

The Vale of Glamorgan Council

Cabinet Meeting: 4 July, 2016

Report of the Cabinet Member for Regeneration and Education

Proposal to Establish New Mixed-Sex Secondary Schools in Barry

Purpose of the Report

1. In order to transform education in Barry and further contribute to the regeneration of the town, to seek Cabinet approval to consult stakeholders on a proposal to establish two mixed sex English medium secondary education facilities in Barry by establishing two new mixed-sex English medium secondary schools to replace the current single-sex Barry Comprehensive and Bryn Hafren Comprehensive Schools from September 2018. The schools would be located on the existing campuses and each of the schools would accommodate 1,100 pupils aged 11-18 years.
2. The proposal would support significant investment in the two new schools to provide a 21st Century environment for all learners.

Recommendations

1. Cabinet authorises the Director of Learning and Skills, in consultation with the Cabinet Member for Regeneration and Education, to undertake consultation from 05 September 2016 on a proposal to replace Barry and Bryn Hafren Comprehensive Schools in September 2018 with two mixed-sex, English medium secondary schools, each with 1,100 places for pupils between the ages of 11 to 18 years.
2. Cabinet notes that implementation of the proposal would be subject to the consideration of responses to consultation and to the relevant statutory processes and notes that investment would be subject to the availability of capital funding from Welsh Government.
3. Cabinet refers this report to the Learning and Culture Scrutiny Committee for consideration as part of the forthcoming consultation exercise.
4. A further report on the outcome of the consultation is brought to Cabinet for consideration.

Reasons for the Recommendations

1. To assess the level of support for the proposal to establish two mixed sex 11-18 Comprehensive schools in Barry.

2. To assess the views and comments of those consulted.
3. To ensure the Learning and Culture Scrutiny Committee is consulted on the proposal.
4. To ensure Cabinet is aware of the views and comments of those consulted when deciding whether or not to publish a statutory notice in due course.

Background

3. Secondary school education in Barry is presently provided by four schools:
 - Barry Comprehensive for boys aged 11-18 years, with a partially mixed 6th form.
 - Bryn Hafren Comprehensive for girls aged 11-18 years, with a partially mixed 6th form.
 - St Richard Gwyn Roman Catholic Comprehensive for boys and girls aged 11-16 years.
 - Ysgol Gymraeg Bro Morgannwg for boys and girls aged 3-18 years.
4. The proposed consultation will not include any proposals affecting St Richard Gwyn Roman Catholic Comprehensive School.
5. A separate consultation is being undertaken on a proposal to increase the number of Welsh medium secondary school places by expanding Ysgol Gymraeg Bro Morgannwg. This matter was reported to Cabinet on the 6 June 2016 (Cabinet minute reference C3204)
6. During 2015 the Council consulted on a proposal to transform secondary schools in Barry by:
 - i) establishing a new mixed English-medium comprehensive school
 - ii) expanding Ysgol Gymraeg Bro Morgannwg; and
 - iii) relocation to create two distinct campuses for Welsh medium and English medium education.
7. This proposal if it had been implemented would have resulted in Ysgol Gymraeg Bro Morgannwg moving to the Bryn Hafren site and the English medium mixed sex school being established on the site currently occupied by Barry Comprehensive School and Ysgol Gymraeg Bro Morgannwg.
8. Following consideration of responses to the consultation, Cabinet decided at its meeting of 5 October 2015 not to progress further with this proposal but to establish an Advisory Board to review options, with particular regard to the option of establishing two mixed sex English medium secondary schools as well as addressing the need to expand Welsh medium secondary school places.
9. The new Advisory Board including the head teachers and chairs of governors of the three secondary schools, two head teacher representatives from feeder primary schools, representation from further and higher education, the relevant Cabinet Member, the Managing Director and officers of the Learning and Skills Directorate, was established in January 2016.
10. The Board commissioned an extensive programme of engagement to inform its work. The Advisory Board considered the feedback from engagement activities at each of its meetings. The proposed transition arrangements were informed by a headteacher visit to a recently amalgamated school in a neighbouring authority. After each

meeting the Advisory Board agreed a communication which was shared, via the schools' websites, with pupils, staff, parents and governors.

11. Having considered feedback from engagement activity carried out with the public, pupils, staff and governors of Barry and Bryn Hafren Comprehensive schools and Ysgol Gymraeg Bro Morgannwg, the Board considered options for the future of the three schools and agreed that the preferred option was to:
 - i) Expand Ysgol Gymraeg Bro Morgannwg on its current site with the provision of new entrance from Port Road
 - ii) Build a new 11-18 mixed sex school on the site of Barry Comprehensive School
 - iii) Create a modern, 11-18 mixed sex school by refurbishing and modernising the Bryn Hafren site with the provision of some new facilities.
12. The establishment of two 11-18 mixed sex English medium secondary schools would involve closing Barry and Bryn Hafren Comprehensive schools in order to open two new 11-18 mixed sex schools on their current sites. The proposal to expand Ysgol Gymraeg Bro Morgannwg on its current site would result in the school's capacity being increased by over 200 pupil places and as such requires a statutory process which is currently in progress.
13. Unlike the initial re-organisation proposal, the two proposals are not interlinked and can progress separately. It is therefore appropriate to carry out separate statutory processes. Consulting on two separate proposals would be more straightforward than consulting on a single, more complex proposal and would result in groups of stakeholders being consulted on those issues which are most relevant to them.
14. At its meeting of 6th June 2016, Cabinet resolved that consultation should be carried out from 20th June 2016 on a proposal to increase Welsh medium secondary school places by expanding Ysgol Gymraeg Bro Morgannwg. The report considered by Members stated that a further report on the proposal to establish two English medium mixed-sex secondary schools would be brought to Cabinet on 4th July 2016 for approval to commence consultation in September 2016 thereby avoiding the school holiday period.
15. Barry and Bryn Hafren Comprehensive Schools are situated in the north of Barry, approximately one mile apart. The capacity of the schools, numbers on roll as at the Pupil Level Annual Schools Census (PLASC) January 2016 and the projected pupil numbers are shown in [Appendix A](#). Barry Comprehensive School has the capacity to take up to 1,423 pupils. In January 2016 there were 953 pupils attending the school including a sixth form of 179. There were 470 (33%) surplus places at the school. Bryn Hafren Comprehensive School has the capacity to take up to 1,331 pupils. In January 2016 there were 878 pupils including a 6th form of 167 pupils attending the school. There were 453 (34%) surplus places at the school.
16. While both schools have considerable surplus capacity at present, it is forecast to reduce in future years as larger pupil cohorts feed into the schools from the primary sector. The projections show estimated numbers on roll in 2025 of 1,019 at Barry Comprehensive School compared to a capacity of 1,423 and 1,070 at Bryn Hafren Comprehensive School compared to a capacity of 1,331.
17. In January 2016, 20 per cent of Barry Comprehensive School pupils and 26 per cent of Bryn Hafren Comprehensive School pupils were entitled to free school meals, which is above the Vale of Glamorgan's average of 11 per cent.

18. Property condition surveys were carried out for all Vale of Glamorgan Schools in 2014. The inspections comprise a visual assessment of the condition of all exposed parts of the buildings to identify significant defects and items of disrepair. Buildings are graded from A to D depending on their condition with A representing buildings which are in good condition and D those that are beyond their life expectancy.
19. The buildings at Bryn Hafren and Barry Comprehensive Schools were categorised as C which is defined as, "poor, exhibiting major defects". The condition of the Bryn Hafren building is graded towards the upper end of category C. It should be noted that the school falls into this category primarily due to the need to replace the roof and upgrade gas and heating installations. However, the condition issues at Barry Comprehensive School are more extensive.
20. At the Cabinet meeting of 5th October 2015, Members noted the need to address certain condition issues at Barry Comprehensive School in the short term pending the development of alternative transformation proposals. It was resolved that a programme of work should be developed to enable improvements to be made to the learning environment. Subsequently, at the Cabinet meeting of 11th January 2016, Members decided to allocate £900,000 capital funding to enable a programme of work to be carried out at the school during 2016.

Relevant Issues and Options

21. There are a number of drivers for transforming the current single sex English medium secondary school provision in Barry which are set out below:

Surplus Places

22. As detailed in paragraph 15 of this report, the number of pupils attending Barry and Bryn Hafren Comprehensive Schools has declined over a number of years and the schools both have a high level of surplus capacity which places a drain on resources. Local authorities are required to manage school places and are expected to have no more than 10% surplus capacity. Schools with more than 25% surplus are categorised as having 'significant' surplus places which should be reduced as a matter of priority. Both schools fall within this category. This proposal would reduce the number of places at each of the schools to 1,100 which is in line with the projected pupil numbers shown in [Appendix A](#). This would mean there were 180 places in each year group and 200 places in the sixth form at each school.

Condition of School Buildings

23. The proposals seek to address building condition issues through the Welsh Government's 21st Century Schools Investment Programme. Welsh Government is starting to prepare plans for the second phase of this programme to be known as Band B. It will be important in due course for secondary schools in Barry to benefit from this investment to improve the learning environment. By preparing a clear vision to transform the current single sex English medium secondary schools in Barry, the Council will be well placed to access Band B grant funding to provide the right number of school places, to raise educational standards and to improve buildings that are in poor condition.

School Standards

24. The Council has placed on record its concerns about the performance of Barry and Bryn Hafren Comprehensive Schools in recent years and the schools' capacity for rapid and sustainable improvement. The schools have improved in a number of areas although there remains a great deal of scope for improving standards further

which would be supported by the transformation proposals. [Appendix B](#) shows the outcomes for the two schools on key measures over a period of 4 years as well as the quartile ranking when compared to similar schools. Further analysis in [Appendix C](#) shows the same performance data compared to the All Wales and Vale of Glamorgan averages for boys and girls.

Barry Comprehensive School

25. Barry Comprehensive School was inspected by Estyn in March 2013 and was assessed as having good performance and good prospects for improvement. Following disappointing examination results in the summer of 2013, the school received a formal warning letter from the local authority detailing concerns about its performance.
26. Estyn monitored the school's performance in the summer term 2015. The subsequent report highlighted that the school was in need of 'significant improvement'. The school prepared an action plan to address Estyn's recommendations. The Welsh Government's categorisation model places Barry Comprehensive School in group 4 for standards and category C for improvement: its category for support is therefore 'red'.
27. As part of the commitment to ensuring improved outcomes for pupils attending Barry Comprehensive School, the Council has taken appropriate intervention measures including the appointment of two additional local authority governors to the governing body. The school is also being supported by the Schools Challenge Cymru Pathways to Success programme. This has included the provision of additional funding to support key initiatives to bring about rapid and sustained improvement and the appointment of an Accelerated Improvement Board that meets monthly to monitor progress being made on the key areas for improvement recommended by Estyn.
28. The school is making good progress on improving standards. GCSE performance has demonstrated significant improvement particularly in English and L2+ (the percentage of children achieving 5 A* - C grades including English and maths). In 2015, 50% of pupils achieved the Level 2+ indicator compared to 37% in 2014/15.
29. The average performance of boys and girls in the Vale of Glamorgan for L2+ in 2015 was 64.94%; the average for Wales was 57.95%. The average performance of boys in the Vale of Glamorgan was 65% whereas the performance of boys at the all Wales level was 54%.
30. The percentage of Free School Meals (FSM) pupils attaining the L2+ remained relatively low at 23% compared to average performance in the Vale of Glamorgan of 33% and 32% across Wales.

Bryn Hafren

31. Bryn Hafren Comprehensive School underwent a full Estyn inspection in May 2012 which concluded that the school's performance was adequate and its prospects for improvement were good. It was placed in a follow up category by Estyn which triggered formal monitoring visits to the school.
32. The Council sent the school a formal warning notice in September 2015 outlining minimum targets in terms of performance in key areas.
33. Following a monitoring visit in March 2016, Estyn reported that the school had made insufficient progress in relation to the recommendations following the inspection in May 2012. As a result the school was judged as being in need of significant

improvement. The school has since drawn up an action plan with the support of the local authority to address Estyn's recommendations. The local authority is in the process of appointing two additional governors to the governing body.

34. The Welsh Government categorisation model places the school in group 3 for standards and category C for improvement: its categorisation for support is 'amber'.
35. Despite making significant improvements in a number of areas, the school's 2015 performance in GCSE maths declined by 4% from 47% to 43% and performance against the L2+ performance indicator (the percentage of children achieving 5 A* - C grades including English and maths) dropped by 1% from 43% to 42%. The average L2+ performance of boys and girls in the Vale of Glamorgan in 2015 was 64.94%; the average for Wales was 57.95%. The average performance of girls in the Vale of Glamorgan was 65% whereas the average of girls across Wales was 62%.
36. The percentage of Free School Meals (FSM) pupils attaining the L2+ remains relatively low at 23% compared to average performance in the Vale of Glamorgan of 33% and 32% across Wales.

Co-education

37. The Council has engaged with local children, students, parents, staff and governors on a number of occasions through formal consultation and through the recent engagement activity to inform the work of the Advisory Board. This has indicated that most people who have expressed a view favour a move to mixed sex (co-educational) education.

Consideration of Options

38. The initial task of the Advisory Board was to confirm the outcomes to be achieved as a result of transformation of the schools. It was agreed that the preferred option should:
 - Enable further improvements to educational outcomes, including attendance, the performance of pupils entitled to free school meals and GCSE and Post-16 qualifications.
 - Support an increase in the proportion of pupils progressing to further and higher education and reduce the proportion, who become NEET, with the possible involvement of Cardiff and Vale College in post-16 provision.
 - Provide learning environments that support and challenge individual children to succeed, including students with additional learning needs.
 - Create learning environments that promote innovation, creativity and can be adapted to respond to curriculum change.
 - Build the reputation and popularity of the English medium secondary schools in Barry and reduce the number of young people that travel out of the town to go to school.
 - Increase the satisfaction levels of students and staff.
 - Maintain and increase the level of community access to the schools' facilities.
 - Ensure that there is a sustainable balance between the supply and demand for school places, including in the long term.
 - Include transition arrangements that minimise any disruption to learning or teaching.
 - Reduce the use of energy, be cost effective and achievable, having full regard to the availability of finance.

39. A number of high level options were identified based on the premise that two mixed sex English medium secondary schools should be provided and the number of Welsh medium secondary school places would be expanded. The options considered included:

Option 1 - Expand Bro Morgannwg on its current site. Establish 2 mixed sex 11-16 schools on the Barry and Bryn Hafren sites and establish a separate 6th form college in partnership with Cardiff and the Vale College on one of the school sites.

Option 2 - As above but establish the post 16 college on the Cardiff and Vale college site.

Option 3 - Establish 2 mixed sex 11-18 English medium secondary schools located on the current Barry and Ysgol Gymraeg Bro Morgannwg sites. Move Ysgol Gymraeg Bro Morgannwg to the Bryn Hafren site.

Option 4 - Expand Ysgol Gymraeg Bro Morgannwg on its current site. Establish two 11-18 mixed sex English medium secondary schools on the Barry and Bryn Hafren sites with a joint 6th form.

40. The reasons why certain options were discounted by the Advisory Board are summarised below:

Option 1

- i) There is insufficient land at the Bryn Hafren and Barry Comprehensive School sites to accommodate a separate 6th form college.
- ii) It would increase the amount of surplus capacity in the existing school buildings.
- iii) It could result in a reduction in the number of students attending the 6th form college. Evidence suggests that parents and students favour the traditional model of 6th forms attached to schools.

Option 2

- i) It would increase the amount of surplus capacity in the existing school buildings.
- ii) It could result in a reduction in the number of students attending the 6th form college. Evidence suggests that parents and students favour the traditional model of 6th forms attached to schools.
- iii) The option was unaffordable by virtue of the significant investment needed and the high risk of there being a lack of match funding.

Option 3

- i) There is a risk that the disruption caused by significant pupil and staff movement between sites could have an adverse impact on outcomes.
- ii) This a complex option which could present a number of significant logistical and transitional planning challenges.
- iii) Situating the two schools next to one another would complicate the identification of practical catchment areas for the schools. It could be perceived that it is the first step towards creating a single large school in the future which was a key concern raised by respondents to the first consultation.

The Preferred Option

41. The Advisory Board identified option 4 as the preferred option: Expand Ysgol Gymraeg Bro Morgannwg on its current site and establish two 11-18 mixed sex English medium secondary schools on the Barry and Bryn Hafren sites with a joint 6th form. This requires the discontinuation of the current Barry and Bryn Hafren Comprehensive Schools. It was considered that this option would best meet the desired outcomes identified by the board, as listed in paragraph 38 of this report.

The Learning Environment

42. It is possible that the proposals for the English medium secondary schools could be delivered by undertaking minimal work to adapt toilets and changing rooms to ensure mixed sex education could be delivered from both school buildings. However, given the context of performance and attainment at both schools, and the need to ensure significant improvement in performance it is highly likely that minor changes to the learning environment would not bring about the transformation that is desired. A key driver of the 21st Century Schools Programme is the provision of learning environments that will enable the successful implementation of school improvement strategies and better educational outcomes. Investment in the buildings, facilities and infrastructure is a key element of this.
43. In order to bring about the desired level of transformational change, it is considered that a new build to replace the current Barry Comprehensive school building is necessary. As referenced above, the condition of the building is poor and is a significant issue. The new school would be built to provide an attractive, modern learning environment with a wide range of specialist accommodation alongside the existing building. The existing building would be demolished once the students had moved into their new accommodation.
44. Significant investment would also be required to improve the learning environment at Bryn Hafren Comprehensive School. Such investment would address condition and disability access issues at the school. It would also include refurbishment and improvement work to ensure that the school has first class, flexible facilities that support the delivery of a broad and innovative curriculum and inspire learners to achieve improved outcomes. New facilities such as a sports hall would also be provided.

Post 16 Provision

45. The schools would continue to operate a joint 6th form with each school specialising in specific subject areas. There would be a single Head of 6th Form who would report to a joint 6th form committee and to the two headteachers. The schools' post-16 offer would prioritise the provision of A level courses whereas Cardiff and the Vale College would specialise in the delivery of vocational courses, pulling back from its current A level provision.

Support for Learners with Additional Learning Needs

46. The aim of the Council is to develop the capacity of schools individually and collectively to provide high quality provision for learners with additional learning needs. By equipping schools to meet a range of additional learning needs, the majority of pupils can be taught in their local school making education in the Vale of Glamorgan inclusive.

47. Where this is not possible because of the complexity or degree of additional learning need, provision is made through specialist resource bases or in the most complex cases the special school; Ysgol Y Deri.
48. There is a high level of additional learning needs currently in Bryn Hafren and Barry Comprehensive schools. In particular there is a relatively high level of learners with learning difficulties and behavioural, emotional and social difficulties. The numbers of learners who have a diagnosis of autistic spectrum disorder (ASD) are fewer in number but this is a growing group of vulnerable learners that require significant adaptations to the learning environment.
49. The two new English medium secondary schools would therefore be designed in such a way to equip them to meet the needs of their learners with additional learning needs. Provision would include:
- Provision of a smaller teaching areas for one to one or small group teaching
 - Provision of a base room for pupil with learning difficulties
 - Provision of a modified curriculum for pupils with learning disabilities
 - Provision of a base room and 'break out' areas for ASD pupils
50. In addition separate provision would be needed for pupils with behavioural, emotional and social difficulties. Currently, these pupils are taught at separate facilities at Amelia Farm (KS3) and Cowbridge (KS4). There are a number of issues with these facilities including the quality of the accommodation and the extent to which this arrangement facilitates inclusion back into mainstream education.
51. It is proposed that a new centre of behavioural excellence is provided alongside the new school building on the Barry Comprehensive School site. The centre would provide a base from which expert staff would provide 'outreach' activity to support behaviour management by the staff in schools across the Vale. Pupils from those schools would attend the centre usually on a part-time or short-term basis while receiving support: they would normally continue their education at their 'home' school. The centre would be joined to the school building with separate and controlled access to and from the centre. The centre would also have some separate facilities including general teaching areas and an outdoor area. This arrangement would enable pupils to study a broad curriculum and have access to the full range of facilities such as the gym and science laboratories and to return as soon as appropriate to mainstream provision.

Community Facilities

52. The two current schools provide opportunities for community access to the schools' facilities. The new schools will aim to maintain and extend this use enabling the modern facilities to be widely used by local people.

Leadership

53. New governing bodies would be established for the two new secondary schools. Initially, a temporary governing body would be formed for each of the new schools which would operate alongside the governing bodies of the current comprehensive schools. The temporary governing bodies would become the permanent governing bodies of the new schools when they open in September 2018. The governing bodies will be responsible for determining the staffing arrangements for the new schools including the appointment to the post of Headteacher.

Transition

54. It is essential that effective plans are in place to ensure the effective transition from the current single-sex secondary schools to two new mixed sex secondary schools in September 2018.
55. Feedback from stakeholders indicates a desire to move to mixed-sex education as soon as practically possible whilst minimising disruption for pupils, particularly those who are due to sit GCSE's and A levels in the summer of 2019.
56. Barry and Bryn Hafren Comprehensive Schools already operate a joint 6th form with a large proportion of mixed sex classes. Pupils starting year 13 in September 2018 would continue their studies in their existing classes.
57. Pupils entering year 11 in September 2018 would also continue to be taught in their single sex classes at the school site they attended in year 10 thereby minimising disruption.
58. All other year groups (year groups 7-10 and year 12) would be mixed from September 2018.
59. The opening of the new schools with all but two year groups being mixed from the start is considered to have the following benefits:
 - enables a sense of a revitalised, fresh beginning for pupils and staff
 - enables the new schools' identities to commence on an agreed date;
 - impacts directly on pupil and teacher expectations;
 - provides a clear break with the past while recognising the achievements and successes associated with it;
 - provides a clear signal to parents and the community that the new schools have been launched;
 - provides a strong context for raising standards.
60. A prolonged phased or staggered start may be less likely to achieve the required outcomes by:
 - diminishing the sense of creating new schools;
 - failing to deliver new identities and expectations;
 - creating little impact upon learners and teachers;
 - leaving parents uncertain about the new start and impeding a substantial increase in standards, morale and expectation.
61. To enable the two schools to operate as mixed sex schools from September 2018, toilets and changing rooms will be refurbished pending the significant building work which would be scheduled to commence in 2019/20.
62. While many of the aspects of transition will be a matter for the governing bodies and leadership teams of the new schools, other matters such as admission arrangements are the responsibility of the Council. Nevertheless, it is expected that the transition plan will include certain elements which are detailed in [Appendix D](#).
63. Bryn Hafren and Barry Comprehensive schools will continue to be fully supported throughout the transitional period until the closure of the schools at the end of the summer term 2018.

Admission Arrangements

64. The parents/carers of pupils who are in year 6 of primary school in September 2017 will be required to apply for a secondary school place for the following September. Applications would be invited for a place at the new mixed sex secondary schools for September 2018.
65. In September 2017, parents/carers of pupils in years 7 to 10 attending Barry and Bryn Hafren Comprehensive schools would be required to apply for a place at one of the new schools for the following September. The allocation of school places would be determined by applying the Council's current Admissions Policy which would be amended to include catchment areas for the two new schools (see paras 67 and 68 below). All applicants who are unsuccessful in securing a place at their preferred school would have the right of appeal. There would be sufficient places for all current pupils to secure a place at one of the two schools.
66. To avoid disruption at key stages of education pupils entering year 11 in September 2018 will remain in their existing classes and will be registered at the school that opens on the site of their current school. Pupils entering years 12 and 13 will also be registered at the school that opens on the site of their current school irrespective of which site they are attending for their A level courses.
67. Bryn Hafren and Barry Comprehensive schools currently share the same catchment area. To support the admission of pupils to the new mixed sex schools the catchment areas would need to be redrawn. The requirement for a pupil to live in the catchment area of a school is one of the oversubscription criteria included in the Council's Admissions Policy. The criteria are only applied if there are more applications for a school than the number of places available.
68. Following consideration of a number of catchment area options, the Advisory Board's preferred option was one which would result in as much parity as possible in relation to the number of pupils residing in each catchment area, relative levels of deprivation and the distance pupils would have to travel to school. The preferred catchment area option also follows logical geographical boundaries. The proposed catchment area for each school is shown in Appendix [Ei](#) and [Eii](#).

Statutory Process

69. In order to establish two new 11 - 18 mixed sex English medium comprehensive schools the Council would need to discontinue Barry and Bryn Hafren Comprehensive Schools and comply with the statutory process detailed in the School Standards and Organisation (Wales) Act 2013 outlined below.
70. A consultation document will be issued on 5th September and provided to all interested parties allowing a minimum of six weeks to respond. The consultation period will include a minimum of 20 school days. Meetings will be held during the consultation period to provide an opportunity for interested parties to discuss the proposal further and to provide any additional information requested. These will include meetings with parents, pupil representatives, staff and the governing bodies of the schools.
71. Within three months of the closing date for the consultation period a consultation report will be published including a summary of comments received and the Council's response to these comments.
72. The Council will then decide whether or not to proceed with the proposal within six months of the end of the consultation period. Following the consultation process, if

the Council decides to progress with the proposal a statutory notice would be published providing 28 days for objections. The notice must be published on a school day and with 15 school days included within the notice period.

73. If objections were received, an objection report must be published with a summary of the objections and the Council's response before the end of 7 days beginning with the day of its determination.
74. [Appendix F](#) sets out the anticipated timescale for this process if approved by Cabinet.

Resource Implications (Financial and Employment)

75. The estimated cost of the scheme is £44M. This comprises £11.5M for the scheme on the Bryn Hafren site and £32.5M for the new school building and behaviour centre on the Barry Comprehensive School site. It is anticipated that part-funding would be provided by the Welsh Government under Band B of its 21st Century Schools Programme. The remainder of the capital funding would be contributed by the Council.
76. Band B of 21st Century Schools funding starts in 2019/20 and extends up to 2024/25. Welsh Government is actively encouraging local authorities which have schemes scheduled to start in 2019/20 to submit a business case a year in advance. This would enable the funding to be agreed and work to commence on site from 2019/20.
77. A grant intervention rate of 50% is available under Band A of the 21st Century Schools Programme which means that the Welsh Government contributes 50% of the cost of approved capital schemes that meet the published criteria. Welsh Government has acknowledged formal feedback from local authorities on the need to increase the intervention rate for Band B but has yet to publicise its funding plans.
78. There is a risk that the Council will not be able to secure the funding necessary to deliver the scheme as described. If this were to be the case, the establishment of the mixed sex schools would still be progressed although the amount and nature of the investment in the school buildings would need to be reassessed.
79. A sum of £750K has been included in the Council's Capital Programme for the refurbishment of toilets and changing rooms to enable the schools to operate as mixed sex schools pending the significant building work which would commence from 2019/20.
80. Whilst the decision regarding re-organisation of the schools can be made by Cabinet, capital funding for schemes must be approved by Full Council.
81. The initial task of the governing bodies of the new schools will be to appoint to the post of Headteacher. The governing bodies will be responsible for determining the staffing structure for each school and the arrangements for appointing to positions in consultation with the recognised Trade Unions.
82. It is recognised that this proposal will create a great deal of uncertainty for the current staff of the schools. It is clear that the ambition to transform educational outcomes needs the very best staff to remain working in the schools. The Board has been keen to reassure teachers and other employees that there would be attractive jobs at the expanded and transformed schools. A programme of training and development will be, where appropriate, provided to staff in advance of the new schools being established.

Sustainability and Climate Change Implications

83. The proposals will ensure that new and refurbished buildings will meet modern building standards to reduce carbon emissions and will achieve the highest rating of A for the Energy Performance Certificate (EPC).
84. It is not anticipated that travel to school journeys by car or bus will increase as a result of this proposal. Pupils will be encouraged to travel to school by environmentally sustainable methods of transportation.

Legal Implications (to Include Human Rights Implications)

85. Powers for councils to develop school organisation proposals derive from the School Standards and Organisation (Wales) Act 2013 which was enacted on 1 October 2013. The School Organisation Code Wales (2013) states that proposals must be published for the opening and closing of maintained schools. A 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 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. In terms of establishing mixed sex secondary schooling in Barry it is proposed that both single sex schools would close and two new mixed sex 11 – 18 schools would be established. Section 48 of the 2013 Act requires that before School Organisation proposals are published they must first be subject to consultation.
86. Following the consultation process and consideration of the responses, if a decision is made to proceed, the requirements of the School Standards and Reorganisation Act 2013 and the School Organisation Code Statutory Document 006/2013 will need to be complied with including the need to publish a consultation document.
87. These proposals will lead to other implications which will include, for example, employment law, contract law and property law. Advice in relation to these matters is being taken will continue to be taken from the Council's legal advisors as appropriate.

Crime and Disorder Implications

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

Equal Opportunities Implications (to include Welsh Language issues)

89. A key driver to all school reorganisation proposals is to improve educational outcomes for children and young people in all phases and help to narrow the inequalities in achievement between advantaged and disadvantaged groups and individuals. The scheme has the potential to ensure that pupils of both sexes have access to a broad curriculum and that some of our most vulnerable young people are supported to achieve their full potential through the provision of inspirational learning environments and specialist support.
90. The new and refurbished buildings will be fully DDA compliant.
91. During the consultation period an Equalities Impact Assessment will be completed which will be made available to Cabinet with the consultation report for consideration prior to a decision being made on whether to progress to the next stage of the statutory process.

Corporate/Service Objectives

92. The development of proposals for secondary school provision in Barry is a corporate priority for the Council. Consultation on the establishment of two new mixed sex English medium schools is a key component of this work and features in the Strategy, Community Learning and Resources Service Plan 2016 - 2020.

Policy Framework and Budget

93. This is a matter for Executive decision.

Consultation (including Ward Member Consultation)

94. Public consultation with all interested parties and staff will be carried out, in accordance with legislation.

Relevant Scrutiny Committee

95. Learning and Culture Scrutiny Committee.

Background Papers

None.

Contact Officer

Paula Ham: Head of Strategy, Community Learning and Resources

Officers Consulted

Trevor Baker: Operational Manager, Strategy and Resources
Meryl Plummer: Lead Officer School Improvement
Mike Matthews: Principal School Planning Officer
Anne Brown: School Organisation Manager
Carolyn Michael: Operational Manager, Finance
Jane Wade: Operational Manager, Property
Mike Walsh: Principal Lawyer
David Davies: Lead Officer for Inclusion

Responsible Officer:

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