

The Vale of Glamorgan Council

Cabinet Meeting: 12 December, 2016

Report of the Cabinet Member for Regeneration and Education

Proposal to Amalgamate St Helens Infant and St Helens Junior Schools from 1 May, 2017

Purpose of the Report

1. To determine a proposal published by the Catholic Archdiocese of Cardiff and the Governing Bodies of St. Helen's Catholic Infant and Junior schools to create a new all through 308 place Primary School by amalgamating St. Helen's Catholic Infant and Junior Schools.
2. To outline the process to be followed to allow a determination.

Recommendations

1. That Cabinet considers the objection report on the proposal.
2. Subject to consideration of the above, Cabinet approves implementation of the proposal to create a new all through 308 place Primary School plus nursery by amalgamating St. Helen's Catholic Infant and Junior Schools from 1 May 2017.
3. To refer the decision to the Learning and Culture Scrutiny Committee for consideration.

Reasons for the Recommendations

1. To ensure the views of objectors are taken into account in the decision making process.
2. Following the completion of a period of statutory notice, a decision is required on whether to implement the proposal to amalgamate St Helens Infant and Junior Schools.
3. To enable the Learning and Culture Scrutiny Committee to review the Cabinet's decision.

Background

3. The Governing Bodies of Voluntary Controlled (VC) and Voluntary Aided (VA) schools are responsible for publishing proposals for changes to those schools.

4. The proposal to amalgamate St Helens Infant and Junior Schools was put forward by the Catholic Archdiocese of Cardiff and the Governing Bodies of St. Helen's Catholic Infant and Junior schools.
5. The proposal was to create a new all through 308 place Primary School plus nursery by amalgamating St. Helen's Catholic Infant and Junior Schools from 1 May 2017.
6. The Catholic Archdiocese of Cardiff and the Governing Bodies of St. Helen's Catholic Infant and Junior schools agreed to proceed with a proposal to amalgamate both schools at meetings held in March and June 2015.
7. Consultation on the proposal took place between the 25 January and 18 March 2016. The consultation document is attached at [Appendix A](#) and is available on the schools' websites.
8. A consultation report ([Appendix B](#)) was published on 17 June 2016 in accordance with the statutory requirement to publish within 13 weeks after the end of the consultation period.
9. Following the consultation process the Catholic Archdiocese of Cardiff and the Governing Bodies of St Helens Catholic Infant and Junior Schools met to reassess the date for implementation of the proposal due to the time constraints for recruiting a headteacher and establishing a temporary governing body. It was agreed to implement a revised date for amalgamation of the 1 May 2017 that would be reflected in the statutory notice.
10. The Catholic Archdiocese of Cardiff and the Governing Bodies of St. Helen's Catholic Infant and Junior Schools' Cabinet agreed to proceed to the issue of a statutory notice on the proposal.
11. A statutory notice was published on 15 September 2016. The statutory notice period of 28 days (including 20 school days), was closed on 14 October 2016. A copy of the notice is attached as at [Appendix C](#).

Relevant Issues and Options

12. The Welsh Government issued a School Organisation Code in 2013 that came into effect on 1 October 2013. Proposers must "act in accordance with the Code" as determined by the School Standards and Organisation (Wales) Act 2013.
13. The Catholic Archdiocese of Cardiff and the Governing Bodies of St. Helen's Catholic Infant and Junior schools are responsible for publishing and issuing a statutory notice on the proposal to amalgamate St Helens Infant and St Helens Junior school.
14. If no objections are received to the statutory notice the archdiocese and governing body are responsible for determining the proposal. Where objections have been received the Council is responsible for determining a proposal on behalf of the proposer.
15. All objections submitted during the notice period had to be made in writing or by email. By the end of the statutory notice period on 14 October 2016, the archdiocesan and governing body received 1 objection to the proposal. The Council is therefore required to determine the proposal.
16. Under section 49 of the School Standards and Organisation (Wales) Act 2013, the archdiocesan and governing body must publish a summary of the statutory objections and a response to those objections - the objection report. This is attached at [Appendix D](#).

Process:

17. Where proposals require approval by the local authority, the proposer must forward the following documents within 35 days of the end of the objection period.
 - 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.
18. The Council has received the required documentation for a determination on the proposal and must decide whether to approve, reject or approve modifications to the proposals.
19. The local authority must not approach the determination of the proposal with a closed mind. Objections must be conscientiously considered alongside the arguments in respect of the proposals and in light of the factors set out in section 1.3 - 1.4 of the School Organisation Code. The factors are as follows:
 - Quality and standards in education.
 - Need for places and the impact and accessibility of schools.
 - Resourcing of education and other financial implications.
20. Council officers have carefully considered the objectors comments and the objection report and are satisfied that;

Quality and Standards of Education

The proposal would enable the high standards of education present in the existing, separate schools to be combined and to contribute to high quality provision within one school operating over two sites. The new school will be managed by one headteacher that would allow a shared vision and leadership and minimise the number of transition points currently experienced. The proposal would maximise the benefits arising from such continuous provision and will offer greater potential for improving the levels of achievement for all pupils.

The amalgamation is based on sound educational principles including the progression of pupils through a school with a single management and pedagogical ethos.

Need for places and the impact and accessibility of schools.

The local area will retain English, Welsh and faith provision. The number of school places will not alter as a result of the proposal. The amalgamated school would continue to meet the demand of parents for places within the schools.

There will be no impact as a result of the proposal on pupils' journeys and available walking routes to schools as the amalgamated school will operate over the two existing sites. Nothing in the proposal will change school transport arrangements, eligibility or accessibility.

Resourcing of education and other financial implications.

As a result of the amalgamation, there would be a savings of approximately £60,000 following the reduction of two head teacher posts to one. An amalgamated school

would also benefit from leveraging economies of scale to facilitate additional savings in future. Delegated funding per pupil will remain the same.

The amalgamation of the schools would ensure available resources are used as effectively as possible.

21. In accordance with the School Standards and Organisation (Wales) Act 2013, Cabinet are required to give full consideration to the objections received to the proposal. The objections have been collated into the Objection Report (attached as at [Appendix D](#)), which details the objections received and responses to these concerns.

Resource Implications (Financial and Employment)

22. As a result of the amalgamation, there would be a net saving of approximately £60,000 following the reduction of two head teacher posts to one, a reduction in the small school allowance and the introduction of a split site allowance for the schools. The Headteacher positions at both schools are currently vacant and the roles and responsibilities of these posts are covered by the existing Deputies in each school under temporary acting up arrangements.
23. The savings will not be fully achieved in the first year of amalgamation as transitional funding arrangements would be put in place to enable the school to embed a new structure and negotiate new contracts for the purchase of goods and services and service level agreements.

Sustainability and Climate Change Implications

24. Establishment of a single phase primary school offers a more efficient and sustainable model of delivery.

Legal Implications (to Include Human Rights Implications)

25. Powers for Councils to develop school organisation proposals are governed by the School Standards and Organisation (Wales) Act 2013 and the School Organisation Code 2013, Statutory Code Document no. 006/2013.

Crime and Disorder Implications

26. There are no direct crime and disorder implications as a result of this report.

Equal Opportunities Implications (to include Welsh Language issues)

27. The Council must comply with the public sector equality duty (section 149) of the Equality Act 2010 when coming to a decision on whether to amalgamate St Helens Infant and Junior Schools in Barry. Section 149 requires the Council to have due regard to the need to:
 - eliminate discrimination, harassment and victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it, and;
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it: Equality Act 2010 s149 (1).
28. The relevant protected characteristics are: age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation: section 149

(7) of the Equality Act 2010. And in Wales we also have to treat Welsh and English on an equal basis as well as promoting and facilitating the use of the Welsh language.

29. Section 149 (3) of the Equality Act states that having due regard to the need to advance equality of opportunity involves due regard, in particular, to the need to:
- remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
 - take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
 - encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low; and
 - the steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.
30. Section 149 (5) of the Equalities Act states that having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to tackle prejudice, and promote understanding. Compliance with the duties in this section may involve treating some persons more favourably than others.
31. To discharge the public sector equality duty the decision maker must analyse all the relevant material with the specific statutory consideration in mind. This includes considering whether the proposed decision is capable of having an adverse impact on persons who have any of the relevant protected characteristics. If it is, consideration must be given to whether there are any steps that could be taken (by way of modification of the proposed decision) to avoid or mitigate that impact. If there are such steps, consideration must be given to whether or not to adopt any of them as part of the final decision.
32. An Equality Impact Assessment on the proposal to amalgamate St Helens Infant and Junior Schools is attached at [Appendix E](#). The Equality Impact Assessment did not identify any potential for adverse impacts as a result of implementing the proposal and as a result, it has not been necessary to identify mitigating actions to address any negative impact. It has been identified that the proposal would provide a neutral impact.

Corporate/Service Objectives

33. The amalgamation of St Helens Infant and Junior schools progresses the Council's strategy of moving away from single phases of education such as nursery, infant and junior phases, towards 'all through' primary schools. It also supports the need to maximise the use of resources.

Policy Framework and Budget

34. This is a matter for Executive decision by the Cabinet.

Consultation (including Ward Member Consultation)

35. The Catholic Archdiocese of Cardiff and the Governing Bodies of St. Helen's Catholic Infant and Junior schools have carried out consultation with interested parties and relevant stakeholders on the proposal.

Relevant Scrutiny Committee

36. Learning and Culture.

Background Papers

None.

Contact Officers

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