17EG MEDI 2018

Aelod y Bwrdd Gweithredol:	Portffolio:
Cyng. Glynog Davies	Addysg a Phlant

Y RHAGLEN MODERNEIDDIO ADDYSG

Y BROSES BENDERFYNU YNGHYLCH TREFNIADAETH YSGOLION

Yr argymhellion / penderfyniadau allweddol sydd eu hangen:

Argymhellir bod Aelod y Bwrdd Gweithredol yn cymeradwyo:

- y broses ddiwygiedig ar gyfer datblygu cynigion statudol fel y manylir arnynt yn y siart llif atodedig.

Rhesymau:

- Er mwyn cydymffurfio â gweithdrefnau a chanllawiau statudol mewn perthynas ag ad-drefnu ysgolion yn unol â'r Cod Trefniadaeth Ysgolion newydd sydd i'w gyhoeddi yn ystod Tymor yr Hydref 2018.

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

Declaration of Personal Interest (if any):
None

Dispensation Granted to Make Decision (if any):

N/A

(If the answer is yes exact details are to be provided below:)

DECISION MADE:

Signed:
_____DATE:_____
EXECUTIVE BOARD MEMBER

The following section will be completed by the Democratic Services Officer in attendance at the meeting

Recommendation of Officer adopted	YES / NO
Recommendation of the Officer was adopted **subject to the amendment(s) and reason(s) specified:**	
Reason(s) why the Officer's recommendation was **not adopted**:	

MODERNISING EDUCATION PROGRAMME (MEP)

SCHOOL ORGANISATION DECISION MAKING AND DETERMINATION PROCESS

Background Information

The School Standards and Organisation (Wales) Act 2013 and School Organisation Code 2013 came into effect as of the 1st October 2013 and significantly changed responsibilities for the determination of school organisation proposals. The Act provided all Local Authorities with greater decision making powers and allowed Local Authorities to determine all school organisation proposals with the exception of those which affect sixth form education; or those that have been made by a proposer other than the relevant local authority and an objection has been made by that local authority.

In 2015, following the publication of the School Organisation Code 2013, Carmarthenshire County Council approved a new "School Organisation Decision Making and Determination Process" which reduced the timescale to complete and approve statutory proposals in relation to school re-organisation. This process allowed the Executive Board to approve Stage 1 (Permission to Consult) and Stage 2 (Permission to Notice) with County Council approving Stage 3 (Permission to Implement).

Consultation on the School Organisation Code

On 30th June 2017, following three years of operation, Welsh Government published a consultation on a review of the School Organisation Code. The consultation was based on the reflection of feedback and learning during the period and stakeholders were asked to submit their responses by 30th September 2017.

The most substantial change proposed, is to strengthen the Code in respect of a presumption against closure of rural schools. The "Consultation – summary of response" published on 2nd July 2018 notes that *"when considering whether closure is appropriate the current Code states that special attention should be given to alternatives to closure and when consulting on proposals the consultation document must contain a description of any alternatives and the reasons why they have been discounted. We believe that considering all the possible alternatives should be a two-stage process. The proposer should do this before they even reach a decision to consult on a proposal to close, and should also consider any*

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further options or suggestions that emerge during the consultation process. The aim is to ensure that the decision to propose and consult on a closure of a rural school is taken only after all alternatives to closure have been considered, including federation."

It is expected that the new School Organisation Code, which includes the presumption against closure of rural schools, will be published sometime during the Autumn term 2018.

Moving Forward

In light of the expected publication of the new School Organisation Code, Carmarthenshire County Council must now ensure that its process for proceeding with and approving statutory procedures falls in line and adheres to the necessary requirements. As a result, the Authority has amended its "School Organisation Decision Making and Determination Process" to include Stage 0.

As can be seen in the attached flow chart, Stage 0 would begin with a scoping and information gathering exercise on the school(s) under question. Based on this information along with MECP Programme Board comments, officers would prepare a School Review Report containing a detailed analysis of the schools' current positions, noting any key issues. The School Review Report would then be presented to Departmental Management Team (DMT) for a decision on whether to engage with stakeholders on possible options. If DMT refuse permission to engage with stakeholders, the proposal would end. However, if DMT grant permission to engage with stakeholders, officers would proceed to engage with the relevant Local Member(s), Headteacher(s) and Chair of Governing Bodies (and any possible affected school) on appropriate options for the school(s) under review. The results of the informal engagement would then be documented in a Proposal Report containing a preferred option and stakeholder engagement feedback which would be presented to the Executive Board for permission to consult on the proposal (Stage 1).

It is believed that the inclusion of Stage 0 will result in a more open and transparent system, as required by Welsh Government and will demonstrate that the Local Authority has considered all possible options for the schools under review without presuming closure.

Recommendation

It is recommended that the Executive Board Member approves the amended process for progressing strategic reviews and statutory proposals as detailed in the attached illustrative flow chart.

DETAILED REPORT ATTACHED	Yes – **Illustrative Flow Chart for Strategic Review and Statutory Procedures**

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: Simon 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 report provides information on why the change is required in order to adhere to the new School Organisation Code due to be published during the Autumn term 2018 which will introduce a presumption against the closure of rural schools.

CONSULTATIONS

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

Signed: Simon Davies   **Head of Access to Education**

1. Scrutiny Committee – Not applicable at this time

2. Local Member(s) - Not applicable

3. Community / Town Council – Not applicable

4. Relevant Partners - Not applicable

5. Staff Side Representatives and other Organisations - Not applicable

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
School Organisation Code - Consultation Summary of Responses		https://beta.gov.wales/school-organisation-code
School Organisation Code – Consultation Document		https://beta.gov.wales/school-organisation-code
School Organisation Code (2013)		https://beta.gov.wales/school-organisation-code-0
School Standards and Organisation (Wales) Act 2013		http://www.legislation.gov.uk/anaw/2013/1/contents/enacted

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