scheme	Target Date for Completion	Working Budget			Forecasted		
		Expenditure £'000	Income £'000	Net £'000	Expenditure £'000	Income £'000	Net £'000
Education DDA Act Works	Ongoing	183	0	183	210	0	210
MEP External Funding Income	Ongoing	0	-6,491	-6,491	0	-4,293	-4,293
MEP - Tranche 2 & 3		663	0	663	674	0	674
Ffwrnes - New Two Form Entry School	Completed	9	0	9	10	0	10
Dinefwr Project - Dyffryn Aman	Completed	235	0	235	235	0	235
Dinefwr Project - Maes Y Gwendraeth	Completed	0	0	0	10	0	10
Dinefwr Project - Ysgol Bro Dinefwr	Completed	419	0	419	419	0	419
MEP - Band A Projects		9,016	0	9,016	8,807	0	8,807
Ysgol Pen Rhos CP School - New School	Sep-19	-170	0	-170	496	0	496
Llangadog - Major Redevelopment	Mar-19	2,075	0	2,075	2,075	0	2,075
Ysgol Trimsaran - New School Building	Completed	189	0	189	568	0	568
Llandeilo Primary	Ongoing	70	0	70	70	0	70
Ammanford Primary	Ongoing	70	0	70	70	0	70
Parc Y Tywyn	Sep-18	1,693	0	1,693	1,693	0	1,693
Ysgol Dewi Sant	Ongoing	421	0	421	421	0	421
Gorslas - New School	Ongoing	1,827	0	1,827	300	0	300
Rhydygors - Refurbishment/Re-configuration	Ongoing	20	0	20	20	0	20
Laugharne VCP Works	Ongoing	115	0	115	114	0	114
Pontyberem CP - Refurbishment/Re-configuration	Jan-19	1,744	0	1,744	1,744	0	1,744
Cardmarthen West New School - Phase 1	Ongoing	0	0	0	1	0	1
Rhys Prichard Relocation	Ongoing	85	0	85	85	0	85
Ysgol Coedcae - Phase 1	Completed	404	0	404	557	0	557
St John Lloyd	Sep-18	473	0	473	593	0	593

Variance for year £'000	Comment
27	
2,198	Re-profile of income required to reflect varying progress of schemes.
11	
1	
0	
10	
0	
-209	
666	Re-profile of budget required (in progress).
0	
379	Additional significant ground works identified during scheme progress.
0	
0	
0	
-1,527	Delayed start on site (working on cost gap in relation to Welsh Government cost and size standards.)
0	
-1	
0	
1	
0	
153	Additional urgent works to roof of Sports Hall identified during scheme progress.
120	Additional works to sports facility identified during scheme progress.

Education & Children Services

Capital Budget Monitoring - Scrutiny Report for August 2018 - Detailed Variances

Scheme	Target Date for Completion	Working Budget			Forecasted		
		Expenditure £'000	Income £'000	Net £'000	Expenditure £'000	Income £'000	Net £'000
MEP - Future Projects	Ongoing	3,292	0	3,292	1,981	0	1,981
Ysgol Gymraeg Kidwelly	Ongoing	137	0	137	137	0	137
Ysgol Y Castell	Ongoing	39	0	39	100	0	100
Five Roads	Ongoing	1,655	0	1,655	600	0	600
Pembrey CP	Ongoing	853	0	853	500	0	500
Cross Hands Area	Ongoing	10	0	10	10	0	10
Ysgol Penygarn	Ongoing	11	0	11	11	0	11
Hendy CP	Ongoing	33	0	33	33	0	33
Llanybydder/Llanllwni	Ongoing	20	0	20	20	0	20
Gwendreath Valley North	Ongoing	20	0	20	20	0	20
Gwendreath Valley Central	Ongoing	20	0	20	20	0	20
Llandybie CP	Ongoing	4	0	4	20	0	20
Heol Goffa - SAC Refurb	Ongoing	0	0	0	10	0	10
Heol Goffa - Replacement Building	Ongoing	490	0	490	490	0	490
Bryngwyn School Refurbishment	Ongoing	0	0	0	10	0	10
MEP - Other Projects	Ma19	429	0	429	423	0	423
MEP - Completed / Practically Completed	Completed	140	0	140	191	0	191
Misc Education Projects (School Funded)	Completed	43	0	43	43	0	43
Provision of Feminine Hygiene Hardware	Mar-19	45	0	45	45	0	45
Flying Start Capital Expansion Programme	Completed	0	0	0	-5	0	-5
NET BUDGET		13,811	-6,491	7,320	12,369	-4,293	8,076

Variance for year £'000	Comment
-1,311	
0	
61	Scheme ahead of schedule - no anticipated overspend on whole scheme.
-1,055	Delayed start on site (working on cost gap in relation to Welsh Government cost and size standards.)
-353	Delayed start on site (working on cost gap in relation to Welsh Government cost and size standards.)
0	
0	
0	
0	
0	
0	
16	
10	
0	
10	
-6	
51	
0	
0	
-5	
756	

PWYLLGOR CRAFFU ADDYSG A PHLANT 26AIN TACHWDD 2018

Adroddiad Blynyddol y Pwyllgor Craffu Addysg a Phlant 2017/18

Ystyried y materion canlynol a chyflwyno sylwadau arnynt:

- Bod yr aelodau yn ystyried ac yn cymeradwyo adroddiad blynyddol y Pwyllgor Craffu Addysg a Phlant ar gyfer blwyddyn y cyngor 2017/18.

Rhesymau:

- Mae'n ofynnol yn ôl Cyfansoddiad y Cyngor fod y pwyllgorau craffu'n adrodd yn flynyddol ar eu gwaith.

Angen cyfeirio'r mater at y Bwrdd Gweithredol / Cyngor er mwyn gwneud penderfyniad: NAC OES

Cadeirydd y Pwyllgor Craffu Addysg a Phlant: Y Cyngorydd Darren Price

Y Gyfarwyddiaeth: Prif Weithredwr Enw Pennaeth y Gwasanaeth: Linda Rees-Jones Awdur yr adroddiad: Michelle Evans Thomas	Swyddi: Pennaeth Gweinyddiaeth a'r Gyfraith Swyddog Gwasanaethau Democritaidd	Rhifau Ffôn / Cyfeiriadau E-bost: 01267 224010 lrjones@sirgar.gov.uk 01267 224470 meevanstomas@sirgar.gov.uk
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EXECUTIVE SUMMARY

EDUCATION & CHILDREN SCRUTINY COMMITTEE 26TH NOVEMBER 2018

Education & Children Scrutiny Committee – Annual Report 2017/18

The attached report has been prepared in order to comply with Article 6.2 of the County Council's Constitution which states that a scrutiny committee must:

"Prepare an annual report giving an account of the Committee's activities over the previous year."

The report provides an overview of the workings of the Education & Children Scrutiny Committee during the 2017/18 municipal year and includes information on the following topics:

- Overview of the forward work programme
- Key issues considered
- Issues referred to or from Executive Board / Other Scrutiny Committees
- Task & Finish Review
- Development Sessions
- Member attendance at meetings

DETAILED REPORT ATTACHED?

YES

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report.

Signed: Linda Rees-Jones Head of Administration & Law

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
YES	YES	NONE	NONE	NONE	NONE	NONE

1. Policy, Crime & Disorder and Equalities – In line with requirements of the County Council's Constitution.

2. Legal – In line with requirements of the County Council's Constitution.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below:

Signed: Linda Rees-Jones Head of Administration & Law

1. Local Member(s) – N/A
2. Community / Town Council – N/A
3. Relevant Partners – N/A
4. Staff Side Representatives and other Organisations – N/A

Section 100D Local Government Act, 1972 – Access to Information
List of Background Papers used in the preparation of this report:

THESE ARE DETAILED BELOW:

Title of Document	File Ref No. / Locations that the papers are available for public inspection
Education & Children Scrutiny Committee Reports and Minutes	Meetings from September 2015 onwards: http://democratiaeth.sirgar.llyw.cymru/ieListMeetings.aspx?CommitteId=153

Mae'r dudalen hon yn wag yn fwriadol

Education & Children Scrutiny Committee

Annual Report

2017-18



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Chair's Foreword

As the Chair of the Committee I am pleased to present this Annual Report for the Education & Children Scrutiny Committee for the 2017/18 municipal year. The report provides a comprehensive summary of the work undertaken by the Committee during the period May 2017 to April 2018.

I would like to thank the Members of the Committee for their valuable input and dedication over the past year. I would also like to thank the co-opted members of the Committee, who have continued to provide an external, and important viewpoint as to the effectiveness of the Authority's provision.

The Committee developed a comprehensive work programme at the start of the municipal year, and continued to play its part in terms of scrutinising performance and contributing to key Council policies and decisions within the remit of Education and Children Services.

We have revised the format of our school visits programme, with visits now being undertaken by smaller, more focussed groups of members with the aim of enabling Members to engage with school leaders on a more personal level. We will continue to visit a wide range of schools, including well-performing, and those that are in need of support. The visits are a vital source of information to members and help to strengthen discussions and decisions at the main committee meetings.

The Welsh Government is leading a programme of change in areas such as Additional Learning Needs and the development of a new Curriculum, and these, coupled with very challenging financial settlements mean that the Committee has an important role to play in ensuring that the Authority continues to deliver high-quality services and support to its pupils and young people within the County.

I would finally like to thank Democratic Services and Education and Children's Services Officers for their input and for their professionalism in supporting the work of the Committee. I look forward to continuing to work with Members, Co-opted Members and Officers in the year ahead.



Councillor Darren Price
Chair of Education & Children Scrutiny Committee

1. Introduction

Article 6.2 of the Council's Constitution requires all Scrutiny Committees to *"prepare an annual report giving an account of the Committees activities over the previous year."*

The main aim of the report is to highlight the work that has been undertaken by the Education & Children Scrutiny Committee during 2017/18. The document may also facilitate discussion on other items that could be included within future work programmes.

The Committee is chaired by Councillor Darren Price and is made up of 14 Elected Members and 5 voting Co-opted Members (3 elected parent governor members, 1 representative from the Church in Wales and 1 representative from the Roman Catholic Church). Support is provided by the Democratic Services Unit and other Council officers as and when required.

This report provides an overview of the work of the Education & Children Scrutiny Committee during the 2017/18 municipal year. It gives Members the opportunity to reflect on the achievements during the year and to identify what worked well and where improvements could be made. This analysis is instrumental in developing scrutiny.

2. Overview of the work of the Committee in 2017/18

2.1 Number of Meetings

The Scrutiny Committee held 6 meetings plus 1 joint meeting with the Social Care & Health Scrutiny Committee during the 2017/18 municipal year.

2.2 The Forward Work Programme

The Scrutiny Committee develops its own Forward Work Programme (FWP). In July 2017 the Committee met informally with officers to identify, discuss and programme items to be considered by the Committee for the forthcoming year. This involved the inclusion of standard items such as performance, budget and action plan monitoring reports. Additional reports were also requested by members at meetings throughout the year and the Forward Work Programme was amended accordingly. In the main, meeting agendas were consistent with those outlined in the FWP, which was confirmed by the Committee at its meeting on 28th September 2017.

The concept and development of the Forward Work Programme and the process for its agreement has allowed each Scrutiny Committee to determine its own agendas.

The benefits of such an approach has led to an improved level of debate and input during Scrutiny Committee meetings.

The Well-being of Future Generations (Wales) Act 2015 places long term sustainability at the forefront of how public services are designed and delivered and it places emphasis on public bodies to work in partnership with each other and the public to prevent and tackle problems.

The Education & Children Scrutiny Committee's key responsibilities are:

- Educational Standards & School Performance
- Inclusion & Additional Learning Needs
- Welsh Medium Education
- School Modernisation
- Adult Community Learning
- Youth Services
- Youth Offending
- School meals
- Children's Services including Social Services & Family Support Services

To compliment the work undertaken during formal meetings, the Committee also undertakes other scrutiny functions such as Task and Finish, visits to establishments falling within its remit together with member development sessions

2.3 Performance Monitoring / Strategic Issues

Performance Monitoring Reports - One of the principal roles of Scrutiny Committees is to monitor the performance of services and functions within its remit. They undertake this work mainly through the consideration of performance monitoring reports and various action plan monitoring reports. The performance monitoring reports provide a balanced picture of performance across the relevant service areas. The Education & Children Scrutiny Committee received the Performance Monitoring Report for the Council's 2017/18 Wellbeing Objectives at its meetings in September 2017 and April 2018. The reports mainly focussed on underperforming indicators.

Carmarthenshire County Council's Draft Annual Report 2016/17 - As part of its performance monitoring role the Committee received relevant information from the Council's key strategies and plans. In September 2017 the Committee considered the Council's draft Annual Report for 2016/17 which included extracts for its service remit the second year progress report on the Corporate Strategy 2015-20.

Education & Children Departmental Draft Business Plan 2018/19-2021 – In December the Committee considered the Education & Children Departmental Draft Business Plan 2018/19-2021 which detailed the department's aims and objectives for 2018-21. This provided the Committee with an opportunity to consider and comment upon the priorities outlined for the department for the three year period.

Draft Annual Report of the Statutory Director of Social Services on the effectiveness of Social Care Services in Carmarthenshire 2016/17 - In June 2017, during a joint meeting with the Social Care & Health Scrutiny Committee, members received the Annual Report on the Effectiveness of Social Care Services in Carmarthenshire for 2016/17. Members noted that there was a statutory requirement for the Director of Social Services to report annually to Council on the delivery, performance and risks, as well as plans for the improvement of the whole range of Social Services. It was noted that the presentation of this report to scrutiny members was an important element within the development of the final document.

Corporate Strategy – In April 2017 the Committee considered the elements of the draft new Corporate Strategy 2018-23 relevant to its remit.

Actions & Referrals - During the course of the municipal year several requests for additional items are made by members of the Committee to assist them in discharging their scrutiny role. Actions & Referrals updates are presented to Committee which provide an update on progress in relation to these requests.

2.4 Revenue & Capital Budgets

Budget Monitoring Reports - The Committee received quarterly reports on the departmental and corporate revenue and capital budgets at the meetings held in September and March. These reports enabled members to monitor the level of spend in each area and the progress made in connection with any capital works.

Revenue Budget Strategy 2018/19-2021 - As well as monitoring the current budget, the Committee was also consulted on the Revenue Budget Strategy 2018/19 to 20/21. The report provided the Committee with the current proposals for the Revenue Budget for 2018/19 together with the indicative figures for the 2019/20 and 2020/2021 financial years.

Outcome:

As part of the widespread consultation undertaken on the Revenue Budget Strategy 2018/19 to 2020/21, the Education & Children Scrutiny Committee considered the budget proposals and a number of comments were raised. Whilst the Committee did not put forward any recommendations to change the budget proposals, it did resolve “that, whilst noting the proposals for the delivery of efficiency savings for the Education & Children Department, the Committee’s concerns regarding any reduction in respite care provision be relayed to the Executive Board”. The Executive Board, at its meeting held on 5th February, 2018, whilst considering the report, proposed an amendment to the efficiency proposals that “The Respite Centre proposal be reviewed and the department give further consideration to service provision options resulting in a reversal in budget of £200k in 2018/19 and £200k in 2019/20”. This proposal was duly considered and endorsed by Council at the meeting held on 21st February, 2018.

2.5 Schools

- 2.5.1 Provisional Examination and Teacher Assessment Results and Provisional School Attendance Data** - The Committee received the provisional examination and teacher assessment results together with the provisional attendance data in September 2017. The verified performance data was reported to the Committee as part of the annual School Performance and Achievement report in January 2018.
- 2.5.2 School Budgets** – In November the Committee considered a report providing an overview of the regulations that encompass the allocation of school budgets, the budget process and the calculation of the delegated budget received from the Local Authority.
- 2.5.3 TIC Programme Update** – The Committee received a report and presentation providing an update on the TIC (Transformation, Innovation, Change) Programme – Support for Schools. The Authority’s TIC programme has helped deliver almost £11.5m savings since its inception and the Tic Schools’ Programme aimed to apply TIC principles of collaborative working, reducing waste and sharing good practice to support schools in reducing costs, whilst at the same time protecting the quality of front-line service and improving outcomes.
- 2.5.4 Revised Estyn Inspection Framework** – In November the Committee considered a report on the Revised Estyn Inspection Framework, which is used for all inspections of education and training providers in Wales.

2.5.5 Modernising Education Programme

In November 2017 the Committee considered the MEP Strategic Outline Programme Band B Update which outlined an updated prioritised programme for investment as part of the 21st Century Schools Programme.

Outcomes:

The Committee queried how consultation is undertaken with communities, governors, schools etc. and unanimously resolved to recommend to the Executive Board “that the importance be stressed of consulting with the community, school and interested parties before projects proceed”. The Executive Board thereupon considered the report on 18th December, 2018 and resolved “that the recommendations received from the Education & Children Scrutiny Committee held on 27th November be noted.”

In September 2017 the Committee considered reports detailing MEP proposals to increase the capacity at Gorslas School from 110 to 210 and to increase the age range at Ysgol Parc y Tywyn from 4-11 to 3-11. A post consultation report on the proposals was also presented to Committee for consideration in January 2018.

Outcomes:

The Committee endorsed the proposals which were then considered by the Executive Board on 26th February, 2018 when it was resolved that the proposals be implemented.

2.5.6 School Leadership and Data Contextual Paper 2016/17 - In January the Committee considered a report which highlighted some of the current challenges facing our schools and the Education Service and provided an overview of contextual school data and leadership arrangements.

Outcomes:

Following concern expressed by the Committee over difficulties being encountered in recruiting headteachers which would be compounded by the number of headteachers who would be retiring over the next few years, the Committee resolved “that a report be presented to a future meeting of the Committee on the steps being taken by the Authority to attract more people into teaching and to attract more teachers to progress to become headteachers”.

2.5.7 Carmarthenshire 11-19 Curriculum Review Update – In January the Committee considered the Carmarthenshire 11-19 Curriculum Review Update and scrutinised progress on the recommendations contained in the Action Plan.

2.5.8 Categorisation of Schools 2018 – In March the Committee considered a report which provided a detailed overview of the outcomes of the 2017/18 round of national categorisation and data demonstrating each school's national categorisation support requirements and improvement.

2.5.9 Elective Home Education – the Committee received a report providing an analysis of the current landscape in relation to Elective Home Education

Outcomes:

The Committee resolved that a report be presented to a future meeting regarding the positive behaviour approaches being implemented by the Authority in relation to bullying.

It was also resolved that a letter be sent on the Committee's behalf to the Welsh Government expressing the Committee's concerns with regard to problems being experienced with home schooled and flexi schooled children.

2.5.10 ERW Curriculum Update – The Committee received a presentation by Mr Alan Edwards, ERW Head of Teaching and Learning which provided an overview of progress and developments within the school curriculum

2.5.11 Welsh In Education Strategic Plan – In April 2017 the Committee considered the updated Welsh in Education Strategic Plan (WESP), the production and implementation of which is a statutory requirement for the Authority.

2.5.12 Digital Schools Strategy – In April the Committee considered the Digital Schools Strategy 2018-21 which was the first ever such strategy for Carmarthenshire and which set out the Authority's vision for the provision of ICT Services to schools over the coming years, to ensure that schools have the appropriate technology.

2.6 Children's Services / Safeguarding

2.6.1 Carmarthenshire Youth Support Service Business Plan 2017/20 - the Committee considered the Carmarthenshire Youth Support Service's

Business Plan for 2017-20 which provided information about the structure, governance arrangements and resources available. The Plan also detailed the main areas of activity and identified the principal risks associated with children and young people in the Youth Justice System.

2.6.2 Adoption Service Annual Report – the Committee considered the Adoption Service Annual Report for 2016/17 which had been compiled by the National Adoption Service (NAS) and detailed the work and performance of the five Regional Adoption Services that comprise the NAS.

2.6.3 Behaviour Service Review – In December the Committee considered a report detailing proposals for the remodelling of Carmarthenshire's Behaviour Support Services.

2.6.4 Corporate Parenting Annual Report 2017 – The Committee considered the Corporate Parenting Annual Report which provided an overview of how well the Local Authority is meeting its corporate parenting duties under the Social Services and Wellbeing Act (Wales) 2014. The report detailed outcomes for children and young people up to the age of 25 looked after by the Local Authority and an update on progress against targets set in the Corporate Parenting Strategy.

2.6.5 Fostering Service Annual Report - In April the Committee considered the Fostering Service Annual Report which provided information on the performance and quality of care provided in relation to the fostering service within Carmarthenshire, which was a requirement under the statutory regulations of the Fostering Service in Wales.

2.7 Additional Reports Requested

During the course of the year, the Committee requested reports on the following topics to be included in the Forward Work Programme:-

- The steps being taken by the Authority to attract more people into teaching and to attract more teachers to progress to become headteachers;
- School Redundancy and Early Voluntary Retirement, detailing the approach taken and progress made;
- Recruitment and Retention of Staff;
- Problems being faced by the County's Music Service;
- Positive behaviour approaches being implemented by the Authority in relation to Bullying.

3. Other Scrutiny Activity

3.1 Task and Finish

At the Committee's Forward Work Programme planning session held in July 2017 (held later than usual due to the elections in May) there was some discussion around possible topics for a Task and Finish review and it was decided to wait and see if any issues of concern/meriting further investigation arose during the course of the year.

At the meeting held in March 2018 it was agreed to set up a Task and Finish Group to review Early Years Education, Childcare and Play in Carmarthenshire. The key aims and objectives for the review were detailed in a planning and scoping document which was endorsed at that meeting along with the membership of the Task and Finish Group, as follows:-

Councillor Darren Price (Chair)
Councillor Kim Broom
Councillor Dot Jones
Councillor Jean Lewis
Councillor Bill Thomas
Councillor Edward Thomas

3.2 Site Visits

The programme of school visits commenced in the 2009/10 municipal year and by the end of the October 2015, the Committee had visited all the county's primary, secondary and special schools, along with the 3 integrated family centres. In 2016/17 the Committee began re-visiting schools, linking in with the School Improvement Panel's work programme and the Authority's Modernising Education Programme proposals. It was felt that the visits tended to focus on premises issues and in November 2017 the Committee considered a report entitled Scrutiny School Visits Framework which proposed that the school visits programme's focus be realigned to facilitate broader discussion on aspects chosen as greater priorities e.g. leadership, teaching, learning and outcomes. However, it was not intended to preclude or ignore any elements of premises related issues which may arise and require attention.

The Committee continued with its programme of school visits with the new emphasis as detailed above and the following 3 schools were visits during the Spring Term of 2018:-

- Llechyfedach Tumble Federation
- Llangunnor
- Bryngwyn Glanymor Federation

At the meeting held on 23rd April, 2018 the Committee considered the School Visits Feedback report which provided an overview of the school visits undertaken during the Spring Term 2018. The enabled the Committee to undertake their key role in monitoring school leadership, provision and standards within the county's schools. It also assisted in determining future priorities as a result of any issues raised.

3.3 Development Sessions

Following the local government elections held in May 2017, a Councillor Induction Programme was provided for all elected members. The programme was designed primarily for new Councillors but was also open to those who were re-elected. The induction programme was geared to provide members with the requisite knowledge, skills and understanding to assist them in serving as a Councillor. The following induction sessions were held:-

- Ethics, Standards, Legal Duties and Responsibilities - May 2017;
- Finance including Budgeting & Treasury Management - May 2017;
- Introduction to Marketing and Media - June 2017;
- Decisions for Future Generations (Well-being of Future Generations Act) – July 2017;
- Safeguarding & Violence Against Women & Domestic Abuse & Sexual Violence Act – September 2017.

In addition to the induction programme, the following all-member development sessions were held during 2017/18:-

- Social Services and Well-Being (Wales) Act - September 2017;
- Data Management and Freedom of Information Act – September 2017;
- Health & Safety (including Corporate Manslaughter) - September 2017;
- Welsh Local Government Association Regional Workshop - October 2017;
- Digital Transformation Seminar - October 2017;
- Substance Misuse - December 2017;
- Local Housing Company - March 2018;
- Financial Exploitation Safeguarding Scheme - March 2018.

In addition to the above, several departmental budget seminars were held.

4. Challenges

Following the local government elections in May 2017 the Education & Children Scrutiny Committee saw a new cohort of members. The newly elected members worked with the rest of the Committee to familiarise themselves with the decision making process and the topics within the remit of the Scrutiny Committee's portfolio. This year also saw three new Parent Governor Members join the Committee in April 2018, following the end of the term of office of their predecessors. The new co-opted members have settled in well and are making a valuable contribution at meetings.

5. Future Work

The Committee has made significant progress and will continue to concentrate on topics where Members' input will result in positive outcomes to drive forward service improvement. To ensure that the best use is being made of meeting time and with the benefit of the added value of pre-meetings, the Committee is keen to achieve a more streamlined scrutiny process.

The future work of the Committee will be considered as part of the Forward Work Programme planning session. The FWP will continue to be monitored during the course of the year, together with the Executive Board FWP.

6. Support for the Scrutiny Function

Support for Carmarthenshire County Council's Scrutiny function is provided by the Democratic Services Unit, based in the Administration & Law Division of the Chief Executive's Department.

Support for the Scrutiny function includes:

- Formulating, in accordance with the FWP, and despatching agendas for Scrutiny Committee meetings a minimum of 4 working days prior to the meeting;
- Providing support and constitutional advice to the Scrutiny Committees and to members of those Committees as well as producing minutes of their meetings and ensuring items arising from those meetings are actioned;
- Giving support and advice in relation to the functions of the Council's Scrutiny Committees to executive and non-executive members of the Council and its officers;
- Managing the strategic development of Scrutiny in Carmarthenshire through engaging in national and regional Scrutiny networks and initiatives, supporting the

Chairs and Vice-Chairs of Scrutiny Forum and meetings of the Scrutiny Chairs and Vice-Chairs with the Executive Board;

- Advising and supporting the implementation of the requirements of the Local Government (Wales) Measure 2011 as and when guidance is published;
- Managing the co-ordination and development of the Scrutiny Committees' forward work programmes in conjunction with Scrutiny Committee members;
- Managing and co-ordinating Scrutiny review work, including the administration of scrutiny task and finish groups, assisting in writing reports in conjunction with the groups and assisting in the implementation and monitoring of completed reviews;
- Assisting with the Scrutiny member development programme.

For more information on Scrutiny in Carmarthenshire including forward work programmes, task and finish reports and annual reports, visit the County Council's website at: www.carmarthenshire.gov.wales/scrutiny

To contact the Democratic Services Unit, please call 01267 224028 or e-mail scrutiny@carmarthenshire.gov.uk

7. Attendance

Attendance by members of the Education & Children Scrutiny Committee during the 2017/18 year is shown in the table below. A total of 6 meetings were held between May 2017 and April 2018.

Scrutiny Committee Member	Meetings Attended	%
Cllr. Liam Bowen	4	66%
Cllr. Kim Broom	5	83%
Cllr. Ieuan Wyn Davies	4	66%
Cllr. John Jenkins	3	50%
Cllr. Betsan Jones	5	83%
Cllr. Dot Jones	6	100%
Cllr. Gary Jones	4	66%
Cllr. Jean Lewis	6	100%
Cllr. Kevin Madge (replaced by Cllr. Bill Thomas on 18/10/17)	1 of 1	n/a
Cllr. Shahana Najmi	4	66%
Cllr. Darren Price	6	100%
Cllr. Emlyn Schiavone	6	100%

Cllr. Bill Thomas	5 of 5	100%
Cllr. Edward Thomas	5	83%
Cllr. Dorian Williams	6	100%

Parent Governor Representatives	Meetings Attended	%
Mrs Georgina Cornock-Evans (as of 01/04/18)	1 of 1	n/a
Mr James Davies (as of 01/04/18)	1 of 1	n/a
Mrs Emma Heyes (up to 20/11/17)	0 of 2	n/a
Mrs Kate Hill (up to 31/03/18)	1 of 5	n/a
Mrs Melanie Jones (as of 01/04/18)	1 of 1	n/a
Mrs Alex Pickles (up to 31/03/18)	3 of 5	n/a

Church Representatives	Meetings Attended	%
Mrs Vera Kenny	6	100%
Mrs Jean Voyle Williams	4	66%

Substitutes	Meetings Attended
Cllr. Anthony Davies	1
Cllr. Rob Evans	1
Cllr. Tyssul Evans	1
Cllr. Susan Phillips	1
Cllr. Bill Thomas (replaced Cllr. Kevin Madge as a member of the Committee on 18/10/17)	1

Executive Board Member	Meetings Attended
Cllr. Glynog Davies	5

Attendance at the Joint Meeting of the Social Care & Health and Education & Children Scrutiny Committees held on 23rd June, 2017 is shown in the table below.

Scrutiny Committee Member	Attended
Cllr. Liam Bowen	0
Cllr. Kim Broom	1
Cllr. Ieuan Wyn Davies	1
Cllr. John Jenkins	1
Cllr. Betsan Jones	0
Cllr. Dot Jones	0
Cllr. Gary Jones	1
Cllr. Jean Lewis	1
Cllr. Kevin Madge (replaced by Cllr. Bill Thomas on 18/10/17)	1
Cllr. Shahana Najmi	0
Cllr. Darren Price	1
Cllr. Emlyn Schiavone	1
Cllr. Bill Thomas (replaced Cllr. Kevin Madge as a member of the Committee on 18/10/17)	n/a
Cllr. Edward Thomas	1
Cllr. Dorian Williams	1
Parent Governor Representatives	
Mrs Georgina Cornock-Evans (as of 01/04/18)	n/a
Mr James Davies (as of 01/04/18)	n/a
Mrs Emma Heyes (up to 31/03/18)	0
Mrs Kate Hill (up to 31/03/18)	0
Mrs Melanie Jones (as of 01/04/18)	n/a
Mrs Alex Pickles (up to 31/03/18)	0
Church Representatives	
Mrs Vera Kenny	1
Mrs Jean Voyle Williams	0

PWYLLGOR CRAFFU ADDYSG & PHLANT

26AIN TACHWEDD 2018

DIWEDDARAF AM WEITHREDIADAU AC ATGYFEIRIADAU'R PWYLLGOR CRAFFU ADDYSG & PHLANT

Ystyried y materion canlynol a chyflwyno sylwadau arnynt:

- Hoelio sylw ar y cynnydd sy'n cael ei wneud mewn perthynas â'r camau, y ceisiadau neu'r atgyfeiriadau a gofnodwyd yng nghyfarfodydd blaenorol y Pwyllgor.

Rhesymau:

- Er mwyn i'r aelodau gyflawni eu dyletswyddau craffu mewn perthynas â monitro perfformiad.

**Angen cyfeirio'r mater at y Bwrdd Gweithredol er mwyn gwneud penderfyniad:
NAC OES**

Aelod y Bwrdd Gweithredol sy'n gyfrifol am y Portffolio: *DDIM YN BERTHNASOL*

Y Gyfarwyddiaeth: Prif Weithredwr Enw Pennaeth y Gwasanaeth: Linda Rees-Jones Awdur yr adroddiad: Michelle Evans Thomas	Swyddi: Pennaeth Gweinyddiaeth a'r Gyfraith Prif Swyddog Gwasanaethau Democrataidd	Rhifau Ffôn / Cyfeiriadau E-bost: 01267 224010 lrjones@sirgar.gov.uk 01267 224470 MEEvansThomas@sirgar.gov.uk
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EXECUTIVE SUMMARY

**EDUCATION & CHILDREN
SCRUTINY COMMITTEE**

26TH NOVEMBER 2018

**Education & Children Scrutiny Committee
Actions & Referrals Update**

During the course of a municipal year, several requests for additional information are made by the Committee in order to assist it in discharging its scrutiny role.

The attached report provides members of the Committee with an update on the progress made in relation to these requests.

DETAILED REPORT ATTACHED?

YES

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report.

Signed: **Linda Rees-Jones** **Head of Administration & Law**

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
NONE	NONE	NONE	NONE	NONE	NONE	NONE

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below:

Signed: **Linda Rees-Jones** **Head of Administration & Law**

- 1. Local Member(s) – N/A**
- 2. Community / Town Council – N/A**
- 3. Relevant Partners – N/A**
- 4. Staff Side Representatives and other Organisations – N/A**

**Section 100D Local Government Act, 1972 – Access to Information
List of Background Papers used in the preparation of this report:**

THESE ARE DETAILED BELOW:

Title of Document	File Ref No. / Locations that the papers are available for public inspection
Education & Children Scrutiny Committee Reports and Minutes	Agendas and Minutes available to view on the Council's website.

Mae'r dudalen hon yn wag yn fwriadol

Education Children Scrutiny Committee Actions 2017-2018

Ref No	Meeting Date	Recommendation / Action / Referral	Description	Progress Update	Member / Officer	Status
E&C 001-18/19	14th May 2018	Action	TIC Programme for Schools Update - Committee to receive a further update in six months' time.	Included in the FWP. Report to be presented to Committee on 20th December, 2018.	Andi Morgan / Allan Carter	IN PROGRESS
E&C 002-18/19	7th June 2018	Action	Forward Work Programme - the following items to be included:- the additional £0.5m funding for schools, WESP language continuum and transfer from primary schools; TIC; delegated schools funding formula (including ALN funding); the schools admissions and appeals process; adult community learning.	These items have been included in the FWP.	Michelle Evans Thomas	IN PROGRESS
E&C 003-18/19	7th June 2018	Action	Forward Work Programme - in future Revenue and Capital Budget Monitoring and Complaints & Compliments reports to be circulated to the Committee via e-mail.	Officers advised accordingly and reports being circulated to members via e-mail as requested.	Michelle Evans Thomas	COMPLETED
E&C 004-18/19	5th July 2018	Action	CCC's Draft Annual Report 2018 - Reference made to the fact that assessments undertaken through the Welsh medium have fallen to 39.9% and officers were asked for an explanation. Director stated that officers would undertake a detailed analysis of the figures and circulate the information to members.	Information circulated to members via e-mail.	Jonathan Buck/ Michelle Evans Thomas	COMPLETED
E&C 005-18/19	5th July 2018	Action	Music Service Update July 2018 - Committee to receive an update report as soon as information is received regarding national developments.	To be included in the FWP.	Gareth Kirby	IN PROGRESS
E&C 006-18/19	5th July 2018	Action	Approaches to Securing Positive Behaviour in Carmarthenshire Schools - Committee receive a report at a future meeting to include data measuring the effectiveness of positive behaviour initiatives.	Members received a report at the meeting held on 5th July, 2018.	Andi Morgan	COMPLETED
E&C 007-18/19	5th July 2018	Action	Supporting Progression into Teaching, Leadership Roles and Headship - Committee to receive an update at a future meeting.	Members received a report at the meeting held on 5th July, 2018.	Andi Morgan/ Elin Forsyth	COMPLETED
E&C 008-18/19	5th July 2018	Action	Referral from the SC&H Scrutiny Committee - Young Carers to be placed on the agenda of the meeting of the Education & Children Scrutiny Committee to be held on 27th September, 2018 and the Social Care & Health Scrutiny Committee be invited to attend for consideration of that item.	Included in the FWP. Report to be presented to Committee on 26th November, 2018.	Steffan Smith/Mags Williams	COMPLETED

Education Children Scrutiny Committee Actions 2017-2018

E&C 009-18/19	27th September 2018	Action	Formula Funding For Schools - A workshop session on Formula Funding for Schools and the £0.5m funding for the School Development Fund be arranged for members of the Committee.	An initial Formula Funding Paper has been shared with members during the meeting held on 27th September, 2018. A workshop to explore issues in further detail is being arranged.	Andi Morgan	IN PROGRESS
E&C 010-18/19	27th September 2018	Action	Performance Monitoring Report Quarter 1 - With regard to the percentage of children who have re-registered on the Child Protection Register, the Committee to be provided with more information about the national target and comparators across Welsh Authorities.		Steffan Smith/ Frances Lewis	IN PROGRESS
E&C 011-18/19						
E&C 012-17/18						
E&C 013-17/18						

Education Children Scrutiny Committee Actions 2017-2018

Mae'r dudalen hon yn wag yn fwiadol

EDUCATION & CHILDREN SCRUTINY COMMITTEE

26TH NOVEMBER 2018

EXPLANATION FOR NON-SUBMISSION OF SCRUTINY REPORT

ITEM	RESPONSIBLE OFFICERS	EXPLANATION	REVISED SUBMISSION DATE
Youth Support Service Business Plan	Aeron Rees Andi Morgan	This report will be considered as part of the Education & Children's Services Departmental Business Plan 2018/19-2021.	20 th December 2018

Mae'r dudalen hon yn wag yn fwriadol

EDUCATION & CHILDREN SCRUTINY COMMITTEE

26TH NOVEMBER 2018

EXPLANATION FOR NON-SUBMISSION OF SCRUTINY REPORT

ITEM	RESPONSIBLE OFFICER	EXPLANATION	REVISED SUBMISSION DATE
Local Authority Education Services Self Evaluation	Andi Morgan	Officers are currently collating and preparing additional information in support of the presentation of a more detailed and comprehensive document. This will enable Members to undertake a more informed analysis and scrutiny of the evaluation of our services across all elements of the revised Estyn Framework for the Inspection for LA Education Services.	24 th January 2019

Mae'r dudalen hon yn wag yn fwriadol

EDUCATION & CHILDREN SCRUTINY COMMITTEE

26TH NOVEMBER 2018

FORTHCOMING ITEMS FOR NEXT MEETING TO BE HELD ON 20TH DECEMBER 2018

In order to ensure effective Scrutiny, Members need to be clear as to the purpose of requesting specific information and the outcome they are hoping to achieve as a consequence of examining a report. Limiting the number of agenda items may help to keep meetings focused and easier to manage.

Proposed Agenda Item	Background	Reason for report
3 Year Budget Consultation	This item will provide members with an opportunity to consider and comment upon the budget settlement, departmental service budgets and efficiency savings proposals.	The objective of the report is to allow members to consider the corporate budget strategy for the financial years 2018/19 to 2020/21 and to consider the service delivery impact and options for the forthcoming years
Education & Children's Services Departmental Business Plan 2018/19-2021	This item will enable the Committee to consider and comment upon the Education & Children's Services Departmental Business Plan 2018/19–2021 relevant to its remit.	To provide members with an opportunity to review the department's business plan alongside the budget. It will also assist with the integration of financial and business planning.
ERW Business Plan 2018-19 & Review of 2017-18	This item will provide an opportunity for members to comment upon ERW's functions; the continuation of the statutory responsibilities within each Local Authority, collaborative working across the region and receive an update on the ERW Business Plan.	To enable members to exercise their scrutiny role in relation to monitoring ERW's performance.

TIC Programme for Schools Update	This item will provide the Committee with an update on the work of the TIC Team and examples of projects that it has supported in services that are within the Committee's remit.	To enable members to exercise their scrutiny role in relation to monitoring arrangements to support the ongoing efficiency of Carmarthenshire schools.
Healthy Schools Initiative	This item will provide an opportunity for members to comment upon the Healthy Schools Initiative.	To enable members to exercise their scrutiny role.

Items circulated to the Committee under separate cover since the last meeting

None.

The following documents are attached for information:-

- (1) *The latest version of the Education & Children Scrutiny Committee's Forward Work Programme;*
- (2) *The latest version of the Executive Board's Forward Work Programme.*

Education & Children Scrutiny Committee – Forward Work Programme 2018/19

14 th May 2018	7 th June 2018	4 th July 2018 (Jt with SC&H)	5 th July 2018	27 th Sept 2018	26 th Nov 2018	20 th Dec 2018	24 th Jan 2019	13 th Mar 2019	24 th Apr 2019
MEP – Proposal to Increase Capacity of Gorslas - 110 to 210	ALN Reform including SEN	Annual Report of Director of Social Services 2017/18	Carmarthen-shire County Council's Annual Report 2017/18	Prov Exam & Teacher Assessment Results & Prov School Att Data	West Wales Regional P'ship (Young Carers) invite SC&H SC	3-year Revenue Budget Consultation	School Performance & Achievement 2017/18	WG Categorisation of Schools 2018	Corporate Parenting & Safeguarding Panel Annual Report 2018
MEP – Pembrey – Proposal to Increase Age Range From 4-11 to 3-11	E&C Scrutiny Committee Forward Work Programme 2018/19		Carmarthen-shire Music Service Update	Q1 New Corporate Strategy Performance Monitoring Report 2018/19	School Redundancy & EVR	Education & Children's Services Departmental Business Plan 2018/19-2021	MEP Progress Report to December 2018	Welsh in Education Strategic Plan (WESP) inc continuum and transfer from primary schools	Fostering Annual Report
Task & Finish Review 2015/16 Action Plan Monitoring	Actions & Referrals Update		Approaches to Securing Positive Behaviour in Carmarthen-shire Schools	Adoption Service Annual Report	Local Authority Education Services Self Evaluation	ERW Business Plan 2018-19 & Review of 2017-18 (inc update on curriculum changes)	New Children's Zone	Wellbeing Strategy	Q3 Performance Monitoring Report 2018/19
TIC Programme for Schools Update			Recruitment & Retention of Staff – Teachers and Head-teachers	Youth Support Service Business Plan	Youth Support Service Business Plan	TIC Programme for Schools Update	Adult Community Learning	ALN Reform (including SEN)	WG Categorisation of Schools 2018
			ERW Core Visits SCC Follow Up	£0.5m Funding for Schools	School Admissions and Appeals Process	Healthy Schools Initiative	£0.5m funding for School Development Fund	Actions & Referrals Update	
Tudalen 197			Elective Home Education – Cabinet Secretary's Response	Delegated Schools funding inc ALN funding	E&C Scrutiny Committee Annual Report 2017/18		Local Authority Education Services Self Evaluation		

Tudalen 198					Actions & Referrals Update				
					Revised School Organisation Code				
					Budget Monitoring Report				

EXECUTIVE BOARD FORWARD WORK PROGRAMME 2018/19/20

as at 30th July 2018

Introduction

This plan is published to encourage and enable greater understanding between the Executive, all Councillors, the public and other stakeholders. It assists the Scrutiny Committees in planning their contribution to policy development and holding the executive to account.

The plan gives the public and stakeholders a chance to see the forthcoming major decisions to be made by the Executive Board and the County Council over the next 12 months. It is reviewed and published quarterly to take account of changes and additional key decisions.

WORKING DRAFT

EXECUTIVE BOARD FORWARD WORK PROGRAMME 2018/19/20 as at 30th July 2018

CHIEF EXECUTIVES

Subject area and brief description of nature of report	Responsible Officer	Executive Board Member	Date to Scrutiny	Date to Executive Board	Date to County Council
QUARTERLY PERFORMANCE REPORT	Wendy Walters Director of Regeneration & Policy	HR	All	N/A	N/A
DISPOSALS POLICY	Wendy Walters, Director of Regeneration & Policy/Jason Jones			Sept	
EQUALITIES REPORT	Wendy Walters, Director of Regeneration & Policy/Gwyneth Ayres	Housing	July	July	

EXECUTIVE BOARD FORWARD WORK PROGRAMME 2018/19/20
as at 30th July 2018

CHIEF EXECUTIVES					
Subject area and brief description of nature of report	Responsible Officer	Executive Board Member	Date to Scrutiny	Date to Executive Board	Date to County Council
COMPLAINTS AND COMPLIMENTS ANNUAL REPORT	Wendy Walters	Deputy Leader	All Sept		
ENVIRONMENT SCRUTINY TASK AND FINISH REPORT 'To review the current provision for the maintenance of highway hedgerows and verges'.	Chair of Environment Scrutiny Committee	Environment		Oct 2018	
SICKNESS ABSENCE UPDATE	Paul R Thomas	Deputy Leader	June – monitoring report		
PAY POLICY STATEMENT 2019	Paul Thomas Assistant Chief Executive	Deputy Leader	N/A	N/A	MARCH
TRANSFORMATION INNOVATION AND CHANGE ANNUAL REPORT	Jon Owen – TIC MANAGER	Deputy Leader	OCT	OCT 18	

EXECUTIVE BOARD FORWARD WORK PROGRAMME 2018/19/20 as at 30th July 2018

CHIEF EXECUTIVES

Subject area and brief description of nature of report	Responsible Officer	Executive Board Member	Date to Scrutiny	Date to Executive Board	Date to County Council
WELLBEING OBJECTIVES	Wendy Walters Director of Regeneration and Policy	Communities and Rural Affairs			
ANNUAL REVIEW OF THE CONSTITUTION - CRWG	Linda Rees Jones Head of Administration & Law	N/A CRWG - FEB		APRIL	May AGM
ANNUAL PROGRESS REPORT - DIGITAL TRANSFORMATION STRATEGY 2017-2020	Noelwyn Daniel Head of ICT	Deputy Leader	APRIL	MAY	

EXECUTIVE BOARD FORWARD WORK PROGRAMME 2018/19/20
as at 30th July 2018

CHIEF EXECUTIVES					
Subject area and brief description of nature of report	Responsible Officer	Executive Board Member	Date to Scrutiny	Date to Executive Board	Date to County Council
WELSH LANGUAGE ANNUAL REPORT	Wendy Walters, Director of Regeneration & Policy/Gwyneth Ayres	Culture, Sport & Tourism	June	July	
ANNUAL REVIEW OF COUNCILLORS' & CO-OPTED MEMBERS' ALLOWANCES SCHEME	Gaynor Morgan Democratic Services		Democratic Services Cttee MARCH 2019		May 2019 AGM
WELSH GOVERNMENT CONSULTATION DOCUMENTS	Wendy Walters Director of Regeneration & Policy	Deputy Leader	If applicable	If applicable	If applicable
REVIEW OF COMMUNITY COUNCIL BOUNDARIES & ELECTORAL ARRANGEMENTS	Wendy Walters, Director of Regeneration & Policy	Resources	As and when required		

EXECUTIVE BOARD FORWARD WORK PROGRAMME 2018/19/20 as at 30th July 2018

CHIEF EXECUTIVES

Subject area and brief description of nature of report	Responsible Officer	Executive Board Member	Date to Scrutiny	Date to Executive Board	Date to County Council
REVIEW OF THE CONSTITUTION (LEGISLATION CHANGES) - CRWG	Linda Rees Jones Head of Administration & Law	N/A CRWG - FEB	N/A	AS AND WHEN REQUIRED	AS AND WHEN REQUIRED
CONFERENCE APPLICATIONS/REPORTS	Gaynor Morgan Democratic Services Manager	Leader	N/A	N/A	N/A
FORWARD WORK PROGRAMME AND UPDATE QUARTERLY	Gaynor Morgan Democratic Services Manager	Business Manager		APRIL OCT	
CITY DEAL UPDATE (INCLUDING LIFE SCIENCE & WELLNESS PROJECT	Wendy Walters Director of Regeneration and Policy	Leader			
RURAL AFFAIRS TASK GROUP REPORT	Wendy Walters Director of Regeneration & Policy/Gwyeth Ayres	Communities & Rural Affairs			

EXECUTIVE BOARD FORWARD WORK PROGRAMME 2018/19/20
as at 30th July 2018

COMMUNITY SERVICES					
Subject area and brief description of nature of report	Responsible Officer	Executive Board Member	Date to Scrutiny or other Cttee	Date to Executive Board	Date to County Council
ANNUAL REPORT OF THE DIRECTOR OF SOCIAL SERVICES	Silvana Sauro	SC&H	04/07/18 Joint SC&H & E&CS	30/07/18	10/10/18
NON RESIDENTIAL CHARGES 2019-2022	Lyn Walters/ Rhys Page	SC&H		TBC	
REVISED CHARGING POLICY (pre consultation)	Lyn Walters/ Rhys Page	SC&H			
REVIEW OF LICENSING AND GAMBLING POLICIES	Jonathan Morgan (Emyr Jones)	Public Protection	01/10/18 E&PP & Licensing C'ttee 24/10/18	19/11/18	12/12/18
ENVIRONMENTAL PROTECTION SERVICE DELIVERY PLAN	Jonathan Morgan (Sue Watts)	Public Protection	E&PP 01/10/18	22/10/18	NO
TENANT VISION ENGAGEMENT PLAN (PRE CONSULTATION)	Jonathan Morgan (Les James)	Housing		?	No

EXECUTIVE BOARD FORWARD WORK PROGRAMME 2018/19/20
as at 30th July 2018

COMMUNITY SERVICES

Subject area and brief description of nature of report	Responsible Officer	Executive Board Member	Date to Scrutiny or other Cttee	Date to Executive Board	Date to County Council
HOMELESSNESS STRATEGY	Jonathan Morgan	Housing	Community 04/10/18	22/10/18 or 19/11/18	14/11/18 or 12/12/18
UNIVERSAL CREDIT ACTION PLAN	Jonathan Morgan	Housing	Community 04/10/18	22/10/18	
CHS+ DELIVERING WHAT MATTERS BUSINESS PLAN	Jonathan Morgan	Housing	Yes Community Jan 2019	Yes	Yes

EXECUTIVE BOARD FORWARD WORK PROGRAMME 2018/19/20
as at 30th July 2018

CORPORATE SERVICES					
Subject area and brief description of nature of report	Responsible Officer	Executive Board Member	Date to Scrutiny	Date to Executive Board	Date to County Council
BI-MONTHLY REVENUE AND CAPITAL BUDGET MONITORING REPORTS	Chris Moore Director of Corporate Services	RESOURCES	N/A	APRIL JUNE SEPT NOV JAN MARCH	N/A
QUARTERLY TREASURY MANAGEMENT AND PRUDENTIAL INDICATOR REPORT	Chris Moore Director of Corporate Services	RESOURCES	N/A	JULY OCT JAN	N/A
ANNUAL TREASURY MANAGEMENT & PRUDENTIAL INDICATOR REPORT	Chris Moore Director of Corporate Services	RESOURCES	N/A	JULY	
RESERVES STRATEGY	Chris Moore Director of Corporate Services	RESOURCES		OCT	N/A
5 YEAR CAPITAL PROGRAMME	Chris Moore Director of Corporate Services	RESOURCES	ALL DEC/ JAN	NOV	N/A

EXECUTIVE BOARD FORWARD WORK PROGRAMME 2018/19/20 as at 30th July 2018

CORPORATE SERVICES

Subject area and brief description of nature of report	Responsible Officer	Executive Board Member	Date to Scrutiny	Date to Executive Board	Date to County Council
5-YEAR CAPITAL RECEIPT STRATEGY	Wendy Walters, Director of Regeneration & Policy	RESOURCES	n/a	n/a	n/a
COUNCIL TAX SETTING REPORT	Chris Moore Director of Corporate Services	RESOURCES	n/a	n/a	march
COUNCIL TAX BASE	Chris Moore / John Gravelle	RESOURCES	N/A	NOV	MARCH
Council Tax Reduction Scheme	Chris Moore / John Gravelle	RESOURCES	N/A	N/A	JAN
BUDGET STRATEGY (Revenue and Capital)	Chris Moore Director of Corporate Services	RESOURCES	ALL DEC/ JAN	NOV	N/A
HIGH STREET RATE RELIEF	Chris Moore /John Gravelle	RESOURCES	N/A	End May/ early June	N/A
RISK STRATEGY	Chris Moore / Helen Pugh	RESOURCES	TBC – Audit Committee		

EXECUTIVE BOARD FORWARD WORK PROGRAMME 2018/19/20
as at 30th July 2018

CORPORATE SERVICES					
Subject area and brief description of nature of report	Responsible Officer	Executive Board Member	Date to Scrutiny	Date to Executive Board	Date to County Council
FINANCIAL PROCEDURE RULES	Chris Moore / Helen	RESOURCES	TBC – Audit Committee		
BUDGET OUTLOOK (Revenue and Capital)	Chris Moore Director of Corporate Services	RESOURCES	ALL DEC/ JAN	NOV	N/A
TREASURY MANAGEMENT POLICY AND STRATEGY	Chris Moore Director of Corporate Services	RESOURCES	N/A	FEB	FEB
FINAL BUDGET	Chris Moore Director of Corporate Services	RESOURCES	N/A	FEB	FEB
HOUSING REVENUE ACCOUNT BUDGET AND RENT SETTING REPORT	Chris Moore Director of Corporate Services	RESOURCES	HOUSING	FEB	FEB
BUDGET OUTLOOK	Chris Moore Director of Corporate Services	RESOURCES	N/A	JULY/SEPT	N/A

EXECUTIVE BOARD FORWARD WORK PROGRAMME 2018/19/20 as at 30th July 2018

EDUCATION & CHILDREN

Subject area and brief description of nature of report	Responsible Officer	Executive Board Member	Date to Scrutiny	Date to Executive Board	Date to County Council
MODERNISING EDUCATION PROGRAMME - QUARTERLY PROGRESS REPORTS	Simon Davies - Modernisation Services Manager	E&C	N/A	N/A	N/A
ACCOMMODATING LOOKED AFTER CHILDREN – COMMISSIONING & COSTS	Stefan Smith - Head of Children's Services	E&C			
CSSIW INSPECTION, EVALUATION & REVIEW OF LOCAL AUTHORITY SERVICES	Jake Morgan – Director of Communities	E&C/SC&H			
SCHOOL VISITS REPORT	Andi Morgan – Interim Head of Education Services	E&C			
ESTYN REPORT – ANNUAL SYNOPSIS	Andi Morgan – Interim Head of Education Services	E&C			

EXECUTIVE BOARD FORWARD WORK PROGRAMME 2018/19/20
as at 30th July 2018

ENVIRONMENT					
Subject area and brief description of nature of report	Responsible Officer	Executive Board Member	Date to Scrutiny	Date to Executive Board	Date to County Council
FLOOD RISK MANAGEMENT PLAN	Ruth Mullen Director of Environment / Ainsley Williams Head of Waste & Environmental Services	Environment		July 18	
LDP ANNUAL MONITORING REPORT	Ruth Mullen Director of Environment / Llinos Quelch Head of Planning	Deputy Leader	Special Community Scrutiny	24th Sept	10th Oct
PARKING STRATEGY	Ruth Mullen Director of Environment / Steve Pilliner Highways & Transport	Environment	30th July		

EXECUTIVE BOARD FORWARD WORK PROGRAMME 2018/19/20

as at 30th July 2018

ENVIRONMENT

Subject area and brief description of nature of report	Responsible Officer	Executive Board Member	Date to Scrutiny	Date to Executive Board	Date to County Council
HIGHWAYS DESIGN GUIDE	Ruth Mullen Director of Environment / Steve Pilliner Highways & Transport	Environment		Oct 18	
WASTE DISPOSAL CONTRACT AWARD	Ruth Mullen Director of Environment / Ainsley Williams Head of Waste & Environmental Services	Environment			

EXECUTIVE BOARD FORWARD WORK PROGRAMME 2018/19/20
as at 30th July 2018

ENVIRONMENT					
Subject area and brief description of nature of report	Responsible Officer	Executive Board Member	Date to Scrutiny	Date to Executive Board	Date to County Council
ANNUAL MONITORING REPORT PLANNING	Ruth Mullen Director of Environment / Llinos Quelch Head of Planning	Deputy Leader		24/09	10/10
LDP PREFERRED STRATEGY	Ruth Mullen Director of Environment / Llinos Quelch Head of Planning	Deputy Leader	22/10	14/11	
ROWIP	Ruth Mullen Director of Environment / Steve Pilliner Highways & Transport	Environment			

Mae'r dudalen hon yn wag yn fwiadol

THURSDAY, 27 SEPTEMBER, 2018

PRESENT: Councillor D. Price [Chair]

Councillors:

L.R. Bowen, K.V. Broom, I.W. Davies, J.P. Jenkins, B.W. Jones, D. Jones, G.R. Jones, M.J.A. Lewis, E.M.J.G. Schiavone, B. Thomas and D.T. Williams

Mr J. Davies – Parent Governor [Llanelli Area]

Mrs M. Jones – Parent Governor [Dinefwr Area]

Mrs V. Kenny – Roman Catholic Church Representative

Mrs J. Voyle-Williams – Church in Wales Representative

The following Officers were in attendance:

Mr S. Davies	-	Head of Access to Education
Mr A. Morgan	-	Head of Education & Children
Mr A. Rees	-	Head of Curriculum & Wellbeing
Ms F. Lewis	-	Service Manager
Ms E. Forsythe	-	Principal Challenge Adviser
Mr J. Buck	-	Performance & Information Officer
Mrs M. Evans Thomas	-	Principal Democratic Services Officer

Chamber, County Hall, Carmarthen : 10.00 a.m. - 12.30 p.m.

1. APOLOGIES AND OTHER MATTERS

Apologies for absence were received from Councillor E.G. Thomas, who was representing the Committee at a conference, and Mrs G. Cornock Evans (Parent Governor Member).

The Chair referred to the tragic passing of Bradley John and extended deepest sympathy, on behalf of the Committee, to Bradley's family and friends and to the staff and pupils at St. John Lloyd School. Grateful thanks were also extended to staff in the Education Department for their support to all concerned at this difficult time.

2. DECLARATIONS OF PERSONAL INTEREST INCLUDING ANY PARTY WHIPS ISSUED IN RELATION TO ANY AGENDA ITEM

The following declarations of personal interest were made:-

Councillor	Minute Item(s)	Nature of Interest
G. Jones	4 – Performance Monitoring Report – Quarter 1	His wife works in the Education Department.
G. Jones	5 – Provisional Examination and Teacher Assessment Results and Provisional School Attendance Data	His wife works in the Education Department.
G. Jones	7 - Formula Funding for Schools	His wife works in the Education Department.

There were no declarations of prohibited party whips.

3. PUBLIC QUESTIONS (NONE RECEIVED)

The Chair advised that no public questions had been received.

4. PERFORMANCE MONITORING REPORT - QUARTER 1 - 1ST APRIL TO 30TH JUNE 2018

[NOTE: Councillor G. Jones had earlier declared an interest in this item.]

The Committee considered the Performance Monitoring Report for the period 1st April to 30th June 2018 (Quarter 1), which set out the progress against actions and measures in the New Corporate Strategy 2018-23 to deliver the 2018/19 Well-being Objectives relevant to the Committee's remit, as at 30th June, 2018.

The following questions/observations were raised on the report:-

- Concern was expressed that of the 27 measures reported, 20 have either not started or data is not collected for quarter 1 and 2 are not available. Also the with regard to the 67 actions reported as being on target, it was pointed out that the targets dates are not until 2019/20. The Head of Education Services explained that the term "on target" is historic and what is meant is that in relation to performance in quarter 1, officers do not perceive any challenges to meeting the targets;
- Concern was expressed over the format of the report in that themes 11 and 13 appeared between themes 1 and 2. Officers agreed to look at the formatting of future reports;
- With regard to the percentage of children who have re-registered on the Child Protection Register, officers were asked how the target is set. The Committee was advised that it is a national target and is a comparator across Welsh Authorities;
- With regard to the action to develop Welsh in all our education services, officers were asked about the workshop sessions and whether parents and individual children are targeted. The Head of Curriculum and Wellbeing explained that the aim of the workshops was to break down the vision into parts. Unfortunately, they were poorly attended and it was hoped to re-run the workshop at the next Primary and Secondary Heads meeting. He added that with regard to involving parents, he goes out to speak to parents with the Authority's Welsh Language Development Manager;
- Schools are being asked to encourage parents to pursue bilingual education for their children and officers were asked what is being done with regard to persuading those parents who have decided against bilingual education. The Head of Curriculum and Wellbeing explained that all the necessary information is contained in the school prospectus and the Information for Parents booklet which is sent to parents of all children about to start school;
- Reference was made to previous concerns raised by the Committee regarding Mutual Investment Models and private companies making a profit from education and officers were asked for an update. The Head of Access to Education advised the Committee that the concerns raised are shared by other Local Authorities. Officers are awaiting a steer from the Welsh

Government, following which a report will be prepared for presentation to Committee;

- In relation to proposed modernisation projects at Ysgol Rhys Pritchard, officers were asked if the catchment areas in the Dinefwr area are going to be looked at. The Head of Access to Education agreed that the catchment areas need looking at as they haven't been reviewed since 2010 due to a lack of resources. However, he pointed out that the fundamental question to be addressed moving forward is whether we need catchment areas and he was in the process of looking into this option and finding out what other Local Authorities do;
- Reference was made to the recent tragic event at St. John Lloyd School and to two other similar untimely deaths in the county and officers were asked if they are happy that mental and physical health is enough of a priority for the Authority. The Head of Education Services assured the Committee that it is a priority, however, one body cannot address this issue alone and a multi-agency approach was essential. The Head of Curriculum and Wellbeing stressed the importance of ensuring that schools are places which are welcoming, safe and empathetic. He added that a Wellbeing Strategy is being formulated, which is scheduled in the forward work programme to be scrutinised in March 2019. The safeguarding and wellbeing of our children is of utmost importance and wellbeing, care, support and guidance form part of the training package offered to all schools.

RESOLVED that the report be received.

5. PROVISIONAL EXAMINATION AND TEACHER ASSESSMENT RESULTS AND PROVISIONAL SCHOOL ATTENDANCE DATA

[NOTE: Councillor G. Jones had earlier declared an interest in this item.]

The Committee considered a report providing an overview of the performance data for Carmarthenshire Schools. The Committee noted that the data provided in respect of KS4/5 remained provisional at this stage.

The following observations were raised on the report:-

- It was pointed out that progress should be consistent from year to year and officers were asked why this was not the case and why we aren't seeing progress in relation to staff absence. The Head of Education Services informed the Committee that it was hoped that the supply teacher pilot scheme in the Llanelli area will yield positive results in that respect. The Principal Challenge Adviser explained that there are Support Officers at schools to help with reducing levels of stress. Challenge Advisers focus on the specific needs of the school.

RESOLVED that the report be received.

6. NATIONAL ADOPTION SERVICE ANNUAL REPORT

The Committee considered the National Adoption Service Annual Report for 2017/18 which had been compiled by the National Adoption Service (NAS) and

detailed the work and performance of the five National Adoption Service Regions that comprise the NAS.

The following questions/observations were raised on the report:-

- Reference was made to the increase in the number of people who are asking for help and officers were asked why this is the case. The Service Manager explained that the increase could be attributed to an increased awareness due to the fact that there is more information available and also initiatives to raise awareness of the support available;
- With regard to the additional funding allocated to voluntary organisations by the Welsh Government, officers were asked if it would have been better for the money to have been allocated to the Region. The Service Manager explained that, whilst the Region would have welcomed the funding, there is only a finite amount of money available and it was felt that it would be better to develop things nationally so as to benefit all;
- Officers were asked how rigorous the process is of ensuring that children are placed with the right adopters. The Service Manager explained that there are regular reviews between selection and completion of the formal adoption process.

RESOLVED that the report be received.

7. FORMULA FUNDING FOR SCHOOLS

[NOTE: Councillor G. Jones had earlier declared an interest in this item.]

The Committee considered a report providing an overview of current arrangements for funding our schools in line with Welsh Government practice and procedures.

The majority of funding for pre-16 provision in maintained schools comes from the Welsh Government's local government budget, via the Revenue Support Grant. Schools also receive specific grants, mainly from Welsh Government.

The Revenue Support Grant (RSG) is allocated to Local Authorities to deliver the services for which they are responsible, using a commonly agreed formula. The other main sources of funding for Local Authority budgets are council tax and non-domestic rates incomes, and specific grants.

The amount of RSG each Local Authority in Wales receives is announced annually in the Local Government Settlement. This is un-hypothecated, meaning that the amount of money within the RSG that Local Authorities should use to provide their services is not stipulated. However, the Welsh Government does include in the settlement an Indicator-Based Assessment (IBA) for each service area, which is a national calculation of the money each Council needs to spend to provide a standard level of service. The Welsh Government says IBAs are not spending targets and it is for each Local Authority to determine its own spending priorities from its overall funding allocation and what it can raise from council tax.

Following receipt of their settlement allocation from the Welsh Government, Local Authorities set budgets for the service areas for which they are responsible, including education, according to local needs and priorities.

The Schools Budget covers expenditure which is directly aimed at supporting schools. It comprises expenditure on services for which the Local Authority may retain funding centrally, such as other ALN funding, school meals and milk.

The amount of expenditure retained centrally is deducted from the Schools Budgets and the remainder makes up the Individual Schools Budget (ISB) i.e. funding delegated to schools.

RESOLVED

7.1 that the report be received;

7.2 that a workshop session on Formula Funding for Schools and the £0.5m funding for the School Development Fund be arranged for members of the Education & Children Scrutiny Committee.

8. EXPLANATION FOR NON SUBMISSION OF SCRUTINY REPORT

The Committee noted the reasons for the non-submission of the following report:-

- £0.5m funding for School Development Fund

RESOLVED that the information be noted.

9. FORTHCOMING ITEMS

The Committee considered the list of forthcoming items and agreed that the items should be presented to the next meeting.

RESOLVED that the list of forthcoming items to be considered at the next scheduled meeting to be held on 26th November, 2018 be agreed.

10. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETINGS OF THE COMMITTEE HELD ON THE FOLLOWING DATES:-

11.1. 14TH MAY, 2018;

RESOLVED that the minutes of the meeting of the Committee held on 14th May, 2018 be signed as a correct record.

11.2. 5TH JULY, 2018.

RESOLVED that the minutes of the meeting of the Committee held on 5th July, 2018 be signed as a correct record.

CHAIR

DATE

Mae'r dudalen hon yn wag yn fwriadol