

Y BWRDD GWEITHREDOL

22 MAWRTH 2021

PARTERIAETH GWELLA YSGOLION YN Y DYFODOL

Y Pwrpas:

Ystyried safbwynt Sir Gaerfyrddin o ran trefniadau gwella ysgolion rhanbarthol.

Yr argymhellion / penderfyniadau allweddol sydd eu hangen:

Oherwydd oedi wrth ddatblygu a sefydlu model partneriaeth newydd ar gyfer ERW, gofynnir i'r Bwrdd Gweithredol ohirio tynnu'n ôl o'r gwasanaeth gwella ysgolion rhanbarthol (ERW) o 31 Mawrth 2021 tan 31 Awst 2021.

Argymhellir bod yr Aelod o'r Bwrdd Gweithredol yn -

1. Nodi, ers cyflwyno'r hysbysiad i dynnu'n ôl o ERW, nad yw'r gwaith o ran ôl troed a model newydd ar gyfer gwella ysgolion rhanbarthol wedi'i ddatblygu i raddau sy'n galluogi trosglwyddiad didrafferth i fodel newydd erbyn 31 Mawrth 2021.
2. Nodi ei bod yn debygol y bydd angen gwneud newidiadau cyfreithiol i drefniadau llywodraethu unrhyw fodel newydd ar gyfer gwella ysgolion, ac na fydd hynny wedi digwydd erbyn 31 Mawrth 2021.
3. Cytuno felly i dynnu'n ôl yr hysbysiad i dynnu'n ôl, ac yn aros yn ERW tan 31 Awst 2021 neu hyd nes y bydd trefniadau newydd ar waith.
4. Dirprwyo awdurdod i'r Cyfarwyddwr Addysg a Gwasanaethau Plant ac i Bennaeth y Gwasanaethau Cyfreithiol fod yn rhan o unrhyw Weithred o Amrywiad sy'n angenrheidiol i sicrhau unrhyw newid i'r trefniadau tynnu'n ôl neu unrhyw newidiadau angenrheidiol eraill a gymeradwywyd gan y Cyd-bwyllgor.

Rhesymau:

Ar gais Cyd-bwyllgor ERW (Rhagfyr 9, 2019) cafodd Cyfarwyddwyr y dasg o nodi map ffordd/arfarniad opsiynau ar gyfer unrhyw drefniadau tebygol o ran ERW yn y dyfodol. Mae'r gwaith hwn wedi datblygu ond wedi'i lesteirio gan fod swyddogion wedi gorfod canolbwyntio ar fusnes cysylltiedig â COVID-19.

Angen ymgynghori â'r Pwyllgor Craffu perthnasol

NAC OES

Angen i'r Bwrdd Gweithredol wneud penderfyniad

OES

Angen i'r Cyngor wneud penderfyniad

NAC OES

YR AELOD O'R BWRDD GWEITHREDOL SY'N GYFRIFOL AM Y PORTFFOLIO:-

Y Cynghorydd Glynog Davies

Y Gyfarwyddiaeth - Addysg a
Gwasanaethau Plant

Awdur yr Adroddiad: Gareth
Morgans

Linda Rees Jones

Swyddi:

Cyfarwyddwr Addysg a
Gwasanaethau Plant

Pennaeth y Gwasanaethau
Cyfreithiol.

Rhifau ffôn:

Cyfeiriadau E-bost:

EXECUTIVE SUMMARY

EXECUTIVE BOARD

22ND MARCH 2021

FUTURE SCHOOL IMPROVEMENT PARTNERSHIP

1. Introduction

In the Executive Board Meeting on the 16th of March 2020 the following recommendations were accepted in regard to the regional school improvement Consortium-

- The Executive Board is requested to agree the Swansea Bay City Deal footprint, subject to the provisions of the Legal Agreement.
- The Executive Board agrees that Carmarthenshire County Council issues notice to withdraw from ERW, should unanimous withdrawal not be agreed, subject to the provisions of the Legal Agreement.
- The Executive Board to agree an appropriate transition period subject to the provisions of the Legal Agreement. A year (2020/21) is recommended.
- The Executive Board to authorise the Director of Education and Children's Services and the Executive Board Member for Education and Children's Services in liaison with the Leader and Chief Executive Officer to develop the preferred model and ascertain impact of any changes (including legal, HR and financial), subject to the provisions of the Legal Agreement.

These recommendations were actioned by officers. On the 25th of March 2020, Cllr Emlyn Dole wrote to the other partners giving notice of Carmarthenshire County Council's intention to withdraw from ERW, under Clause 15.1 of the Joint Committee Agreement dated 16 July 2014, with effect from 31 March 2021.

2. Updated Position

The timing of the Withdrawal Notice coincided with the national escalation response to COVID-19 and whilst officers have been developing an alternative model progress has been gradual.

Currently, there are ongoing discussions within the Swansea Bay City Deal footprint local authorities to establish new education consortium arrangements. The formation of a new partnership or consortium has been complex and subject to the following issues:

- Not all local authorities had given sufficient notice to exit a legal agreement
- Not all local authorities have agreed, in a timely fashion, on the functions required by a new regional arrangement
- The contingent liabilities of exiting local authorities have become clearer
- The associated costs of any redundancies are c£2M
- There is now better clarity on Welsh Government's expectations of regional consortia arrangements for the future
- Service users in Swansea have now provided their views on what a new regional arrangement should deliver within Welsh Government's expectations
- Covid-19 response has taken priority

It is evident to Carmarthenshire officers that a 1st April 2021 implementation date is not achievable and places the Local Authority at significant risk in regard to costs associated with potential redundancies. The Joint Committee want to avoid any unnecessary costs and want a smooth transition from one body to another.

To that end it is recommended that we change the withdrawal date to the 31st of August, and we will then join the new school improvement partnership from the 1st of September 2021.

DETAILED REPORT ATTACHED ?

NO

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: E.D. Gareth Morgans

Director of Education and Children's Services

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

2. Legal

The Welsh Government guidance document 'National model for regional working' sets out the role, structure and governance arrangements for regional consortia.

Clause 15 of the ERW Legal Agreement to constitute a Joint Committee provides for withdrawal and indemnity for consequences of withdrawal.

The ERW Legal Agreement provides that any authority may withdraw from the agreement by giving notice in writing to each of the other authorities to expire 12 months from the end of the Financial Year in which the notice is given. The deferment of the exit date to 31 August 2021 will be communicated to other local authorities.

As this is a voluntary withdrawal each authority has agreed that, in the event that it gives notice of withdrawal to other authorities, it will indemnify the other authorities against any loss arising directly out of the consequences of its withdrawal.

The authority withdrawing shall remain liable for their contribution calculated to the date upon which its notice expires including any costs of redundancy directly attributable to the withdrawal of that authority as per clause 15.4 of the agreement which ranges from 100% in the first 2 years after withdrawal to 40% in the 5th year after withdrawal.

Any staffing implications arising from the withdrawal from ERW will be dealt with under the appropriate procedures. Appropriate legal advice should be sought as and when required.

Finance

The new staffing structure agreed by the new partners will need to be sustainable and fully / funded. Grant funding currently is delivered to partner LAs and schools via the consortium and should the footprint change we will need to work with Welsh Government on alternative arrangements. The cost of exiting on 31 March 2021 rather than 31 August 2021 could be as much as £0.5M. This is an estimate as redundancy costs for all exiting local authorities collectively are C£2M.

5. Risk Management Issues

The Department and ERW's Risk registers reflect Carmarthenshire's current identified risks in relation to School Improvement and associated remedial actions to reduce the risks.

7. Staffing Implications

Changes to the current structure could lead to significant redundancy costs.

CONSULTATIONS

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

Signed: E.D. Gareth Morgans

Director of Education and Children's Services

Relevant Partners

We have engaged with our schools on areas of provision they would like the regional partnership to provide for Carmarthenshire's schools.

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

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

THERE ARE NONE