

Meeting of:	<b>Cabinet</b>
Date of Meeting:	<b>Monday, 23 September 2019</b>
Relevant Scrutiny Committee:	Learning and Culture
Report Title:	Proposal to increase the number of primary school places and establish 48 part time nursery places at St Nicholas CIW Primary School
Purpose of Report:	To seek final determination on the governing body's proposal to increase the number of school places and establish 48 part time nursery places at St Nicholas CIW Primary School from September 2021.
Report Owner:	Deputy Leader and Cabinet Member for Education and Regeneration
Responsible Officer:	Paula Ham, Director of Learning and Skills
Elected Member and Officer Consultation:	<p>Lisa Lewis: Operational Manager, Strategy &amp; Resources  Jane O'Leary: 21st Century Schools Programme Manager  Carolyn Michael: Operational Manager, Accountancy  Trevor Baker: Head of Strategy, Community Learning &amp; Resources</p> <p>Committee Reports</p> <p>Public consultation with all required consultees and interested parties has been carried out, in accordance with the relevant legislation and statutory guidance</p> <p>Local Ward Members have been consulted.</p>
Policy Framework:	This is a matter for Executive decision by Cabinet.
Executive Summary:	<ul style="list-style-type: none"> <li>• The purpose of this report is to advise Cabinet of the outcome of the statutory process on the governing body's proposal to make a regulated alteration to St Nicholas CIW Primary School a voluntary controlled school by: <ul style="list-style-type: none"> <li>– altering the lowest age range of pupils at St Nicholas CIW Primary School from 4 to 3, to consist of the addition of a new nursery class containing 48 part time places from September 2021; and</li> <li>– increasing the capacity of St Nicholas CIW Primary School from 126 places to 210 places from September 2021.</li> </ul> </li> </ul>

- In accordance with section 51 of the School Standards and Organisation (Wales) Act 2013 ("the Act"), the Local Authority is responsible for determining proposals published by governing bodies under section 48 of the Act when formal objections have been received and not withdrawn.
- On 12 August 2019, the governing body of St Nicholas CIW Primary School advised the Council that 47 formal objections had been received and not withdrawn and accordingly issued the relevant documentation to the Council for final determination.

## **Recommendations**

1. That Cabinet considers this report, the Consultation document, Consultation report, Statutory notice, formal objections and Objection report of the governing body of St Nicholas Church in Wales Primary School's proposal to make a regulated alteration by altering the lowest age range of pupils from 4 to 3 and to increase the capacity from 126 places to 210 places from September 2021.
2. That Cabinet approves implementation of the proposal to make regulated alterations as set out in section 2.3 of the School Organisation Code 2018 ("the Code") by:
  - altering the lowest age range of pupils at St Nicholas CIW Primary School from 4 to 3, to consist of the addition of a new nursery class containing 48 part time places from September 2021; and
  - increasing the capacity of St Nicholas CIW Primary School from 126 places to 210 places from September 2021.
3. That Cabinet note that the major investment towards a new school building set out in the proposal is subject to the necessary funding being approved by Welsh Government.

## **Reasons for Recommendations**

1. To ensure that all relevant information is considered by Cabinet in reaching a decision on whether to approve the implementation of the proposal.
2. To ensure that there are sufficient school places to meet the increased demand for primary education as a result of recent and proposed housing developments in the areas of St Nicholas and Bonvilston.
3. To ensure Cabinet is aware that the full investment in the school building described in the consultation documentation is dependent on Welsh Government funding.

## **1. Background**

- 1.1 St Nicholas CIW Primary School is a voluntary controlled school situated in the village of St Nicholas. The school caters for pupils between 4 and 11 years old and has a capacity of 126 pupils. St Nicholas CIW Primary School primarily serves the communities of St Nicholas and Bonvilston.
- 1.2 Cabinet met on 18 February 2019 to consider a report on the proposal to increase the number of school places and establish 48 part time nursery places at St Nicholas CIW Primary School from September 2021. Cabinet agreed at the meeting to undertake a consultation exercise on the proposal.
- 1.3 In line with the requirements of the Act and the Code, a consultation exercise with prescribed consultees was undertaken between 18 March 2019 and 3 May 2019. The aim of the consultation was to inform prescribed consultees about the proposal to increase the number of primary school places and change the age

range of St Nicholas CIW Primary School and to seek their views as part of the decision making process.

- 1.4** As a voluntary school, the consultation was undertaken in partnership with the governing body of St Nicholas CIW Primary School.
- 1.5** The establishment of a new 210 place school for St Nicholas CIW Primary School has been included as part of Band B of the Council's 21st Century Schools Programme.
- 1.6** The proposal was designed to address a number of challenges, including:
  - Addressing the issues with the existing St Nicholas CIW Primary School building which does not comply with Building Bulletin 99: building framework for primary school projects.
  - Removal of a split site as reception pupils are currently chaperoned to the 'Old School' building which is located approx. 85m from the main school site.
  - Ensuring the Council is able to meet the increased demand for education as a result of recent and proposed housing developments.
  - Ensuring there is a consistent approach to planning and delivery of the foundation phase (nursery to year two).
- 1.7** The Consultation Document was published on the school and Council's website on 18 March 2019 and issued to all prescribed consultees as required by the relevant sections of the Code.
- 1.8** The governing body received 27 individual responses by the closing date of 3 May 2019. Of the total 27 individual responses received, 22 (81%) were in favour of the proposal and 5 (19%) were opposed.
- 1.9** The governing body considered the responses to the consultation on 23 May 2019 and determined to progress the proposal through the publication of a statutory notice.
- 1.10** The statutory notice was published on 26 June 2019. In accordance with section 49 of the Act, any person could object to the proposal before the end of 28 days beginning with the day on which the proposals were published, that is to say by Wednesday 24 July 2019.
- 1.11** The governing body received 47 formal objections to the proposal. The governing body responded to the objections through the publication of an objection report. This was issued to prescribed consultees and published on the school and Council website on 20 August 2019.
- 1.12** In accordance with section 51 of the Act, the Local Authority is responsible for determining proposals published by governing bodies when formal objections have been received and not withdrawn. On 12 August 2019, the governing body of St Nicholas CIW Primary School notified the Council that 47 objections had been received and issued the following documents to the Council.

<b>Document</b>	<b>Where Available</b>
Consultation Document	Appendix A
Consultation Report	Appendix B
Statutory Notice	Appendix C
Objections Received	Available for Members to consider in the Cabinet Office
Objection Report	Appendix D

## **2. Key Issues for Consideration**

### **Statutory Process**

**2.1** 47 objections were received by the governing body during the objection period. A number of key themes were raised and responded to as part of the objection report. These are summarised below:

- Increasing the capacity would result in increased congestion, compromising the safety of residents and pupils.
- The school should move to a new site to alleviate traffic concerns within the village.
- Residents felt they should have been contacted directly as they would not have reason to visit the school or Council's websites to find out about the proposal.
- Radon gas issues on the current school site would be expensive to mitigate.
- Concerns over future access to open space and the adjacent public footpath.
- Building design and management should be considerate to village conservation status.
- Planning process has not been followed as a traffic risk assessment was not completed.
- Security issues over future community access.
- Addition of nursery too much with the increase in statutory school places.

**2.2** The governing body has responded to the objections in the objection report (Appendix D).

### **Demand for School Places**

**2.3** The Council has a statutory duty to secure sufficient school places both in number and character.

**2.4** A number of large scale housing developments are planned for the Vale of Glamorgan area. Planning permission has been granted for 117 dwellings to the east of St Nicholas. This development is nearing completion and the school has had to refuse children admission as a number of year groups are at capacity. Planning permission has also been granted for a further 120 dwellings to the east

of Bonvilston. Construction of this development commenced earlier this year. St Nicholas CIW Primary School is the nearest Primary School to both of these developments.

- 2.5** The table below shows that St Nicholas CIW Primary Schools currently has no surplus capacity to accommodate additional children in 4 of the 7 year groups. Overall, the school could only accommodate 3 additional pupils.

School	Capacity	Admission Number	Rec	1	2	3	4	5	6	Total
St Nicholas CIW Primary School	126	18	18	18	17	16	19	17	18	123

- 2.6** The projected number of pupils emanating from a development is calculated using a formula derived from census data of householders in the Vale of Glamorgan. The formula is contained within the Council's Supplementary Guidance for planning purposes.
- 2.7** The developments are projected to yield around 24 nursery and 66 primary pupils.
- 2.8** In order to ensure St Nicholas CIW Primary School is able to meet anticipated future demand for education, its capacity would need to increase. This would also ensure the Council is able to meet its statutory duty to provide sufficient school places.

### Condition of Buildings and Transfer of Land

- 2.9** The Vale of Glamorgan Council has a vision to provide the best possible facilities for children and young people in the Vale to support their learning.
- 2.10** St Nicholas CIW Primary School is a timber clad building which has been categorised as being of poor condition and suitability. This means the school is exhibiting major defects and teaching methods are adversely affected. It would not be possible to refurbish teaching areas to fully meet 21st century standards. The school is split over two sites with reception pupils having to walk to the nearby 'Old School' building following morning assembly. There is no path along this stretch of road. Classroom sizes are inconsistent throughout the building. There are currently 72 children being taught across two classrooms.
- 2.11** Building Bulletin 99: Briefing Framework for Primary School Projects advises that a sink, washable floor area and resources for simple 'wet' practical activities are required. This promotes good hygiene, prevents sickness and allows water play activities. Some classrooms at St Nicholas CIW Primary School do not currently have a water supply.
- 2.12** Backlog maintenance costs for St Nicholas CIW Primary School currently stand at £670,250, the sixth highest primary school backlog maintenance cost within the Vale of Glamorgan.

- 2.13** St Nicholas CIW Primary School is situated on a site which is approximately 12,034m<sup>2</sup>. Building Bulletin 99: building framework for primary school projects (BB99) requires a gross site area of between 10,024m<sup>2</sup> and 11,224m<sup>2</sup> for a 210 place primary school with nursery. The existing site would exceed BB99 requirements
- 2.14** The consultation undertaken proposes regulated alterations to alter the age range of the school and increase the capacity of the school as set out in section 2.3 of the Code. A new building will be required to accommodate the increased capacity, accordingly, the project has been included as part of the Council's 21st Century Schools Programme. This consultation and its outcome considers the educational merits of the proposal. The school's existing site is suitable in terms of size to accommodate a new building and the proposal is being progressed based on this approach.

### **Nursery Provision**

- 2.15** St Nicholas CIW Primary School does not currently offer nursery provision due to the limitations of the existing building.
- 2.16** It is proposed that 48 part time nursery places are provided to develop continuity and progression in children's learning from the age of three. This would ensure there is a consistent approach to planning and delivery of the foundation phase (nursery to year two).

### **Quality and Standards in Education**

- 2.17** The governing body are confident that this proposal would have a positive impact on quality and standards in education through the implementation of innovative learning environments that are suitable for the 21st century.
- 2.18** The proposed new school building would provide:
- A high quality ICT rich learning environment for pupils meeting the educational curriculum needs of the 21st Century.
  - Unobstructed access between all internal areas for children and staff as the new school would be contained within a single building.
  - Break out spaces for staff and pupils.
  - Enhanced safeguarding and site security for pupils and staff.
  - Improved outdoor sports facilities for both pupil and community use.
  - Full access for the whole community with improved disabled access.
- 2.19** 100% of responses to the consultation received from parents, pupils and staff of the school were in favour of the proposal.
- 2.20** Estyn formally responded to the consultation stating that 'the proposer has considered comprehensively the effect of the proposals on the quality of outcomes, provision and leadership and management'. Estyn also stated that 'the proposal is likely to at least maintain the current standards of education and provision in the area'.

## **Impact on Transport**

- 2.21** The Council has a statutory duty to provide free school transport for pupils of statutory school age who reside beyond walking distance to the nearest appropriate school.
- 2.22** This is defined as more than 2 miles to the nearest suitable school for primary pupils and more than 3 miles for secondary school pupils. Distances are measured by the nearest available walking route.
- 2.23** As it is proposed that the building would be constructed on the same site as the existing school the proposal would not impact upon learner travel arrangements at St Nicholas CIW Primary School.
- 2.24** 42 of the 47 objections received were on the grounds that increasing the capacity of the school would result in the compromised safety of pupils and residents from increased congestion in the village. 44 objections also noted the inconvenience to residents from increasing numbers of parents parking and delivery vehicles accessing the village.
- 2.25** As part of the development of the building design, a full transport assessment would be undertaken. The findings of this assessment would be used to inform the design of the building to mitigate impacts where possible. The design of the new school would also be subject to a full planning application. This application would include formal consultation with local residents.

## **Impact on the Community**

- 2.26** As outlined above, the impact this proposal would have on the local infrastructure has been a concern for local residents. This would be addressed through the design of the new school building and the subsequent planning process.
- 2.27** The governing body of St Nicholas CIW Primary School developed a Community Impact Assessment which was published alongside the Consultation Document.
- 2.28** 36 of the 47 objections noted concern that they had not been directly notified of the availability of the consultation document. The consultation was undertaken in accordance with the School Standards and Organisation (Wales) Act 2013 and was issued to all prescribed consultees outlined in the School Organisation Code 2018. This included the St Nicholas with Bonvilston Community Council. Should the proposal progress, the new build would be subject to the formal planning process, whereby those affected would be directly notified as part of the planning consultation.
- 2.29** The governing body of St Nicholas CIW Primary School arranged a number of drop-in sessions throughout the consultation period, which members of the community council and residents of the village attended. Council Officers were also in attendance at these sessions to answer any questions regarding the build process.

- 2.30** Following feedback from consultation responses, the Community Impact Assessment was updated to reflect local concerns for Members to consider (full details of the changes are outlined in the consultation response report at Appendix B).
- 2.31** If this proposal is accepted, multiple site surveys would then be completed as part of the design process for the new school building; including a full transport assessment. The final design would be subject to planning permission. The planning process includes a statutory consultation with local residents.

### **Funding**

- 2.32** A new building for St Nicholas CIW Primary School has been included as part of the Council's 21st Century Schools Programme. The total cost of the scheme is £4.185 million which would be funded 65% by Welsh Government and 35% by the Council.
- 2.33** The 35% Council contribution would be fully funded using Section 106 contributions as the new school is required to meet the anticipated future demand for school places as a result of recent and proposed housing developments in St Nicholas and Bonvilston.

### **Ward Member Consultation**

- 2.34** Local ward members have been consulted. One response was received (below) from Cllr Jonathan Bird, Local Member for the Wenvoe ward:

*While I support and encourage the long overdue changes from 126 children to 210 in a new one site school, I have major concerns about suitable vehicle and pedestrian access to the existing site. This is why I would urge that the council does all in its power to build the new school on a new site on the eastern edge of St Nicholas with its own direct access from the A48. I see only positive reasons for this with no negative implications for the school and local residents. In addition to the traffic and pedestrian access improvements I would see the huge benefits of building on a new site. Some of these are being able to build a new school with no disturbance to the residents, teachers and pupils and a smooth transition to the new site. This would free up the centre of the village to allow a few more residences to be built and take pressure off the very difficult road system in the centre of the village. I also have huge concerns for safety during the construction period with heavy vehicles using the very restricted roads, actually I do question how some of the inevitable large lorry deliveries required to build the new school will arrive on site. There are also the safety issues of building and demolishing with school children in very close proximity.*

*I urge cabinet to do all it possibly can to build on the new site to ensure the safety and quality of life of residents and children in the village and to stop the inevitable damage to such a beautiful old village of St Nicholas.*

### **3. How do proposals evidence the Five Ways of Working and contribute to our Well-being Objectives?**

**3.1** The Well-being of Future Generations Act 2015 (“the 2015 Act”) requires the Council to think about the long-term impact of their decisions, to work better with people, communities and each other and to prevent persistent problems such as poverty, health inequalities and climate change.

**3.2** To make sure we are all working towards the same purpose, the 2015 Act puts in place seven well-being goals on the Council. The 2015 Act makes it clear the listed public bodies must work to achieve all of the goals, not just one or two, these being:

- A prosperous Wales
- A resilient Wales
- A healthier Wales
- A more equal Wales
- A Wales of cohesive communities
- A Wales of vibrant culture and Welsh Language
- A globally responsible Wales

**3.3** This proposal contributes to achieving the wellbeing goals by:

- Improving sustainability of school buildings through the creation of BREEAM Excellent accommodation.
- Providing 48 part time nursery places to ensure a consistent approach to planning and delivery of the foundation phase (nursery to year two).
- Ensuring an efficient supply and demand of school places across the Vale of Glamorgan through effective forecasting of future demand.
- Providing an additional 84 Church in Wales primary school places to meet increased demand for school places as a result of recent and proposed housing developments.
- Providing facilities available for community use.

**3.4** The 2015 Act imposes a duty on all public bodies in Wales to carry out “sustainable development”, defined as being, "The process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the well-being goals." The action that a public body takes in carrying out sustainable development includes setting and publishing well-being objectives, and taking all reasonable steps in exercising its functions to meet those objectives.

**3.5** The 2015 Act sets out five ways of working needed for the Council to achieve the seven well-being goals, these being:

- The importance of balancing short-term needs with the needs to safeguard the ability to also meet long-term needs.

- Considering how the Council's objectives impact upon each of the wellbeing goals listed above.
- The importance of involving people with an interest in achieving the well-being goals and ensuring that those people reflect the diversity of the area which the Council services.
- Acting in collaboration with other persons and organisations that could help the Council meet its wellbeing objectives.
- Acting to prevent problems occurring or getting worse.

**3.6** The Council has committed as part of the Corporate Plan 2016-20 to achieving a vision of 'Strong Communities with a Bright Future'. This plan is reflective of the Welsh Government's Well-being of Future Generations Act and is comprised of a number of Well-being objectives to deliver this vision.

**3.7** Well-being Outcome 3, 'An Aspirational and Culturally Vibrant Vale' is specifically linked to education with a number of objectives contributing to the 21st Century Schools programme. We have prioritised the need to raise standards of achievement as one of our well-being objectives. We are proud of the Vale of Glamorgan and our place in Wales and that the use of the Welsh language is growing in the Vale. We respect and value diversity within our communities and recognise the importance of promoting equality of opportunity. We also appreciate our unique heritage and culture and the importance for people of all ages to enjoy a range of activities and to have opportunities to be creative. We have therefore identified valuing culture and diversity as one of our eight well-being objectives.

**3.8** Details of the relevant objectives are listed below:

### **Well-being Outcome 3: An Aspirational and Culturally Vibrant Vale**

- All Vale of Glamorgan citizens have opportunities to achieve their full potential.

### **Objective 5: Raising overall standards of achievement**

- Improve standards of achievement for pupils through sharing excellence between schools and the targeting of resources.
- Secure improved outcomes for groups of learners at risk of underachievement, such as those entitled to free school meals.
- Increase the learning opportunities for disadvantaged individuals and vulnerable families.
- Reduce the number of young people not in education, employment or training.
- Develop a new school modernisation programme in readiness for the next 21st century schools funding due to commence in 2019/20.

**3.9** This proposal has met the five ways of working by:

- Responding to the need to ensure that there is a well-managed balance of supply and demand of school places in the Western Vale as a result of recent and planned housing developments. It is recognised that the changing demographics in the Vale

of Glamorgan will significantly affect the demand for our services. Short term and long term need and the assessment of demographic increases is an important aspect of the Council's strategic planning responsibilities.

- Developing schools that will have an environment reflective of the national mission for education in Wales and future curriculum.
- Working towards ensuring that all pupils within the Vale have every opportunity to attain the best possible outcomes. This ambition is achieved by ensuring that schools remain sustainable, reflect the needs of local communities and are equipped with the best possible learning environments.
- Contributing towards a healthier Wales by supporting sustainable transport strategies.
- Contributing towards a prosperous Wales by committing to working with Welsh Government on the 21st Century Schools Programme. The 21st Century Schools and Education Programme in the Vale of Glamorgan will drive greater social value while delivering on the Welsh Government's community benefits through its investment in education infrastructure and employment. Specifically, it will increase contributions to education, training and skills across the Vale and the region and commit to resourcing local tradespeople and resources wherever possible.
- Delivering rigorous consultation with open communication channels and numerous opportunities for stakeholders to engage throughout the process.
- Ensuring that schools are of the right size, in the right places and serving the educational needs of their local communities as part of the school organisation process.

## **4. Resources and Legal Considerations**

### **Financial**

- 4.1** It is estimated that the total capital funding required to build a new school on the proposed site would be £4.185M.
- 4.2** The Council has secured 65% of this funding under Band B of the Welsh Government 21st Century Schools Programme, subject to the approval of a business case. The remaining funding for the new school building is within the Council's capital programme. This is entirely funded by Section 106 contributions.
- 4.3** The estimated revenue cost of operating a new 210 place school is £830k. The revenue budget delegated for St Nicholas CIW Primary School for 2018/19 is £553k. The majority of a school's delegated budget is driven by pupils on roll rather than capacity, therefore, the school's budget would gradually increase in line with the growth of pupils on roll.

## **Employment**

- 4.4 The staff, governing body and pupils at St Nicholas CIW Primary School would move to the new school building. Staff would remain on current terms and conditions.
- 4.5 This proposal would lead to an increase in employment opportunities at the school as additional pupil numbers would lead to growth in future staffing levels. Any proposed changes to staffing would be subject to full consultation with staff and the relevant trade unions where necessary.

## **Legal (Including Equalities)**

- 4.6 Part 1 of the Education Act 1996 (“the 1996 Act”) imposes a number of general duties on all local authorities in Wales. The general duty in section 13 of the 1996 Act is to contribute (so far as the Council’s powers enable them to do so) towards the spiritual, moral, mental and physical development of the community by securing that efficient primary education and secondary education are available to meet the needs of the population of their area.
- 4.7 Section 13A(3) of the 1996 Act states that a local authority in Wales must ensure that their relevant education functions and their relevant training functions are exercised by the authority with a view to promoting high standards, and promoting the fulfilment of learning potential by every person to whom the subsection applies, including those who are of compulsory school age or are below school age and are registered as pupils at schools maintained by the authority.
- 4.8 Section 14 of the 1996 Act then provides that the Council shall secure that sufficient schools for providing primary education and secondary education are available in the Council’s area. Schools available for an area shall not be regarded as sufficient unless they are sufficient in number, character and equipment to provide for all pupils the opportunity for appropriate education. Appropriate education means education which offers such variety of instruction and training as may be desirable in view of (a) the pupils’ different ages, abilities and aptitudes; and (b) the different periods for which they may be expected to remain at school, including practical instruction and training appropriate to their different needs.
- 4.9 Powers to develop school organisation proposals are governed by the School Standards and Organisation (Wales) Act 2013 and the School Organisation Code (2018).

### **(1) School Standards and Organisation (Wales) Act 2013**

- 4.10 Part 3 of the School Standards and Organisation (Wales) Act 2013 (“the 2013 Act”) is concerned with school organisation. The Welsh Ministers have issued the School Organisation Code (“the Code”). Local authorities and governing bodies must, when exercising functions under Part 3 of the 2013 Act, act in accordance with any relevant requirements contained in the Code, and must have regard to

any relevant guidelines contained in it. A copy of the Code is found here:  
<http://www.assembly.wales/laid%20documents/sub-ld11730/sub-ld11730-e.pdf>

- 4.11** Chapter 2 of Part 3 of the 2013 Act deals with school organisation proposals. An alteration which is a “regulated alteration” in relation to the type of school in question may be made to a maintained school only in accordance with Part 3 of the 2013 Act. The term “regulated alteration” is defined in Schedule 2 to the Act. The following changes are “regulated alterations”:
- The enlargement of the premises of the school 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 (see paragraph 10 of Schedule 2 to the Act).
- 4.12** The alteration by a year or more of the lowest age of pupils for whom education is normally provided at the school (see paragraph 5 of Schedule 2 of the Act). Under section 42(2) of the 2013 Act, a governing body has the power to make proposals to make a regulated alteration to a voluntary school.
- 4.13** Section 48(2) of the 2013 Act provides that before publishing such proposals, a proposer (in this case, the governing body) must consult on its proposals in accordance with the Code. The consultation document must be issued during the term time of the schools affected and consultees must be given at least 42 days to respond to the document, with at least 20 of these being school days.
- 4.14** The proposer must publish a report on the consultation it has carried out in accordance with the Code. The consultation report must summarise 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.
- 4.15** If a governing body decides to proceed with a proposal to make regulated alterations to a maintained school, it must publish proposals to that effect in accordance with the Code (section 48(1)). The proposal must be published by way of statutory notice. Chapter 4 of the Code sets out specific requirements as to how statutory proposals must be published. Proposals must be published on a school day and the objection period must include 15 school days (in addition to the day on which it is published).
- 4.16** Section 49 of the 2013 Act makes provision for any person to object to proposals published under section 48 within the objection period of 28 days. The proposer must then publish a summary of all objections made to the proposal and its response to those objections before the end of 28 days beginning with the end of the objection period.
- 4.17** The proposer must then determine whether the proposals should be implemented. Where a governing body's proposals have received objections, which have not been withdrawn before the end of 28 days beginning with the end of the objection period, the proposer must send a copy of the documents listed in 51(3) to the relevant local authority before the end of 35 days beginning with the end of the objection period and who will be required to approve the proposal.

## **(2) The Code**

### **4.18** The Code contains the following elements:

- It imposes requirements in accordance with which relevant bodies must act. 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.
- It includes statutory guidance to which the proposer 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. 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.

### **4.19** Paragraph 1.1 of the Code sets out the key background principles and policies, which should be taken into account when developing school organisation proposals. These include:

- 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:  
<https://beta.gov.wales/learner-travel-statutory-provision-and-operational-guidance>
- Measuring the capacity of schools in Wales, Circular No: 021/2011:  
<https://beta.gov.wales/measuring-capacity-schools-guidance>
- Children and Young People's National Participation Standards

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

**4.20** 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 other's objectives; and
- deploy their resources to prevent problems from getting worse or from occurring in the first instance.
- 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

### **(4) Public Sector Equality Duty**

**4.21** The public sector equality duty (see section 149 of the Equality Act 2010) came into force in April 2011. Public authorities like the Council are required, in carrying out their functions, to have due regard to the equality needs set out under s.149 of the Equality Act 2010 to:

- eliminate discrimination (both direct and indirect), harassment, 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.

**4.22** Direct discrimination occurs if, because of a protected characteristic, a local authority treats a person less favourably than it treats or would treat others.

**4.23** Indirect discrimination occurs if a local authority applies to a person a provision, criterion or practice which is discriminatory in relation to a relevant protected characteristic of that person (“B”). A provision, criterion or practice is discriminatory if:

- The local authority applies, or would apply it, to persons with whom B does not share the characteristic;
- It puts, or would put, persons with whom B shares the characteristic at a particular disadvantage when compared with persons with whom B does not share it;
- It puts, or would put, B at that disadvantage, and
- The local authority cannot show it to be a proportionate means of achieving a legitimate aim.

**4.24** In short, indirect discrimination would arise if a local authority applied the same provision, criterion or practice to everyone, but it put those in a certain protected group at a “particular disadvantage” when compared with persons not in that group. Even if a “particular disadvantage” arises, indirect discrimination is not present if the provision, criterion or practice can be justified – i.e. if it is a proportionate means of achieving a legitimate aim. Members must pay due regard to any identified risk of such discrimination arising in respect of the decision before them. These matters are summarised in the Equality Impact Assessment appended to this report (Appendix E).

**4.25** Having due regard to the need to advance equality of opportunity includes having due regard to the need to remove or minimise disadvantages suffered by people with a protected characteristic. Due regard must also be had to the need to take steps to meet the needs of such persons where those needs are different from those of persons who do not have that characteristic, and to encourage those who have a protected characteristic to participate in public life.

**4.26** The steps involved in meeting the needs of disabled persons include steps to take account of the persons’ disabilities.

**4.27** Having due regard to “fostering good relations” involves having due regard to the need to tackle prejudice and promote understanding.

**4.28** Complying with the PSED may involve treating some people better than others, so far as that is allowed by discrimination law.

**4.29** The equality duty arises where the Council is deciding how to exercise its statutory powers and duties under the 1996 Act and the 2013 Act. The Council’s duty under section 149 of the Equality Act is to have “due regard” to the matters set out in relation to equalities when considering and making decisions in relation to its statutory duties under those Acts. Accordingly due regard to the need to eliminate discrimination, advance equality, and foster good relations must form an integral part of the decision-making process. Members must consider the effect that implementing a particular decision will have in relation to equality before making a decision. The Council must have an adequate evidence base for its decision making. This can be achieved by means including engagement with the public and interest groups, and by gathering details and

statistics on those who use St Nicholas CIW Primary School currently, and how the school is used.

- 4.30** Where it is apparent from the analysis of the information that the proposals would have an adverse effect on equality then reasonable adjustments should be made to avoid that effect (mitigation).
- 4.31** Members should be aware that the duty is not to achieve the objectives or take the steps set out in s.149. Rather, the duty on public authorities is to bring these important objectives relating to discrimination into consideration when carrying out its public functions (which includes the functions relating to school reorganisations). “Due regard” means the regard that is appropriate in all the particular circumstances in which the authority is carrying out its functions. There must be a proper regard for the goals set out in s. 149. At the same time, Members must also pay regard to any countervailing factors, which it is proper and reasonable for them to consider. Improving the quality of education in the Council’s area, making schools more efficient, budgetary pressures and practical factors will often be important, which are addressed above in section 4 of this report. The weight of these countervailing factors in the decision-making process is a matter for Members in the first instance.
- 4.32** The duty covers the nine protected characteristics: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. However, section 149, so far as relating to age, does not apply to the exercise of a function relating to the provision of education to pupils in schools (see paragraph 1 of Schedule 18 to the 2010 Act).
- 4.33** The Council must also comply with the specific equality duties imposed by the Equality Act 2010 (Statutory Duties)(Wales) Regulations 2011, SI 2011/1064 (“the Regulations”), particularly regulation 8 (imposing specific duties to make arrangements for assessing the impact of its policies/practise and monitoring of the same).
- 4.34** The Equality Impact Assessment identifies that there would be a positive impact on persons with the protected characteristics of age, disability, gender reassignment/ identity, and religion and belief. The proposal would support the school to ensure that it is has the improved facilities to promote equality of opportunity and foster good relations between those with different protected characteristics.
- 4.35** There has been no perceived negative impact on the protected characteristics identified. The existing site is not fully compliant with the requirements of the Equality Act 2010 due to site constraints. Successful implementation of the proposal would enable compliance by providing a fully accessible building with gender neutral facilities.

## **5. Background Papers**

- 5.1** 18 February 2019, Proposal to Increase the Number of Primary School Places at St. Nicholas Church in Wales Primary School (minute C596).

## DIRECTORATE OF LEARNING AND SKILLS Consultation Document

### On the proposal to:

- **Change the age range of St Nicholas CIW Primary School from 4-11 years to 3-11 years and to establish a nursery class containing 48 part time places from September 2021**
- **Increase the capacity of St Nicholas CIW Primary School from 126 places to 210 places from September 2021.**



This document can be made available in Braille.  
Information can also be made available in other community languages if needed.  
Please contact us on 01446 709828 to arrange this.

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## Introduction

The Vale of Glamorgan Council is committed to ensuring that all pupils within the Vale have every opportunity to attain the best possible outcomes. In order to achieve this ambition it is essential that we ensure schools remain sustainable, reflect the needs of our local communities, and are equipped with the best possible learning environments.

The Vale of Glamorgan Council is committed to ensuring that consultations are meaningful, relevant and appropriate for the communities that are involved, and the Council has a duty of care to ensure that proposals are clear, transparent, and reflective of those affected. This is a vision that can only be realised by working in partnership with schools, governors, parents and the wider communities we all serve.

This document explains the Council's proposals to change the age range of St Nicholas CIW Primary School from 4 to 3 to include 48 part time nursery places and expand St Nicholas CIW Primary School from 126 places to 210 places from September 2021.

This proposal is being considered under section 2.3 of the School Organisation Code (2018). This section refers to Regulated Alterations of a school, which includes increasing the capacity of the school by at least 25% and changing the age range of a school by a year or more.

Our consultation process follows Welsh Government guidelines outlined in the School Organisation Code (2018). A range of individuals and groups are being asked for their views about these proposals.

Before any decisions are made, the Council needs to ensure that it offers a number of opportunities for individuals and interested groups to make their views and opinions on the proposals known to enable Cabinet to consider these views as part of the decision making process.

Under the School Organisation Code (2018), it is vital that any feedback be received by **3 May 2019** in order to be considered as part of this consultation. Any items received after that date cannot be considered. This consultation gives you the opportunity to ask questions and make comments that will be considered when the Council's Cabinet decides how to proceed.

The Council is consulting with the following groups:

Staff (teaching and non-teaching) at St Nicholas CIW Primary School	Governing Body of St Nicholas CIW Primary School
Parents/Carers and Guardians of children attending St Nicholas CIW Primary School	St Nicholas with Bonvilston Community Council
Vale of Glamorgan Children and Young People's Partnership	Vale of Glamorgan Early Years Development Partnership (EYDCP)
Assembly Members (AM's) / Members of Parliament (MP's) / Regional Assembly Members	Local Councillors
Care and Social Services Inspectorate Wales (CSSIW)	Welsh Language Commissioner
Rhieni dros Addysg Gymraeg (RHAG)	Neighbouring Primary and Secondary schools in the Vale of Glamorgan
Estyn	Central South Consortium Joint Education Service
Welsh Government Ministers	Trades Unions

Local Police and Crime Commissioner	Directors of Education – All Neighbouring Authorities
Council’s Transportation Department	Diocesan Directors of Education

**Table 1 - List of groups to consult as part of the consultation process**

## Explanation of terms used in this document

**‘Admissions Number’** - All maintained schools must admit pupils up to at least their published admission number. The admission number is the number of pupil places available in each year group.

**‘ALN’** - Additional Learning Needs.

**‘CSCJES’** (Central South Consortium Joint Education Service) - The regional School Improvement Service for the five local authorities of Bridgend, Cardiff, Merthyr Tydfil, Rhondda Cynon Taff and the Vale of Glamorgan.

**‘EA’** (Equality Act) - The Act covers all aspects of school life to do with how a school treats pupils and prospective pupils, parents and carers, employees, and members of the community. Everything a school does must be fair, non-discriminatory and not put individuals or groups of people at a disadvantage. In particular, a school must not discriminate, harass or victimise a pupil or potential pupil in relation to; admissions, the way it provides education for pupils, how it provides pupils access to any benefit, facility or service, and excluding a pupil or subjecting them to any other detriment.

**‘EIA’** (An Equality Impact Assessment) - EIA is a process designed to ensure that a policy, project or scheme does not discriminate against any protected groups.

**‘FSM’** - Free School Meals.

**‘LA’** - Local Authority which means the Vale of Glamorgan Council.

**‘Number on roll’** - the number of pupils attending a school.

**‘PLASC’** (Pupil Level Annual School Census) - In January of every year, verified information is collected by schools for submission to the Welsh Government. This includes the number of pupils enrolled in each school, their age groups, home addresses, ethnicity and data on Welsh language, free school meals eligibility, special education needs and first language.

**‘SA’** (School Action) - When a class or subject teacher identifies that a pupil has SEN they provide interventions that are additional to or different from those provided as part of the school’s usual curriculum.

**‘SA+’** (School Action +) - When a class or subject teacher and the SEN Co-ordinator are provided with advice or support from outside specialists, so that alternative interventions additional or different to those provided for the pupil through School Action can be put in place.

**‘Section 106’** - the Section 106 contribution is sought from anyone who has an interest in the building of a housing development, towards the costs of providing community and social infrastructure, educational provision, open space / play equipment, transport or healthcare for those occupying the new homes.

**‘SRB’** - Specialist Resource Base for children with special educational needs.

**‘Statemented’** - A child has a Statement of Educational Need (SEN), otherwise known as Additional Learning Needs (ALN), if he or she has learning difficulties which require special educational provision to be made to him or her. A learning difficulty means that the child has significantly greater difficulty in learning than most children of the same age or that the child has a disability that needs different educational facilities from those that the school generally provides for children.

**‘Statutory Notice’** - A statutory notice is the formal publication of a finalised proposal. This will only be undertaken if a decision is made by Cabinet to proceed with the proposal following consideration of all the responses from the consultation process. This is a legal requirement as outlined in the School Organisation Code (2018).

## Involving children in the consultation

It is important that when bringing forward proposals, Councils must make suitable arrangements to consult with pupils and, where possible, those pupils likely to attend the school. The Council firmly believes that the pupils of St Nicholas CIW Primary School should be given the opportunity to make their views known about this proposal.

A consultation workshop will be held with the school council of St Nicholas CIW Primary School to gather their views about the proposal. The information gathered at this session will be included in the final consultation report. The full report will be submitted to Cabinet for consideration following the consultation period.

## Involving parents, governors and staff - how you can find out more and give your views

The Council intends to hold drop in sessions for all stakeholders as part of the process.

Parents/carers and guardians of pupils at the school and the community are invited to attend the drop in session where you can ask any questions about the proposal.

We will always ask that you complete a consultation response form as we can only accept views in writing.

The date and venue for the drop in session will be displayed by the school via the school website.

We have also arranged meetings for staff and the governing body of the school.

This document and further supporting information can also be found on the Vale of Glamorgan website: <https://www.valeofglamorgan.gov.uk/Expanding-St-Nicholas-CIW>

Any updates can also be found on social media through the Vale of Glamorgan Council Twitter feed and via the Vale of Glamorgan Council Facebook page.

Details of the consultation meeting dates are given below:

Nature of consultation	Date/Time	Venue
Parents and Community drop in session	Thursday 4 April 8.45am – 9.45am 3pm – 4pm	St Nicholas CIW Primary School, St Nicholas, Vale of Glamorgan. CF5 6SG
Governors' meeting	Thursday 4 April 6pm	St Nicholas CIW Primary School, St Nicholas, Vale of Glamorgan. CF5 6SG
Staff meeting	Monday 8 April 3.30pm	St Nicholas CIW Primary School, St Nicholas, Vale of Glamorgan. CF5 6SG
Parents and Community drop in session	Monday 8 April 4pm – 6.30pm	St Nicholas CIW Primary School, St Nicholas, Vale of Glamorgan. CF5 6SG
Pupil engagement session	Friday 12 April	St Nicholas CIW Primary School, St Nicholas, Vale of Glamorgan. CF5 6SG

**Table 2 - Staff, Governor and Parents meetings**

## Your Views Matter

The consultation period will run from **18 March 2019** to **03 May 2019**. You can respond to our proposals at any time during this period. Your views are important to us, and there are a number of ways that you can let us know.

You can:

- Complete the online response form at:  
<https://www.snapsurveys.com/wh/s.asp?k=155247874979>
- Attend a drop-in session and speak to us in person. This is a good way to be able to get answers to any questions you may have about the proposals. We will still ask that you complete a consultation response form, as we can only accept views in writing. You can also contact us on 01446 709828 for further information on the proposal.
- Complete the consultation response form at the end of this document and send to:

Freepost RTGU-JGBH-YYJZ  
St Nicholas CIW Primary Consultation  
The Vale of Glamorgan Council  
Civic Offices  
Holton Road  
Barry  
CF63 4RU

All responses given to us in writing will be considered by Cabinet before it decides whether or not to publish a statutory notice about the proposals.

Responses received from consultees who are opposed to these proposals, although considered as part of the consultation report, will not be treated as statutory objections. A statutory objection would form part of the statutory notice period, if it is approved at the next stage, by the Council's Cabinet.

If you wish to object to the notice at the next stage of the process, should it proceed, you will need to do so in writing during the statutory objection period. These key dates are outlined in the Statutory Process Timetable on page 24.

Please note that all comments submitted in writing should contain the full name and full postal address of the person making the comments.

The closing date for responses to this consultation is **03 May 2019**. Unfortunately, responses received after this date will not be considered by the Council.

## Background to the proposal

St Nicholas CIW Primary School is an English medium voluntary controlled school serving 4 to 11 year olds in St Nicholas and Bonvilston. In terms of admissions, there are 18 pupils per year group with a total capacity of 126 pupils. The school does not currently provide nursery provision.

The school consists of two buildings: the old village school built in the 1850s and a flat-roofed building. Alongside is a large playing field with a quiet garden, a climbing trail, planting beds, an outdoor stage and seating, a games pitch, and a woodland which includes a conservation area and pond.

The 21<sup>st</sup> Century Schools Programme is a long-term strategic investment in educational estate throughout Wales. It is a unique collaboration between Welsh Government, the Welsh Local Government Association (WLGA), local authorities, colleges, and dioceses. All of the Vale of Glamorgan Council projects that were undertaken as part of Band A of the 21<sup>st</sup> Century Schools Programme were completed on time and within budget. The Council is expected to receive Welsh Government Band B funding through the 21<sup>st</sup> Century School Programme to build the new school.

The Vale of Glamorgan Local Development Plan (LDP) 2011-2026 provides the local planning policy framework for the Vale of Glamorgan and was adopted by the Council on 28 June 2017. Included in the LDP are developments to the East of St Nicholas comprising of 117 dwellings and to the East of Bonvilston comprising of 120 dwellings. These are all within the catchment area of St Nicholas CIW Primary School.

## The proposal

The proposal is to change the age range of pupils at St Nicholas CIW Primary School from 4-11 years to 3-11 years to establish a nursery class containing 48 part time places from September 2021, and expand St Nicholas CIW Primary School from 126 places to 210 places from September 2021.

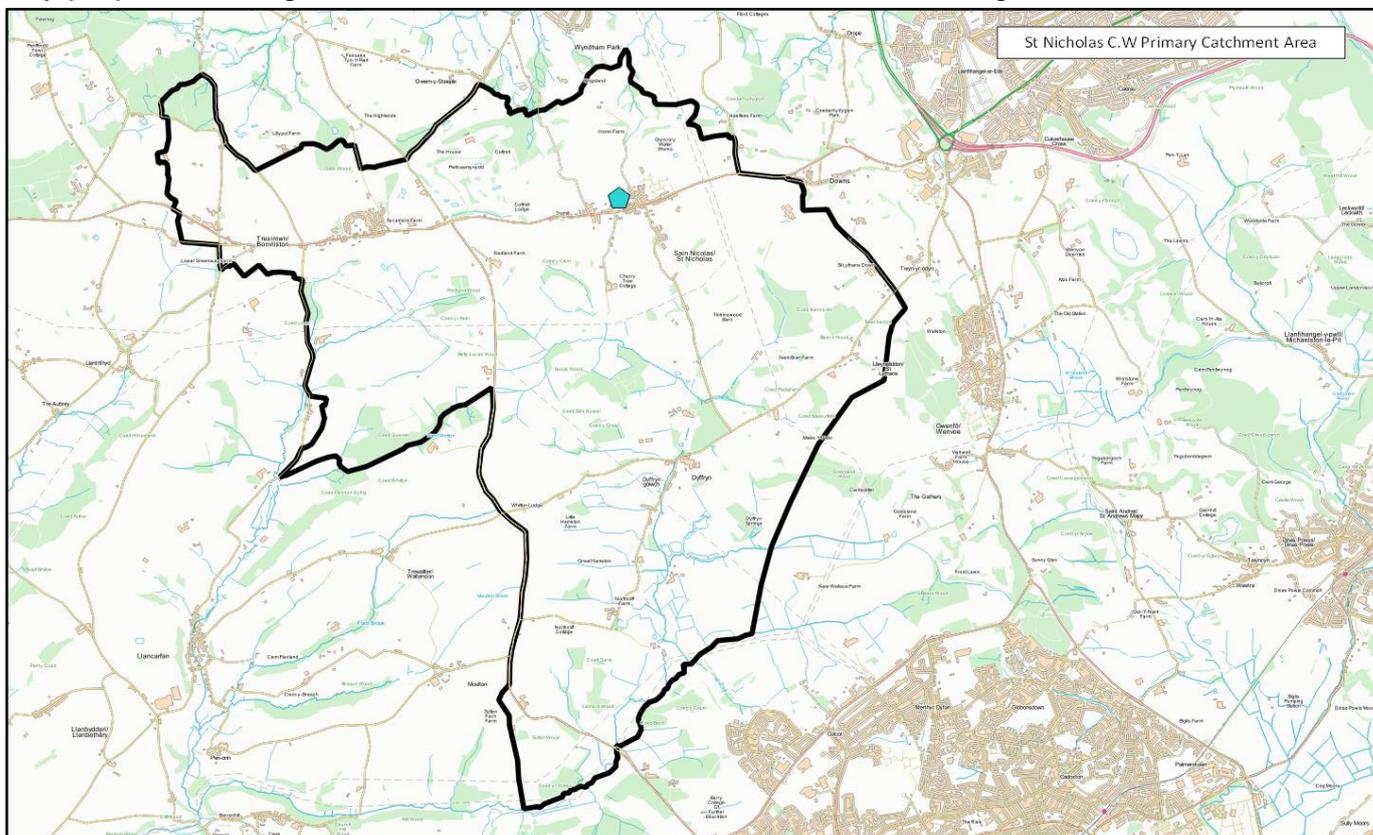
This proposal is being considered under section 2.3 of the School Organisation Code (2018). This section refers to Regulated Alterations of a school, which includes increasing the capacity of the school by at least 25% and changing the age range of a school by a year or more.

A new 210 place school for St Nicholas CIW Primary has been included as part of the Council's 21<sup>st</sup> Century Schools programme. It is proposed that St Nicholas CIW Primary School would move into this building by September 2021 to accommodate the increased demand. Although the transferring of the school to the new building is included as part of this consultation, this is not subject to the statutory process as the transfer would be within 1.609344 kilometres (1 mile).

## Catchment area map

It is **not** proposed that changes would be made to St Nicholas CIW Primary School catchment area as a result of this proposal.

All catchment and feeder arrangements in place within the Vale of Glamorgan are subject to regular review and a widespread review is scheduled to take place during spring/summer 2019. Any proposed changes would be reflected in a future admission arrangements consultation.



Map 1 – St Nicholas CIW Primary School catchment area

## Why are we proposing the changes?

### Housing Developments

A number of large scale housing developments are planned for the Vale of Glamorgan area. Planning permission has been granted for 117 dwellings to the east of St Nicholas and 120 dwellings to the east of Bonvilston. These housing developments are situated within the catchment area for St Nicholas CIW Primary School.

The projected number of pupils emanating from a development is calculated using a formula derived from census data of householders in the Vale of Glamorgan. The formula is contained within the Council's Supplementary Guidance for planning purposes.

The development in total is projected to yield around 24 nursery and 66 primary school pupils.

St Nicholas CIW Primary School currently has 128 pupils on roll against a capacity of 126 pupils. Therefore, capacity would need to be increased to ensure the school is able to meet anticipated future demand for primary education.

The table above highlights that St Nicholas Primary School is currently above its capacity by 2 pupils.

There is currently no additional capacity to accommodate the additional pupils generated by the new housing development.

In order to ensure the school is able to accommodate additional pupils between now and the opening of the new school in September 2021, the governing body is currently exploring temporary measures to increase capacity in the interim.

The following table highlights the number of places available at local schools. In the event that the governing body are unable to implement a temporary measure to increase capacity, applicants would be offered a place at the nearest available school.

School	Capacity	Number on Roll	Surplus Places
<b>Gwenfo CIW Primary School</b>	210	206	4
<b>Llancarfan Primary School</b>	126	78	48
<b>Llanfair Primary School</b>	129	130	0
<b>Llangan Primary School</b>	111	107	4
<b>Llansannor CIW (Aided) Primary School</b>	210	203	7
<b>Pendoylan CIW (Aided) Primary School</b>	210	195	15
<b>Peterston-Super-Ely CIW Primary School</b>	189	176	13
<b>St Brides Major CIW Primary School</b>	203	189	14
<b>St David's CIW Primary School</b>	140	133	7
<b>Y Bont Faen Primary School</b>	210	209	1
<b>Total</b>	<b>1738</b>	<b>1626</b>	<b>112</b>

Table 4 – Other schools information (January 2019)

### Condition of existing buildings

St Nicholas CIW Primary School is a timber clad building which has been categorised as being of poor condition and suitability. This means the school is exhibiting major defects and teaching methods are adversely affected. It would not be possible to refurbish teaching areas to fully meet 21st century standards.

The school is split over two sites with reception pupils having to walk to the nearby 'Old School' following morning assembly. There is no path along this stretch of road.

Classroom sizes are inconsistent throughout the building. There are currently 72 children being taught across two classrooms.

Building Bulletin 99: Briefing Framework for Primary School Projects advises that a sink, washable floor area and resources for simple 'wet' practical activities are required. This promotes good hygiene, prevents sickness and allows water play activities. Some classrooms at St Nicholas CIW Primary School do not currently have a water supply.

The outcome of the 2018 condition survey is outlined below.

School	Type	Condition	Suitability	Backlog Maintenance
St Nicholas CIW Primary School	Voluntary Controlled	Poor	Poor	£730,276

**Table 5 – 2018 condition survey**

The backlog maintenance includes the following.

Building element	2019 estimate (£)
Structural repairs to timber frame	462,200
Flat roof renewal	196,435
Repairs to annex building	34,665
Internal redecoration, renewal of floor coverings and minor repairs	28,888
Install ventilation fans and blending valves in toilets.	8,089
<b>Total</b>	<b>730,276</b>

**Table 6 – Backlog maintenance record**

St Nicholas CIW Primary School has been included as part of the Council's 21st Century Schools Programme. A new 210 place school building would be built on the existing school site. It is anticipated that the new school building would open by September 2021, to provide sufficient space for the increased demand and address the condition and suitability issues with the existing buildings.

Pupils would be educated in a high quality modern building which would be able to support the delivery of a broad and balanced curriculum.

### **Nursery Provision**

St Nicholas CIW Primary School does not currently offer nursery provision.

It is proposed that 48 part time nursery places are provided to develop continuity and progression in children's learning from the age of three. This would ensure there is a consistent approach to planning and delivery of the foundation phase (nursery to year two).

## **Information about the school**

### **St Nicholas CIW Primary School**

General School Information							
School	Type of school	Language category	Admission number	School capacity	Number on roll	Age range	No of Part – time nursery places
St Nicholas CIW Primary School	Voluntary Controlled	English Medium	18	126	128	4 - 11	0

**Table 7 – Number on roll 2018**

## Demand for school places

The following table provides the Pupil Level Annual School Census (PLASC) number on roll at January each year and projected number on roll data.

Recent number on roll and projected number on roll data														
School	Current School Capacity	January 2014	January 2015	January 2016	January 2017	January 2018	January 2019	2019/20 Projections	2020/21 Projections	2021/22 Projections	2022/23 Projections	2023/24 Projections	2024/25 Projections	2025/26 Projections
St Nicholas CIW Primary School	126	124	125	127	125	125	128	143	161	171	170	168	177	187

Table 8 – Recent and projected number on roll

## Current performance

The Vale of Glamorgan Council works closely with the governing bodies of schools to ensure that standards are robust, that teaching and learning is of a high quality, and that leadership and governance is strong. The Council works with two organisations in order to monitor the performance of schools and to support school improvement.

Estyn is the office of Her Majesty's Chief Inspector of Education and Training in Wales. It is a Crown body, established under the Education Act 1992. Estyn is independent of the National Assembly for Wales but receives its funding from the Welsh Government under section 104 of the Government Wales Act 1998. Estyn inspects quality and standards in education and training providers in Wales.

The Central South Consortium Joint Education Service (CSCJES) was established in September 2012. The Local Authority works with the Consortium to support and challenge all schools in the Vale of Glamorgan.

Schools are inspected as part of a national programme of school inspection. The purpose of an inspection is to identify good features and shortcomings in schools in order that they may improve the quality of education offered and raise the standards achieved by their pupils.

In September 2017 a new Estyn School Common Inspection Framework was introduced for all schools across Wales. St Nicholas CIW Primary School was last inspected in January 2017. Estyn evaluates a provider's effectiveness using a four-point judgement scale:

Judgement	What the judgement means
Excellent	Very strong, sustained performance and practice
Good	Strong features, although minor aspects may require improvement
Adequate	Strengths outweigh weaknesses, but important aspects require improvement

Unsatisfactory	Important weaknesses outweigh strengths
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**Table 9 – Estyn inspection criteria**

## **Estyn Report (May 2017)**

### **Summary**

The school's current performance: **Good**

The school's prospects for improvement: **Good**

#### **The school's current performance is good because:**

- Most pupils make good or very good progress from their individual starting points
- Many pupils make very good progress in developing their skills in information and communication technology (ICT), which enables them to work with increasing independence
- Nearly all pupils are happy, well-behaved and have commendable attitudes towards their learning
- Productive links with schools across Europe help to develop pupils awareness of global citizenship well
- Nearly all teachers provide interesting learning opportunities that engage pupils' curiosity and encourage them to develop their independent learning skills well
- The extensive outdoor learning environment provides a wide range of stimulating learning areas and opportunities for pupils to play creatively

#### **The school's prospects for improvement are good because:**

- The headteacher has a clear vision for the school that she communicates effectively with staff, governors and parents
- The school addresses national priorities successfully, which is bringing about notable improvements in pupils' ICT and other key skills
- There are successful systems to identify the school's strengths and areas for improvement accurately, which enable leaders to plan improvements efficiently
- The school benefits from numerous partnerships with local schools and those further afield, which assists the professional development of staff effectively
- Leaders monitor the school's finances appropriately and ensure that spending decisions link well to priorities in the school development plan

### **Recommendations**

R1 Raise standards of pupils' writing in Welsh in key stage 2

R2 Improve rates of attendance

R3 Provide pupils throughout the school with greater opportunities to apply their numeracy skills across the curriculum

The inspection report for St Nicholas CIW Primary School can be found at:

<https://www.estyn.gov.wales/sites/default/files/documents/St%20Nicholas%20C.I.W.%20Primary.pdf>

### **Welsh Government categorisation of schools**

In 2014, Welsh Government introduced a new categorisation system for schools; this was revised in September 2017. Categorisation considers each school's standards alongside the school's

capacity to improve in order to determine the level of support required. Organisations such as the CSCJES and the school improvement service then work with schools' leaders to identify provide and/or broker any support required for further improvement.

The categorisation system is described below:

Category	What the category means
Green	A highly effective school which is well run has strong leadership and is clear about its priorities for improvement.
Yellow	An effective school which is already doing well and knows the areas it needs to improve.
Amber	A school in need of improvement which needs help to identify the steps to improve or to make change happen more quickly.
Red	A school in need of greatest improvement and will receive immediate, intensive support.

**Table 10 – Welsh Government Criteria**

To determine the support category as explained in the table above, schools are placed in one of four groups for ability to bring about improvement (A-D) with A being the highest for improvement capacity. The revised categorisation system introduced in September 2017 does not use a standards grade.

St Nicholas CIW Primary School – Standards and Improvement Categories			
Publication Date	Standards Grade	Improvement Capacity	Overall Category
January 2019	N/A	B	Yellow
January 2018	N/A	B	Yellow
January 2017	3	C	Amber
January 2016	3	C	Amber
January 2015	3	B	Yellow

**Table 11 - Standards and improvement categories - January 2015 – January 2019**

Of the 46 primary schools in the Vale of Glamorgan, 28 are categorised as green and 18 as yellow.

For further information about the categorisation scheme, please see Welsh Government's parents' guide to the National School Categorisation System:

<http://gov.wales/docs/dcells/publications/150119-parents-guide-en.pdf>

## The intended impact on education outcomes

This consultation proposes to change the age range of St Nicholas CIW Primary School from 4 to 3 to include 48 part time nursery places and expand St Nicholas CIW Primary School from 126 places to 210 places from September 2021. The school would move into a new school building on the same site to accommodate this increased capacity.

### Standards: (Good)

Key points from last Estyn inspection:

- Most pupils enter the school with levels of skills, knowledge and understanding that are below those expected of pupils of a similar age. During their time at school, most make good or very good progress.
- Most pupils in the Foundation Phase are attentive listeners and engage well with their learning. Most develop their speaking skills well and talk about their work clearly.

- Most pupils in key stage 2 make good progress in developing their speaking skills.
- In key stage 2, most pupils continue to develop a wide range of number skills well. They perform calculations with large numbers accurately, describe two and three-dimensional shapes by their properties and plot co-ordinates in all four quadrants.
- In key stage 2, pupils' attainment over the past four years in English, mathematics and science at the expected level has fluctuated widely and has placed the school in the higher 50% in two of the past four years. At the higher-than-expected level, attainment in nearly all subjects has regularly placed the school in the higher 50% and often in the top 25% of similar schools.

The proposal would have a positive impact on standards as increasing the capacity of the school would result in a new building on site. The learning environment and infrastructure, including both indoor and outdoor facilities and learning space are key elements in supporting both teachers and learners. This is reflected in the aims of the national curriculum and Digital Competence Framework (DCF) and the Council's ambitions for 21<sup>st</sup> Century Schools with full access to 21<sup>st</sup> Century technologies.

The DCF was produced in order to ensure the development of digital literacy, competency and skills from an early age. "Digital Competence is the set of skills and knowledge and attitudes that enable the confident, creative and critical use of technologies and systems. It is essential for learners if they are to be informed, capable and have the potential to be successful in today's society." Classroom task ideas will need to "change and develop to reflect new technologies and the increasing experience and expertise within the digital learning field".

From September 2018 schools are expected to:

- Have a clear vision for delivering digital competence in the classroom across the curriculum
- Have established staff responsibilities for embedding digital competence across the curriculum
- Review hardware and software requirements, and staff professional learning needs on an on-going basis
- Be mapping digital competence against department/ year of current curriculum
- Have planned for and be delivering staff professional development in respect of digital competence, working with regional consortia.

The DCF guidance June 2018 advises that from January 2020, the new curriculum and assessment arrangements will be available. Digital expectations will be embedded in the new curriculum and settings and schools will be:

- Comparing existing approaches to DCF implementation with the new curriculum
- Embedding digital competence across the school curriculum
- Sharing good practice within and outside the school
- Engaging with the school council and pupil voice
- Evaluating how the current approach to digital competence fits with the new curriculum.

From September 2022, settings and schools will be delivering digital competence on a cross-curricular basis. They will:

- Have embedded digital competence across the school curriculum
- Continue to adapt existing digital competence approaches to the new curriculum
- Continue to review and refine their approach to digital competence.

Providing the appropriate resources and technologies to ensure we support learners to meet the objectives of the framework is therefore an important consideration in developing our plans for new school buildings as part of our strategy for Band B of the 21<sup>st</sup> Century Schools Programme.

## **Wellbeing and Attitudes to Learning: (Excellent)**

Key points from last Estyn inspection:

- Nearly all pupils are happy and feel safe in school. They are confident that adults will help if they have any issues.
- Most pupils have a positive attitude towards healthy living. They know that drinking water, eating healthy foods and taking regular exercise is important for maintaining their health. Most pupils enjoy the sporting and physical activities available and many engage well with the extra-curricular opportunities on offer.
- The school council is effective and works efficiently with little support from adults. Members of the council are proud that they have contributed effectively to several improvements in the school, including making a notable contribution to pupils' wellbeing.

As a result of the proposal, the school would be transferred to a new school building on the existing site. This would have a positive impact on the wellbeing of pupils with the introduction of innovative learning environments and break out spaces for pupil pastoral care. The school currently uses a small room with no external windows for pupils with additional learning needs.

Wireless ICT technology allows schools much more flexibility in how they use their buildings with schools being able to provide ICT facilities in less formal areas. In other schools, this has improved attitudes to learning by providing a more varied approach to developing ICT skills and improving reliability.

## **Teaching and Learning Experiences: (Good)**

Key points from last Estyn inspection:

- All teachers and teaching assistants have positive working relationships with pupils and ensure high standards of behaviour.
- Most lessons proceed at a brisk pace and teachers have high expectations of pupils, including those who are more able. Most teachers use skilful questioning that develops pupils' understanding well.
- All teachers monitor pupils' progress regularly and appropriately. They provide valuable oral and written feedback that enables pupils to understand how well they are progressing.
- Both buildings are old but in a reasonable condition internally. However, the external fabric of the main building shows signs of neglect.

The new school would result in 21<sup>st</sup> Century learning environments including improved ICT infrastructure, collaborative breakout areas, outdoor learning and effective circulation. This would enable a teaching and learning environment to better meet the needs of the new curriculum. Due to the split site and varied classroom size it has not been possible to group foundation phase and KS2 groups to provide continuity. The new build would ensure this is possible with foundation phase having direct access to external play areas.

The proposed new building would allow for further development of a curriculum filled with rich experience that challenge children, raise attainment and develop interpersonal relationships.

Extending the age range of the school to provide nursery provision would provide a consistent approach from 3-11 years to promote and underpin continuity and progression for pupils, ensuring breadth and balance across the curriculum.

## **Care, Support and Guidance: (Good)**

Key points from last Estyn inspection:

- The school promotes pupils' spiritual, moral, social and cultural development well within a suitable range of activities and educational visits.
- A well-established programme teaches pupils values such as honesty and forgiveness, and contributes to pupils' pride in their school successfully.
- There is good a range of extra-curricular lunchtime and after-school activities, which are well attended.
- The school works well with several specialist agencies to provide valuable support for pupils.

This proposal would significantly improve the learning environment and increase facilities to support wellbeing including break out spaces for pastoral care and withdrawal for additional learning needs interventions.

### **Leadership and Management: (Good)**

Key points from last Estyn inspection:

- The acting headteacher has a clear vision for the school and has high expectations for its future progress. She communicates her vision effectively with staff, governors and parents.
- There are effective arrangements for managing the performance of staff, including all support staff. Individual objectives link well to whole-school improvement priorities and meet individual development needs effectively.
- Governors understand their roles and responsibilities clearly and generally have an accurate understanding about pupils' performance. Many visit the school regularly to take part in monitoring activities.

The proposed increased size of the school would better facilitate distributed leadership amongst an increased workforce. This would support continued professional development and reduce the burden of staff responsibilities often linked to schools below 210 pupils.

## **Impact of the proposal on the Welsh language**

The Council's School Investment Programme reflects the Council's commitments in the Welsh in Education Strategic Plan (WESP), which aims to ensure that demand for Welsh medium education can be met in the long-term, in line with Welsh Government's National Gymraeg 2050 strategy and contributing to its ambitious target of 1 million Welsh speakers by 2050.

There are a number of Welsh-medium primary schools serving the Western Vale, including Ysgol Iolo Morgannwg and Ysgol Dewi Sant.

Although St Nicholas CIW Primary School teaches predominantly through the medium of English, the high standards achieved in Welsh language contribute to the Council's commitment to encouraging bilingual speakers.

## **Impact of the proposal on schools with a designated religious character**

There are 17 primary schools within the Western Vale. St Nicholas CIW Primary School is one of the seven Church in Wales primary schools.

This proposal would increase the school's capacity from 126 places to 210 places resulting in an additional 84 Church in Wales school places.

St Nicholas CIW Primary School would maintain its religious ethos whilst catering for a larger number of pupils.

## Land and Buildings

The Vale of Glamorgan Council has a vision to provide the best possible facilities for children and young people in the Vale to support their learning. A condition survey involves a visual assessment of all exposed parts of the buildings to identify significant defects and items of disrepair.

The Council's latest condition survey of the school was undertaken in 2018.

School	Type of school	Condition of school building	Suitability of school building	Cost of identified repairs
St Nicholas CIW Primary School	Community	Poor	Poor	£730,276

**Table 13 – 2018 Council Condition Survey**

The proposed new school building would provide:

- A high quality IT rich learning environment for pupils meeting the educational curriculum needs of the 21st Century
- Unobstructed access between all internal areas for children and staff as the new school will be contained within a single building
- Enhanced safeguarding and site security for pupils and staff
- Improved outdoor sports facilities for both pupil and community use
- Full access for the whole community with full disabled access to internal and external areas.

The existing St Nicholas CIW Primary School building is situated on approx. 12,034m<sup>2</sup> site in the village of St Nicholas. The existing building's gross internal area is 667m<sup>2</sup>. Based on a school capacity of 126 pupils, Building Bulletin 99 (BB99) recommends a gross internal floor area of between 827m<sup>2</sup> and 856m<sup>2</sup>. Using the minimum measurements this equates to 160m<sup>2</sup> below the recommended building gross internal floor area.

The new school building would meet BB99 requirements for gross internal area. BB99 recommends a gross site area of between 10,024m<sup>2</sup> and 11,224m<sup>2</sup> for a 210 place primary school with nursery. The existing site is 12,034m<sup>2</sup> which would exceed BB99 requirements.

## How would other schools be affected?

The proposal is unlikely to have a significant impact on any other schools in the local area as no change to the existing catchment area is proposed.

There is currently no nursery provision at St Nicholas CIW Primary School or in the immediate area. Children can access nursery provision at other nursery units of schools or at a registered provider. The overall number of nursery places required will increase in the area by approximately 24 full time equivalent places to take account of the new housing developments planned. Any local registered providers will be able to respond to the consultation.

## Changes to Catchment Areas

The existing catchment area for St Nicholas CIW Primary School would remain unchanged as a result of this proposal. The increased capacity is required to meet the needs of the growing population within the catchment area.

## How would Additional Learning Needs (ALN) provision be affected?

The school does not have an attached specialist resource base (SRB); it provides specialist support for children who have identified needs in an inclusive setting within the school.

The following table provides information about the needs of pupils from January 2018 PLASC.

2018		St Nicholas CIW Primary School Jan 2018	LA	Wales
Percentage of ALN Pupils	School Action	21.6%	8.4%	13.7%
	School Action Plus	10.4%	5.1%	10.5%
	Statemented	0%	0.4%	2.5%

Table 14 - Outline of ALN need for children of compulsory school age PLASC January 2018

The school provides a targeted and bespoke curriculum which is responsive to the individual child's abilities and ensures that all children who require additional support are integrated across all areas of the curriculum.

## What are the advantages of these proposals?

Expanding the school and relocating to a new school building would;

- Enable the school to further improve while catering for a greater pupil population.
- Ensure the Council is able to accommodate the future demand for faith based education based on current trends.
- Provide innovative and creative learning environments which are adaptable to change and will challenge and support children to reach their full potential.
- Increase the level of community access and interaction through the use of the school's educational facilities whilst meeting the needs of the school.
- The new building will meet BREEAM (Building Research Establishment Environmental Assessment Method) Excellent standards and be built to an EPC (Energy Performance Certificate) A rating.
- Establish a nursery unit which offers a more efficient and sustainable model of delivery of education for the 21st Century that meets national building standards and reduces the recurrent costs and carbon footprint of education buildings.
- Develop the ethos and culture of the school in children from an earlier age, leading to effective interpersonal relationships and higher self-esteem.

- Provide a consistent approach from 3-11 years to promote and underpin continuity and progression for pupils, ensuring breadth and balance across the curriculum.
- All curriculum planning and resourcing would build successfully on previous pupil knowledge and experience and engage interest.
- Support pupils to develop their ability to learn new skills and apply their subject knowledge more positively and creatively across a continuum of learning.
- Improve the already good arrangements for the care, support and guidance of pupils from an earlier age.
- Extend and develop partnerships with families from the earliest opportunity to strengthen home / school transition.

### **What are the potential disadvantages of these proposals?**

- Management of staff and resources may be disrupted during the transition to the increased capacity.
- There is the potential for disruption for pupils and staff as they become accustomed to their new environment.

### **Transition plan if the proposals are approved**

The Council's proposals mean that all pupils, staff and governors would move to the new school site by September 2021. A phased approach would be adopted for the increased capacity with the admission number increasing to 30 for the 2021/22 reception intake. Capacity would not reach 210 until 2028/29.

However, In order to ensure the school is able to accommodate additional pupils between now and the opening of the new school in September 2021, the governing body is currently exploring temporary measures to increase capacity in the interim.

### **Risks associated with the proposals**

The Council has secured 65% of funding for the proposal under Band B of the Welsh Government 21<sup>st</sup> Century Schools Programme subject to approval of a business case. The remaining funding for the new school building would be met by the Council using Section 106 funding received from the nearby housing developments.

### **Alternatives considered**

#### **Opening a brand new 210 place school to serve the additional demand for school places as a result of the developments in St Nicholas and Bonvilston**

This model was identified as not being the preferred option for the following reasons:

- This option does not address the current site issues at St Nicholas CIW Primary School.

- The creation of a new primary school would result in increased strain on schools funding with additional overhead costs associated with an additional school.
- This option would not provide 21<sup>st</sup> century learning environments at St Nicholas CIW Primary School.
- There would be insufficient demand to justify a new 210 place school.
- A site for the new school would be required. This would likely result in a capital cost for the purchase of land.

**Increase capacity of St Nicholas CIW Primary School from 126 places to 210 places by expanding the existing school building and fully refurbish existing building.**

This model was identified as not being the preferred option for the following reasons:

- This option does not address the current site issues at St Nicholas CIW Primary School.
- This option would not provide 21<sup>st</sup> century learning environments at St Nicholas CIW Primary School.
- Expanding the school on the existing site could cause disruption to staff and pupils due to the existing layout.

**Build a new school for St Nicholas CIW Primary School whilst maintaining the existing capacity of 126 places.**

This model was identified as not being the preferred option for the following reasons:

- There would be no additional school places to accommodate the additional pupils as a result of the housing developments in St Nicholas and Bonvilston.
- The Council considers that a 210 place building is the minimum size from an efficiency and sustainability perspective.
- Smaller schools generally face greater pressures in areas of leadership and management, staff development and curriculum planning. The smaller the school the more challenging it is often for the teachers to match work to all pupils learning needs.

**Maintaining the status quo**

This model was identified as not being the preferred option for the following reasons:

- This option does not address the current site issues at St Nicholas CIW Primary School.
- This option would not provide 21<sup>st</sup> century learning environments at St Nicholas CIW Primary School.
- There would be no additional school places to accommodate the additional pupils as a result of the housing developments in St Nicholas and Bonvilston.
- This would result in increased transportation costs to transport pupils to the nearest available school.

## **Review of catchment and feeder arrangements**

All catchment and feeder arrangements in place within the Vale of Glamorgan are subject to regular review and a widespread review is scheduled to take place during spring/summer 2019. Any proposed changes would be reflected in a future admission arrangements consultation.

## **Finance – capital investment**

Subject to the approval of this proposal, a significant capital investment would be made to establish a new school building for St Nicholas CIW Primary School. The Council would manage the process and the governing body, staff, parents and pupils of St Nicholas CIW Primary School would be fully engaged in the development of the plans. The Council would also be responsible for managing the construction.

It is estimated that the total capital funding required to build a new school on the proposed site would be £4.185 million. The Council is expected to receive £2.720 million in Welsh Government funding through the 21st Century Schools Programme, subject to the approval of a business case.

The additional £1.465 million would be funded by the Council. Section 106 contributions would be utilised where available.

## **Finance – running costs**

The estimated revenue cost of operating a new 210 place school is £830k. The revenue budget delegated for St Nicholas CIW Primary School for 2018/19 is £553k. The £277k difference would be found from within the Individual Schools' Budget generated by the additional revenue from the increase in pupil numbers from the new housing developments.

A schools delegated budget is driven by pupils on roll rather than capacity, therefore, this budget growth would be gradual in line with the growth of pupils on roll.

## **Human Resources**

It is not anticipated that there would be any adverse impacts for staff as they would simply move to a new building on their existing contracts. This proposal would lead to an increase in employment opportunities at the school as additional pupil numbers would lead to growth in future staffing levels. The governing body and headteacher would need to consider an increase in the staffing structure for the additional pupil numbers from September 2021. Any proposed changes to staffing would be subject to full consultation with staff and the relevant trades unions where necessary.

The Vale of Glamorgan Council fully supports the governors, headteacher and staff at the school with any employment related matters. The school has access to the Council's Human Resources policies and procedures, including recruitment policies. The Human Resources service works closely with governors to ensure regular and clear communication with all employees takes place on all matters relating to a change in location of their workplace.

## Transport

Traffic and transport implications would be considered as part of the Transport Assessment that would be required in order to achieve planning consent for the building works should this proposal be implemented.

## Learner travel arrangements

The Vale of Glamorgan Council does not provide free school transport for nursery-age children other than those children who have a Statement of Special Educational Needs (SEN). Under these proposals there are no plans to change the Council's policy on the transport of children to and from schools.

The Council has a statutory duty to provide free school transport for pupils of statutory school age who reside beyond walking distance to the nearest appropriate school.<sup>1</sup>

*"This is defined as 2 miles or further to the nearest suitable school for Primary Pupils and 3 miles or further for Secondary School Pupils. Distances are measured by the nearest available walking route."*<sup>2</sup>

The school does not currently have any pupils who are entitled to free school transport. However, the school does provide a fee-paying minibus service for parents.

This proposal would not impact on existing learner travel arrangements as the school would remain on the existing site and there would be no change to the catchment area.

## Equality impact assessment

An Equality Impact Assessment will be carried out as part of the consultation process and will be published alongside the Consultation Report.

## Considering community impact

A Community Impact Assessment has been undertaken to determine any impacts this proposal would have on the local community. The proposal was assessed across a number of measures.

The impact assessment identifies that the proposal would likely have a neutral impact on the local community across 2 of the 8 measures assessed. The proposal would likely have a positive impact on the local community across 5 of the 8 measures assessed. The proposal would likely have a negative impact on the local community across 1 of the 8 measures. Overall, the proposal would likely have a positive impact on the local community.

The proposal would enable the school to continue its success while catering for a greater pupil population, as well as a wider age range. It would provide innovative and creative learning

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<sup>1</sup>Policy For The Provision Of Home To School Transport (Revised February 2010)

<sup>2</sup>The Learner Travel (Wales) Measure 2008

environments which are adaptable to change and would challenge and support children to reach their full potential.

The proposal would maintain and increase the level of community access and interaction through the use of the school's educational facilities whilst meeting the needs of the school.

The proposal would provide a consistent approach from 3-11 years that would promote and underpin continuity and progression for pupils, ensuring breadth and balance across the curriculum.

The school currently offers a range of activities for pupils outside of the normal school day. It is proposed that as a minimum all existing facilities for pupil's parents and the community would continue on the proposal.

Transport implications would need to be carefully considered during the design of the new school to limit the impact of the increased pupils traveling to the school.

It is concluded from the Community Impact Assessment that the proposal to increase the number of school places and amend the age range of St Nicholas CIW Primary School would better meet the needs of the local community to ensure the sustainable balance between supply and demand for school places.

The full Community Impact Assessment can be viewed via the following link:

<https://www.valeofglamorgan.gov.uk/Expanding-St-Nicholas-CIW>

## Outline of the statutory consultation process

Outline of the statutory consultation process	
Steps	Description
<b>Step 1: Develop a proposal</b>	An initial proposal will be developed and considered by the Council's Cabinet. Section 2 of the School Organisation Code outlines when the statutory procedure is required.
<b>Step 2: Cabinet consideration</b>	The Council's Cabinet to consider the proposal and approval to consult.
<b>Step 3: Consultation</b>	A consultation document must be published on the Council website. The consultation document must be published on a school day and consultees must be given at least 42 days to respond to the document, with at least 20 of these being school days. Stakeholders identified in section 3.4 of the School Organisation Code (2018) must be notified by letter/email.
<b>Step 4: Consultation response report</b>	Feedback submitted during the consultation period will be considered and a response report will be developed and presented to Cabinet for consideration.
<b>Step 5: Cabinet consideration</b>	Cabinet will consider the consultation response report and determine whether to publish the report and to approve the publication of the proposal in the form of a statutory notice.

<b>Step 6: Statutory notice</b>	The statutory notice must be published on a school day and as outlined in section 4.1 of the School Organisation Code (2018).
<b>Step 7: Objection period</b>	Anyone wishing to make objections to a proposal has the opportunity to do so. 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.
<b>Step 8: Objection report</b>	Under section 49 of the School Standards and Organisation (Wales) Act 2013 when objections have been received proposers <b>must</b> publish a summary of the statutory objections and the proposer's response to those objections ("the Objection Report").
<b>Step 9: Cabinet consideration</b>	Cabinet consider the objection report for final determination on the proposal.
<b>Step 10: Decision letter</b>	Confirmation of the decision and objection report availability will be issued to stakeholders.

**Table 16 – Outline of the statutory consultation process**

## Key dates

Feedback from this consultation will be collated and summarised and a report presented to Cabinet. The consultation report will be available for everybody to view on the school's and the Council's websites. Copies can also be obtained on request by using the contact details within this document.

There are further stages that the Council will have to go through before a final decision is made. These stages are set out below:

<b>Statutory Process</b>	<b>Timescale</b>
Issue consultation document	<b>18 March 2019</b>
Closing date for views on the proposals	<b>3 May 2019</b>
Consultation report considered by Cabinet and published on the school and Council's website	<b>June 2019</b>
Subject to Cabinet approval, Statutory notice issued during which time formal written objections will be invited	<b>June/July 2019</b>
End of Statutory Notice Period	<b>July 2019</b>
Determination by Cabinet with objection report.	<b>September 2019</b>

Decision notification	<b>September 2019</b>
Increased capacity to be introduced from	<b>September 2021</b>

Table 17 - Timetable for consultation

**The proposed timetable may be subject to change**

## Consultation period

**The consultation period for this proposal starts on Monday 18 March 2019 and ends on Friday 3 May 2019.** See page 6 for further details of how to respond and make your views known.

Within 13 weeks of 3 May 2019 a consultation report will be published on the Council's and school's websites. Hard copies of the report will also be available from the school office on request. The report will summarise the issues raised by consultees during the consultation period and responses to these issues. The report will also contain Estyn's view of the proposals.

In June 2019 Cabinet will consider the consultation report and decide whether or not to progress to the next stage.

If the Council decides to continue with the proposals it must publish a statutory notice.

## Statutory notice

The statutory notice would be published on the Vale of Glamorgan Council website and posted at or near the main entrance to St Nicholas CIW Primary School. Copies of the notice will be distributed to pupils, parents, guardians, and staff members. The school may also distribute the notice by email. The notice will set out the details of the proposals and invite anyone who wishes to object to do so in writing within the specified period.

## Determination of the proposal

The Council would determine the proposal. Cabinet may decide to approve, reject or approve the proposals with modifications. In doing so, the Council would take into account any statutory objections that it has received.

## Decision notification

Following determination of proposals all interested parties would be informed of the decision which will be published electronically on the Vale of Glamorgan Council's website.

## Frequently Asked Questions (FAQs)

### ***What is the intended timescale of development?***

It is intended that construction of the new school would commence by July 2020 and be

completed by September 2021.

***When would staff and pupils transfer to the new school building?***

The proposal is that the new school would open by September 2021.

***Would there be a new headteacher?***

All staff employed at the school on the date of transfer would transfer automatically to the new site with no change to their terms and conditions of employment.

***How would potential transport implications be considered as part of this proposal?***

The Council's 21<sup>st</sup> Century Schools Team would be responsible for the build process. A contractor would be appointed and a full transport assessment would be undertaken as part of the design process. Any implications identified would be factored into the design of the new building. The contractor would submit a full planning application for the new building.

***Who would manage the construction of the new school building?***

The Council's 21<sup>st</sup> Century Schools Team would be responsible for managing the build process. A contractor would be appointed using the SEWSCAP framework. SEWSCAP is a construction framework used by 16 local authorities and provides pre-qualified and suitably experienced Contractors to deliver the 21<sup>st</sup> Century Schools Programme, and other public buildings, relating to both new build and refurbishment projects over £1.5 million. A programme of engagement would be devised to ensure all stakeholders are informed of progress and are able to feed into the design process. There would be regular meetings between the Council, contractor and school.

***Would the construction of the new school result in disruption for staff, pupils and local residents?***

It is proposed that the new school building is built on the existing site which would result in some disruption for staff, pupils and local residents during the construction phase. The school would work closely with the Council's 21<sup>st</sup> Century Schools Team to limit disruption through restricting delivery times and working collaboratively with the site manager.

***How would we be involved throughout the design process?***

A programme of engagement would be devised to ensure all stakeholders are informed of progress and are able to feed into the design process. There would be regular meetings between the Council, contractor and school. Any feedback or thoughts can be sent to the 21<sup>st</sup> Century Schools Team on: [21stcenturyschools@valeofglamorgan.gov.uk](mailto:21stcenturyschools@valeofglamorgan.gov.uk)

## Consultation Response Form

On the proposal to:

- **Change the age range of pupils at St Nicholas CIW Primary School from 4-11 years to 3-11 years, and to establish a nursery class containing 48 part time places from September 2021**
- **Increase the capacity of St Nicholas CIW Primary School from 126 places to 210 places from September 2021.**

Your views matter. Please tell us what you think about the proposals by:

- completing the online response form at <https://www.snapsurveys.com/wh/s.asp?k=155247874979>

or

- answering the consultation questions and adding your points of view on this form

Please return the form to the postal address at the bottom of the form.

**Please note that all comments should contain the full name and full postal address of the person making the comments.**

**The closing date for responses to this consultation is Friday 3 May 2019. Unfortunately no responses received after this date can be considered.**

Consultation responses will not be counted as objections to the proposals, although considered by the Council when making its decision.

Objections can only be registered following publication of a **statutory notice**.

Any responses received can be requested under the Freedom of Information Act and may have to be made public. However, any information that would identify an individual such as name, email address and postal address would be removed.

Your Name:

Address:

Postcode:

Email Address:

Date:

Please tell us whether you are responding as (tick all which apply):

- |                    |                          |                           |                          |
|--------------------|--------------------------|---------------------------|--------------------------|
| 1. Parent          | <input type="checkbox"/> | 5. Local Resident         | <input type="checkbox"/> |
| 2. Pupil           | <input type="checkbox"/> | 6. Other (please specify) | <input type="checkbox"/> |
| 3. Governor        | <input type="checkbox"/> |                           |                          |
| 4. Member of Staff | <input type="checkbox"/> |                           |                          |

**On the proposal to:**

- **Change the age range of pupils at St Nicholas CIW Primary School from 4-11 years to 3-11 years, and to establish a nursery class containing 48 part time places from September 2021**
- **Increase the capacity of St Nicholas CIW Primary School from 126 places to 210 places from September 2021.**

**Questions**

1. Do you support the proposal to expand St Nicholas CIW Primary School from 126 places to 210 places and change the lowest age range for the school from 4 to 3 to provide nursery provision from September 2021?

Yes

No

If you support or do not support the proposal then please explain why.

2. If you would like to suggest any changes or alternatives to the proposals, please detail these below.

Any other comments?

Thank you for your comments

Please tick the box below if you wish to be notified of publication of the consultation report

Freepost RTGU-JGBH-YYJZ  
St Nicholas CIW Primary Consultation  
The Vale of Glamorgan Council  
Civic Offices  
Holton Road  
Barry  
CF63 4RU

**Please return this form to the Vale of Glamorgan Council by no later than 3 May 2019**

**Notes on Consultation Document**

## Vale of Glamorgan Equality Monitoring Form

<b>Gender and Gender Identity</b>				
What is your gender?	<input type="checkbox"/> Female <input type="checkbox"/> Male			
At birth were you described as?	<input type="checkbox"/> Female <input type="checkbox"/> Male <input type="checkbox"/> Intersex <input type="checkbox"/> Prefer not to say			
<b>Disability</b>				
Are your day-to-day activities limited because of a physical or mental health condition, illness or disability which has lasted, or is expected to last, 12 months or more?	<input type="checkbox"/> Yes – limited a lot <input type="checkbox"/> Yes – limited a little <input type="checkbox"/> No <input type="checkbox"/> Prefer not to say			
<b>Age</b>				
What is your date of birth?				
<b>National Identity</b>				
<b>National Identity – how would you describe your national identity?</b>				
<input type="checkbox"/> Welsh	<input type="checkbox"/> English	<input type="checkbox"/> Scottish	<input type="checkbox"/> Northern Irish	<input type="checkbox"/> British
<input type="checkbox"/> Other (please specify)		<input type="checkbox"/> Prefer not to say		
<b>Ethnic Group</b>				
<b>Ethnicity – how would you describe your ethnic group?</b>				
<b>White</b>				
<input type="checkbox"/> Welsh/English/Scottish/Northern Irish/British		<input type="checkbox"/> Irish		
<input type="checkbox"/> Gypsy or Irish Traveller	<input type="checkbox"/> Any other white background (please specify):			
<b>Mixed/multiple ethnic groups</b>				
<input type="checkbox"/> White and Black Caribbean	<input type="checkbox"/> White and Black African	<input type="checkbox"/> White and Asian		
<input type="checkbox"/> Any other mixed/multiple ethnic background (please specify):				
<b>Asian/Asian British</b>				
<input type="checkbox"/> Indian	<input type="checkbox"/> Pakistani	<input type="checkbox"/> Bangladeshi	<input type="checkbox"/> Chinese	
<input type="checkbox"/> Any other Asian background (please specify):				
<b>Black/African/Caribbean/Black British</b>				
<input type="checkbox"/> African		<input type="checkbox"/> Caribbean		
<input type="checkbox"/> Any other Black/African/Caribbean background (please specify):				
<b>Other ethnic group</b>				
<input type="checkbox"/> Arab				
<input type="checkbox"/> Any other ethnic group (please specify):				
<input type="checkbox"/> Prefer not to say				

**Welsh Language**

Please describe your Welsh language ability by ticking the relevant box(es) below.

	Understand	Speak	Read	Write
None	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Basic	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Competent	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Good	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fluent	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Sexual Identity**

Which of the following options best describes how you think of yourself?

<input type="checkbox"/> Heterosexual / straight	<input type="checkbox"/> Gay or lesbian	<input type="checkbox"/> Bisexual
<input type="checkbox"/> Other	<input type="checkbox"/> Prefer not to say	

**Religion**

What is your religion?

<input type="checkbox"/> No religion	<input type="checkbox"/> Christian (all denominations)	<input type="checkbox"/> Buddhist
<input type="checkbox"/> Hindu	<input type="checkbox"/> Jewish	<input type="checkbox"/> Muslim
<input type="checkbox"/> Any other religion (please specify):		<input type="checkbox"/> Prefer not to say

**Pregnancy and Maternity**

Are you currently pregnant or have you been pregnant within the last year?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Prefer not to say
Have you taken maternity leave within the past year?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Prefer not to say

**Marriage and Civil Partnership**

What is your legal marital or same sex civil partnership status?	<input type="checkbox"/> Single, that is never married and never registered in a same sex civil partnership <input type="checkbox"/> Married and living with husband/wife <input type="checkbox"/> Separated but still legally married <input type="checkbox"/> Divorced <input type="checkbox"/> Widowed <input type="checkbox"/> In a registered same-sex civil partnership and living with your partner <input type="checkbox"/> Separated, but still legally in a same-sex civil partnership <input type="checkbox"/> Formerly in a same-sex civil partnership which is now legally dissolved <input type="checkbox"/> Surviving partner from a same-sex civil partnership <input type="checkbox"/> Prefer not to say
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# St Nicholas Church in Wales Primary School Consultation Response Report

## On the proposal to:

- **Change the age range of St Nicholas CIW Primary School from 4-11 years to 3-11 years and to establish a nursery class containing 48 part time places from September 2021**
- **Increase the capacity of St Nicholas CIW Primary School from 126 places to 210 places from September 2021.**

This document can be made available in Braille.  
Information can also be made available in other community languages if needed.  
Please contact us on 01446 760239 to arrange this.

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## Background

This report presents the feedback received during the consultation, undertaken from 18 March 2019 to 3 May 2019, in response to the proposals to change the age range of St Nicholas CIW Primary School from 4 to 3 to include 48 part time nursery places and expand St Nicholas CIW Primary School from 126 places to 210 places from September 2021.

This report outlines the consultation process, provides an overview of responses to the consultation, and offers further details of the key issues and favourable comments raised by stakeholders.

## Outline of the consultation process

The consultation processes followed Welsh Government guidelines, in compliance with the Schools Standards and Organisation (Wales) Act 2013 and in line with the School Organisation Code 2018. The consultation processes gave prescribed consultees the opportunity to learn about the proposal and for the governing body to hear the views of all those with an interest so that they can be taken into account before any decisions are made.

### Publication of the consultation

Formal consultations were conducted through a consultation document and response form distributed electronically to prescribed consultees and published on the Vale of Glamorgan Council website on the 18 March 2019. Consultees were also provided with an email link to the Vale of Glamorgan Council's website. Hard copies of the consultation document were available upon request.

The publication of a consultation document is central to the consultation process for school reorganisation and is prescribed by Welsh Government in the School Organisation Code 2018. The consultation document outlined the proposal being considered, the rationale for the proposal and the details of the consultation exercise. The consultation document also incorporated an individual response form. Consultees were advised of the availability of an online version to complete.

### Consultation stakeholder engagement

Engagement for both consultations on the proposal was undertaken with prescribed consultees as contained within the School Organisation Code 2018.

The following groups were consulted:

Staff (teaching and non-teaching) at St Nicholas CIW Primary School	Governing Body of St Nicholas CIW Primary School
Parents/Carers and Guardians of children attending St Nicholas CIW Primary School	St Nicholas with Bonvilston Community Council
Vale of Glamorgan Children and Young	Vale of Glamorgan Early Years Development

People's Partnership	Partnership (EYDCP)
Assembly Members (AM's) / Members of Parliament (MP's) / Regional Assembly Members	Local Councillors
Care and Social Services Inspectorate Wales (CSSIW)	Welsh Language Commissioner
Rhieni dros Addysg Gymraeg (RHAG)	Neighbouring Primary and Secondary schools in the Vale of Glamorgan
Estyn	Central South Consortium Joint Education Service
Welsh Government Ministers	Trades Unions
Local Police and Crime Commissioner	Directors of Education – All Neighbouring Authorities
Council's Transportation Department	Diocesan Directors of Education

**Table 1 – List of groups consulted as part of the consultation process**

Consultees were invited to complete a formal consultation response form which could be completed in hard copy or online via the Council's website at:

**<https://www.valeofglamorgan.gov.uk/Expanding-St-Nicholas-CIW>**

### **Consultation meetings and drop in sessions**

Meetings were held with the staff and governors at St Nicholas CIW Primary which were attended by the Headteacher and Council officers. The main points of the consultation document were highlighted as well as an explanation of the statutory process.

Drop in sessions were held for parents and members of the community to ask questions about the proposals and provide informal comments.

<b>Nature of consultation</b>	<b>Date/Time</b>	<b>Venue</b>
Parents and Community drop in session	Thursday 4 April 8.45am – 9.45am 3pm – 4pm	St Nicholas CIW Primary School, St Nicholas, Vale of Glamorgan. CF5 6SG
Governors' meeting	Thursday 4 April 6pm	St Nicholas CIW Primary School, St Nicholas, Vale of Glamorgan. CF5 6SG
Staff meeting	Monday 8 April 3.30pm	St Nicholas CIW Primary School, St Nicholas, Vale of Glamorgan. CF5 6SG
Parents and Community drop in session	Monday 8 April 4pm – 6.30pm	St Nicholas CIW Primary School, St Nicholas, Vale of Glamorgan. CF5 6SG
Pupil engagement session	Friday 12 April	St Nicholas CIW Primary School, St Nicholas, Vale of Glamorgan. CF5 6SG

**Table 2 – Staff, Governor and Parents meetings**

### **Consultation with children and young people**

A consultation session was undertaken with the School Council of St Nicholas CIW Primary to engage the pupils in the consultation process. A report on the outcome of this session can be found at Annex D.

## Consultation Questions

Consultees were asked for their opinion on a key question:

**Do you support the proposal to expand St Nicholas CIW Primary School from 126 places to 210 places and change the lowest age range for the school from 4 to 3 to provide nursery provision from September 2021?**

Consultees were also offered the opportunity to comment further:

**If you would like to suggest any changes or alternatives to the proposals, please detail these below.**

**Any other comments?**

## Consultation responses

The consultation responses received in writing between 18 March 2019 and 3 May 2019 are outlined below.

### Results of the feedback from all stakeholders

27 individual responses were received by the consultation closing date of the 3 May 2019. Of the total 27 individual responses received, 22 were in favour of the proposal and 5 were opposed. Estyn formally responded to the consultation and their full response is contained in Annex E.

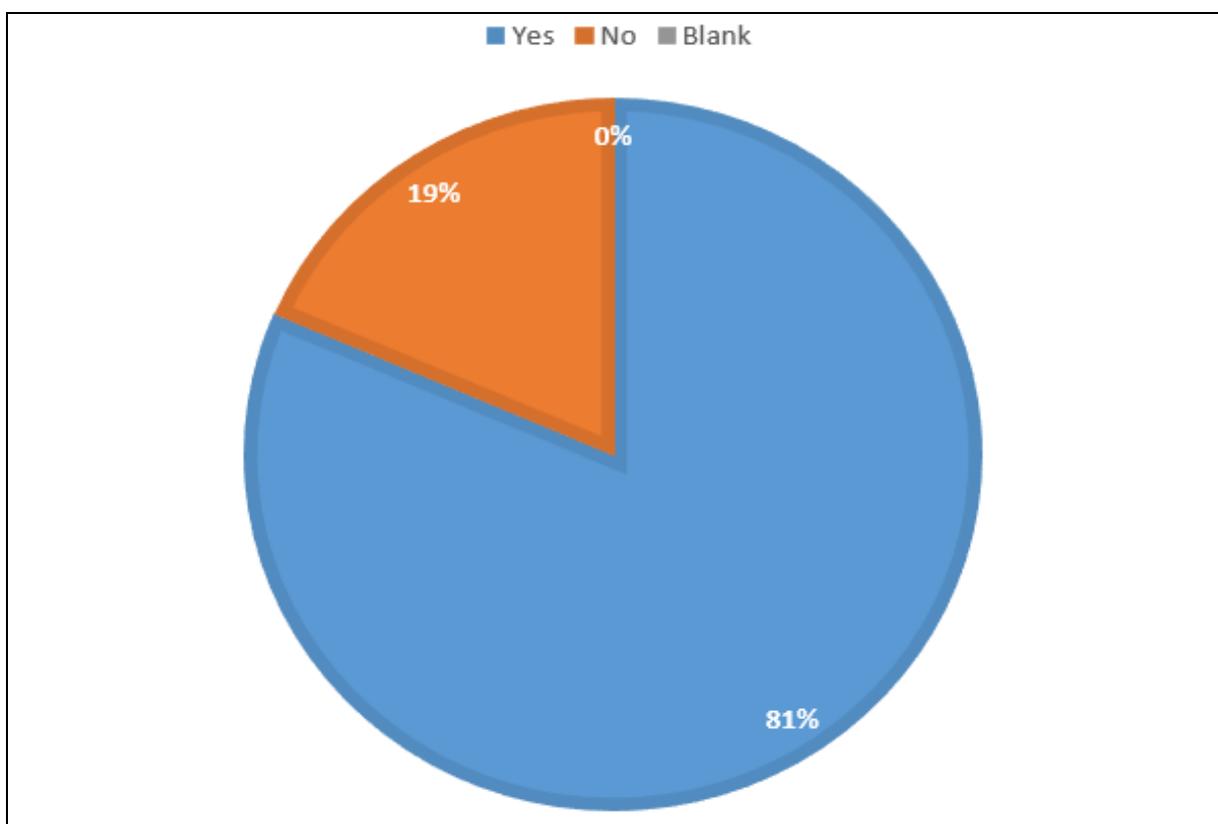


Chart 1 – Split of responses supporting or not supporting the consultation, and those responses left blank

It has been noted that not all consultees provided a response to each of the questions and that some forms were not fully completed. In these cases we have accepted the responses to the questions that they have chosen to answer.

Feedback from consultation meetings and drop in sessions are not included in this report as it was stated clearly in the consultation document that only responses submitted using the official consultation response form would be accepted. Consultees were advised of this at the drop in sessions.

### Profile of respondents

Respondents were asked to indicate their role in relation to the proposal, respondents were able to tick more than one option.

Respondent groups	Number of responses from respondent groups	% of responses from respondent groups
Parent	4	15%
Pupil	0	0%
Governor	8	30%
Member of staff	12	44%
Local resident	9	33%
Other	0	0%

Table 3 – Number and percentage of responses from respondent groups

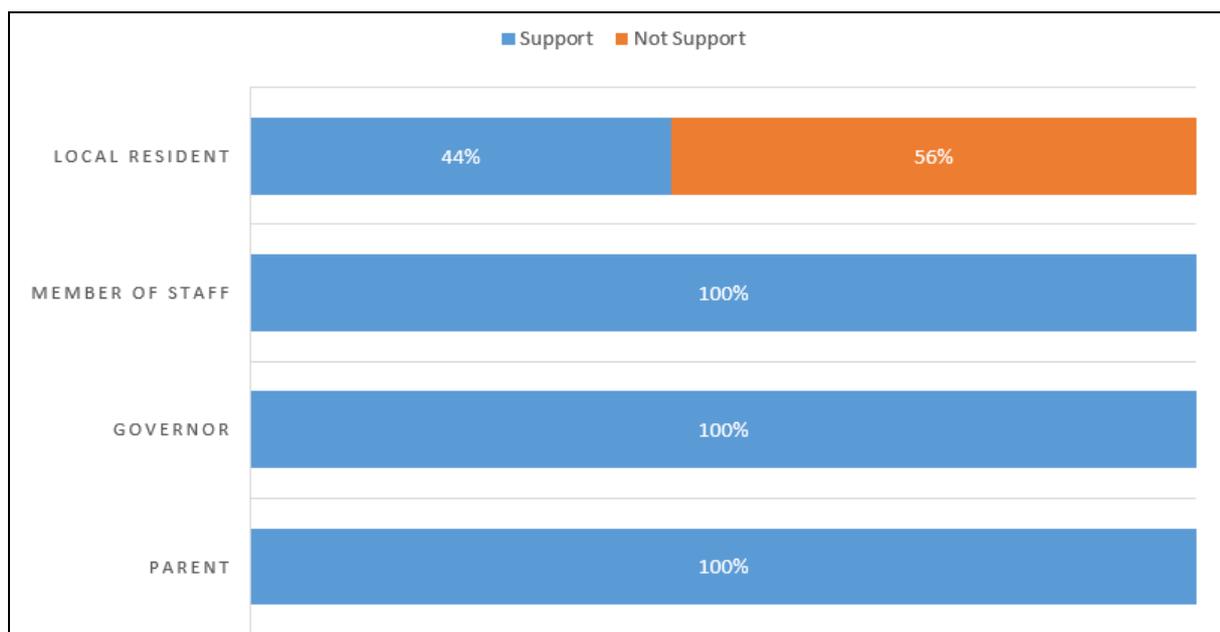


Chart 2 – Split of responses from respondent groups supporting or not supporting the consultation, and those responses left blank

### Responses by theme

A summary of key issues raised by statutory consultees and the response to those issues is contained in Annex A. A summary of the comments received in favour of the proposal is contained in Annex B.

The frequently asked questions (FAQs) document has been updated to include the key questions raised during the engagement sessions (Annex C).

A consultation session was undertaken with the School Council of St Nicholas CIW Primary to engage the pupils in the consultation process. A report on the outcome of this session can be found at Annex D. A formal response was submitted by Estyn and can be found at Annex E.

The consultation document was referred to the Learning & Culture Scrutiny Committee on 09 April 2019. The minutes of this meeting can be found at Annex F.

## **Conclusion**

Following consideration of the responses received throughout the consultation period, the governing body has revisited the proposal to determine the likely impact on quality and standards in education, the local community and travel arrangements.

### **Quality and standards in education**

This proposal would likely have a positive impact on the quality and standards in education. A number of responses from parents and members of staff have noted the limitations with the existing buildings which would make fully implementing the new curriculum difficult to achieve. Estyn formally responded to the consultation stating that 'the proposer has considered comprehensively the effect of the proposals on the quality of outcomes, provision and leadership and management'. Estyn also stated that 'the proposal is likely to at least maintain the current standards of education and provision in the area'.

The proposal would likely have a positive impact on quality and standards in education by providing:

- Appropriate resources and technologies to support staff and learners to meet the objectives of the Digital Competence Framework.
- Sufficient indoor and outdoor play facilities to promote pupils' wellbeing on a single site.
- Breakout areas to support pupils with additional learning needs.

### **Community impact**

A Community Impact Assessment was undertaken and published alongside the consultation document. Several comments were received regarding the content contained within the assessment. The assessment concludes that the proposal would likely have a positive impact on the local community through increased community facilities and a more efficient supply and demand for school places. However, the revised Community Impact Assessment clarifies the outdoor areas would continue to be accessible to the community and improved with provision of nature areas and sporting facilities. The impact of increased traffic and noise to homeworkers is also more explicitly considered within the revision.

### **Travel arrangements**

A number of concerns were raised during the consultation regarding increased traffic in the village of St Nicholas generated by expanding the number of pupils attending the school. A full Transport Assessment would be completed during the design and planning stage of the proposal. The proposal would be subject to planning approval.

## **Annex A - A summary of key issues raised by statutory consultees and the governing body's response**

The following summarises the key issues raised during the formal consultation period. The issues present an overview of responses and are not intended to be verbatim. All written responses have been made available to members of the governing body.

### **Issue 1**

#### **Access and parking in the village would need to be serious considerations**

Several responses noted that it is essential that access and parking concerns are factored into the design of the new school building. There are particular concerns over the safety of pupils and residents from cars being parked on the narrow lanes. This was also raised by a number of parents and members of the community at the drop-in sessions.

#### **Governing body's response to the concerns raised**

The governing body acknowledges the concerns raised by parents and members of the community and would work closely with the Council to implement measures to minimise congestion and manage safe access to the site. Previously, a number of measures have been introduced, including:

- Minibus service provided by the school
- Introduction of breakfast club
- Staff presence at the gate before and after school

The Council's 21<sup>st</sup> Century Schools Team would manage the design and build process. A transport assessment would be undertaken and factored into the design. The new school building would be subject to planning permission which would include formal consultation with members of the community. The governing body would encourage use of bus services and active travel options by parents, pupils and staff as part of behaviour change methods to minimise car use near the site.

A key priority when developing the proposal was to eliminate the need for a split site at St Nicholas CIW Primary School. At the moment, pupils are chaperoned by staff down a road with a pavement to the nearby 'Old School' building.

### **Issue 2**

#### **The proposer has not considered the alternative of locating the school on a new site with better access**

Related to the issue raised above, several local residents had concerns over the suitability of the current site in terms of access and suggested an alternative site should have been considered.

#### **Governing body's response to the concerns raised**

St Nicholas CIW Primary School is situated on approx. 12,034m<sup>2</sup> site. Building Bulletin 99: building framework for primary school projects (BB99) requires a gross site area of between 10,024m<sup>2</sup> and 11,224m<sup>2</sup> for a 210 place primary school with nursery. The existing site would exceed BB99 requirements. Therefore, finding an alternative site was not explored due to the capital costs associated with land purchases. Considering the current site area is above BB99 requirements, an alternative site may not provide as large an outdoor space for recreation, outdoor learning, and community use.

It is also worth noting that the consultation has been undertaken for the proposed regulated alterations by increasing the capacity of the school and extending the age range. The consultation document states:

*“A new 210 place school for St Nicholas CIW Primary has been included as part of the Council’s 21<sup>st</sup> Century Schools programme. It is proposed that St Nicholas CIW Primary School would move into this building by September 2021 to accommodate the increased demand. Although the transferring of the school to the new building is included as part of this consultation, this is not subject to the statutory process as the transfer would be within 1.609344 kilometres (1 mile).”*

A number of respondents suggested that opting for alternative land would result in increased facilities, such as parking. However, the Council only receives funding from Welsh Government to provide BB99 compliant school buildings. There would therefore be no funding for additional facilities.

### **Issue 3**

#### **Expansion of the school is not in-keeping with conservation village status**

Several local residents had concerns over increasing the capacity of the school within a conservation village area.

#### **Governing body’s response to the concerns raised**

As outlined above, the existing site meets the needs of the increased capacity in terms of BB99. If this proposal is progressed further, architects would be appointed to design the new school. A number of stakeholders would be included throughout the design process, including staff, governors, parents and pupils. The final design would be subject to planning permission, where the impact of the design in the context of the conservation area would be considered. Planning is a statutory process and includes formal consultation with stakeholders, including local residents.

It is worth noting that the reason for the proposal is to meet the increased demand for school places as a result of recent and future housing developments planned for St Nicholas and Bonvilston.

### **Issue 4**

#### **New school being on public open space**

Several local residents had concerns over public access to the school fields during construction and whether these would still be accessible after construction.

### **Governing body’s response to the concerns raised**

The governing body are not proposing any changes to the existing arrangement in place for the community use of the school field. There would be limited external space during the construction of the new building as the existing school would remain operational throughout.

The new school may have a larger footprint than the current school building to accommodate the additional capacity which could result in an overall reduction in outside space. However, the external facilities would be enhanced as part of the development, resulting in higher quality external space including sport and habitat areas. The existing school building would be demolished following the opening of the new school building.

Community use is an integral part of the 21<sup>st</sup> Century Schools Programme. The new school would provide facilities available for community use, including a sports hall.

### **Issue 5**

#### **Local residents did not feel involved as part of the consultation exercise**

Several local residents were unhappy they had not been directly informed about the consultation and felt as such they had not been able to provide their views.

#### **Governing body’s response to the concerns raised**

Consultation on the proposed regulated alteration was undertaken as outlined in the School Standards and Organisation (Wales) Act 2013. The consultation has been undertaken with prescribed consultees, in line with the School Organisation Code 2018. The consultation document was published on the Vale of Glamorgan Council’s website and distributed to prescribed consultees. Local residents are not identified as prescribed consultees.

Consultation meetings were arranged to provide the opportunity for members of the community to ask any questions regarding the proposal. The following consultation sessions were arranged.

<b>Nature of consultation</b>	<b>Date/Time</b>	<b>Venue</b>
Parents and Community drop in session	Thursday 4 April 8.45am – 9.45am 3pm – 4pm	St Nicholas CIW Primary School, St Nicholas, Vale of Glamorgan. CF5 6SG
Governors’ meeting	Thursday 4 April 6pm	St Nicholas CIW Primary School, St Nicholas, Vale of Glamorgan. CF5 6SG
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Parents and Community drop in session	Monday 8 April 4pm – 6.30pm	St Nicholas CIW Primary School, St Nicholas, Vale of Glamorgan. CF5 6SG
Pupil engagement session	Friday 12 April	St Nicholas CIW Primary School, St

The availability of these sessions was highlighted in the consultation document, on the Council's website and promoted through the Council's social media accounts. The consultation and drop in sessions were also advertised in the school notice board outside of the school. A number of local residents attended the Parent and Community drop in session on Monday 8 April. This included a representative from the St Nicholas with Bonvilston Community Council.

Open communication channels were maintained throughout the consultation period. A number of emails were received from local residents, including a number of the respondents. These were all responded to in a timely manner.

Should the proposal progress to the next stage a formal planning application would be submitted for the new school building. Local residents would be notified of this application directly and would be able to respond with any concerns.

## **Issue 6**

### **Community Impact Assessment**

One respondent disagreed with the findings of the CIA and queried the following points:

- C12 extra facilities would be 'slight improvement' not 'improvement'
- C14 unclear whether field would remain open to public 'degradation' not 'improvement'
- C15 homebased businesses will suffer from noise and traffic
- C16 further staff recruitment may not come from locality
- C17 traffic should be 'moderate to large deterioration' rather than 'slight degradation'
- Score should be +0.5 not +1.375

### **Governing body's response to the concerns raised**

The Community Impact Assessment is an evolving document and will be considered at all stages of this proposal. The Community Impact Assessment has been updated following feedback received during the consultation period.

#### **C12**

The school currently provides a number of services for the local community. However, the number of services is limited by the existing site. The governing body believes that a new school building would provide the school with the opportunity to increase the services provided. This would be embedded into the design of the new building. Therefore, the governing body believes that this represents a 'moderate improvement'.

#### **C14**

The potential reduction in the size of the school field as a result of the new building has been included and the score has been reconsidered as a result.

#### **C15**

The potential impact on homebased businesses as a result of increased noise and traffic has been included as a result of feedback received and the score has been reconsidered.

#### **C16**

The proposal would result in additional employment opportunities due to the increased capacity and extended age range. Even though there is no guarantee that these roles would be taken by local residents, it nevertheless provides additional employment opportunities for the local community. A number of members of staff responded stating that the new facilities would improve teaching and learning and create a better environment for staff and pupils. Therefore, the governing body determined that there would be a large improvement on local employment.

#### **C17**

The full impact on local infrastructure would be determined by the completion of a full transport assessment. The increased number of pupils attending the school could result in increased traffic and congestion. However, the new build could provide the opportunity to reduce the impact on the local infrastructure. For example, the new build would include a car park compliant with current planning regulations. Therefore at this stage, the governing body has determined that there would be a slight deterioration on the local infrastructure.

#### **Overall**

After revising the Community Impact Assessment, the average score is 1.125 showing that the proposal would likely result in a slight improvement for the local community.

### **Issue 7**

#### **Involvement in the planning and construction process**

One respondent stated the importance of involving local residents, staff, parents, governors and other stakeholders in each stage of the process.

#### **Governing body's response to the concerns raised**

The governing body value the views of local residents, staff, parents and other stakeholders and as such provide opportunities for involvement at each stage of the process. For instance, during the design stage the 21<sup>st</sup> Century Schools team will frequently meet with school stakeholders for comments and hold drop in sessions open to the community before submitting to planning. During construction the appointed contractors would hold stakeholder engagement sessions in the form of site visits and workshops with pupils. There would also be opportunities for local community groups to apply for in-kind donations, digital skills training, and governance advice from the community benefits aspect of the development.

### **Issue 8**

#### **Building design in-keeping with the village aesthetics**

Several respondents noted a preference for the building to be one-storey to increase connection with local building vernacular.

### **Governing body's response to the concerns raised**

Whilst this is more appropriate for the planning stage, the governing body aim to integrate the building design with local considerations early on through aspects of the design such as choice of materials. The 21<sup>st</sup> Century Schools team would examine all building design options appropriate for meeting educational needs and a one-storey building is one of the options to be considered.

## **Annex B - A summary of comments received in favour of the proposal.**

This section provides the key themes raised during the formal consultation period by those in favour of the proposal. The following presents an overview of responses and are not exhaustive or intended to be verbatim. All written responses have been made available to members of the governing body.

### **Comment 1**

#### **Access to adequate facilities would benefit pupils' health and wellbeing.**

St Nicholas CIW Primary would greatly benefit from improved facilities such as appropriately sized classrooms and outdoor sporting provision. Currently the youngest pupils are taught within a separate building, responses note the safety concerns of young children walking on a road without pavements. This also impacts in terms of the staff time required to chaperone pupils between the buildings. All pupils being taught within one building would improve the school identity as a single school and resolve the current problems of transporting pupils between sites. Responses also noted the current inadequate provision for disabled users to access the site and the lack of toilet facilities appropriate for wheelchair users. This would be greatly improved in a 21st Century Schools designed building.

### **Comment 2**

#### **The proposed new facilities would enhance educational standards and extra-curricular activities at the school.**

The current school building is not fit for purpose. Better facilities are needed to support the teaching staff in delivering the excellent standards they achieve currently on a wider scale. The benefits the new school building can offer would enable this to happen. Currently there is not enough space in some of the classrooms for pupils to have an adequate work area, this has even resulted in the library being converted into a makeshift classroom. ICT requirements of the curriculum are also difficult to deliver due to insufficient facilities. The proposed new building will provide innovative and creative learning environments which are adaptable to change and will challenge and support children to reach their full potential. Respondents hope the proposed new facilities would better support curriculum delivery to a wider range of pupils and enable additional activities to take place, such as sports and digital learning.

### **Comment 3**

#### **Addition of a nursery would improve the cohesive ethos of the school and enable a smooth transition of pupils from nursery to foundation phase.**

Currently the school has no nursery provision, which results in a significant amount of time spent integrating reception pupils into the school and a loss of potential local pupils to other schools further away with nursery provision. The proposed nursery will provide a consistent approach from 3-11 years to promote and underpin continuity and progression for pupils, ensuring breadth and balance across the curriculum. It will also develop the ethos and culture of the school in children from

an earlier age, leading to effective interpersonal relationships and higher self-esteem.

#### **Comment 4**

##### **Increased access to community facilities at the proposed new school site would be beneficial to local residents.**

The residents of St Nicholas and wider areas would benefit from increased access to community facilities. The proposal would maintain and increase the level of community access and interaction through the use of the school's educational facilities whilst meeting the needs of the school. Responses encourage the availability of facilities for community use; including areas for outdoor recreation and meeting spaces for evening classes.

## **Annex C - Frequently asked questions.**

This section provides updated frequently asked questions in relation to the proposal.

### ***What is the intended timescale for the development of the new school building?***

Building work is likely to commence from July 2020. It is proposed that the new school would be open for September 2021.

### ***Who would manage the construction of the new school building?***

The Council's 21st Century Schools Team would be responsible for managing the build process. A contractor would be appointed using the SEWSCAP framework. SEWSCAP is a construction framework used by 16 local authorities and provides pre-qualified and suitably experienced Contractors to deliver the 21st Century Schools Programme, and other public buildings, relating to both new build and refurbishment projects over £1.5 million. A programme of engagement would be devised to ensure all stakeholders are informed of progress and are able to feed into the design process. There would be regular meetings between the Council, contractor and school.

### ***Would the construction of the new school result in disruption for staff, pupils and local residents?***

It is proposed that the new school building is built on the existing site which would result in some disruption for staff, pupils and local residents during the construction phase. The school would work closely with the Council's 21st Century Schools Team to limit disruption through restricting delivery times and working collaboratively with the site manager.

### ***Would contingency arrangements be put in place during the construction of the new school to ensure pupils are able to access outdoor space?***

As the proposed new build would be built on the existing site, the school would lose outside space during the construction phase. During this time, the school would work closely with the 21st Century Schools team to ensure pupils have access to sufficient outside space and the curriculum is not compromised. The school would work closely with the construction team to ensure pupils are involved throughout the process and the curriculum is enhanced through regular site visits.

### ***How would we be involved throughout the design process?***

A programme of engagement would be devised to ensure all stakeholders are informed of progress and are able to feed into the design process. There would be regular meetings between the Council, contractor and school. Any feedback or thoughts can be sent to the 21st Century Schools Team

on: [21stcenturyschools@valeofglamorgan.gov.uk](mailto:21stcenturyschools@valeofglamorgan.gov.uk)

## **Annex D - Consultation undertaken with young people.**

**Consultation with St Nicholas Church in Wales Primary School on behalf of Vale of Glamorgan Council on the proposal to change the age range of the school from 4-11 yrs to 3-11 yrs, establish a nursery class and increase the capacity from 126 places to 210 from September 2021.**

### **Background and Aim**

- In their Consultation document on the above proposal the Vale of Glamorgan Council note the importance of making suitable arrangements to consult with pupils and where possible those pupils likely to attend the school: 'The Council firmly believes that the pupils of St Nicholas CIW Primary School should be given the opportunity to make their views known about this proposal'.
- A consultation workshop was arranged with the school council on 12 April 2019 to gather their views about the proposal.
- The information gathered from the session will be included in the final consultation report. The full report will be submitted to the Council's Cabinet for consideration following the consultation period.

### **Methodology**

- An interactive workshop which gave pupils an opportunity to discuss and share ideas together.
- It started with a discussion on the meaning of consultation and why it was important to talk to pupils
- Agreement was reached on what made a good discussion/consultation
- The consultation document was then explained to them, including the background and the timeline for the activity.
- The pupils were divided into 2 groups to share and note their own ideas. The two groups then merged to have further discussion on these ideas, based on the rules of engagement as agreed at the beginning of the session.
- Following the feedback pupils were given information on the advantages and shortcomings noted in the consultation document, they were reminded of the timeline and it was explained to them that their comments would be fed into a report on this session and that it would be presented to the council as part of the evidence gathered on this consultation.

## **Pupils responses (12 pupils – 10 from School Council (Yrs 2-6) with an additional 2 Yr 3 pupils)**

### **What makes a good discussion:**

- Listen to everybody
- Opportunities for everyone to speak
- Get everyone's ideas
- Work well together as a team

### **Benefits of the proposed plan**

- More children will have more opportunity
- More children will have an education
- We could have bigger classrooms
- Make a nursery for the little ones
- If we have a nursery the people who go to the nursery will go straight to the school
- Everybody will be together
- Give the children more space
- More separate classes which will be easier for teachers and pupils (as they'll be same abilities/age)
- More things to do in the classroom
- A room for reading
- More creative stuff
- More play outside
- Discuss with people more
- We will have more facilities
- We could have a bigger hall so more people can eat at the same time
- More healthy food
- More art and stuff
- More colours and creativity (art display)
- More PE
- Have more sports clubs after school
- A playground with swings, slides and obstacle course and a climbing frame
- Get to know more people and make more friends
- New teachers
- More children in each year group
- Raising more money
- More space for sports day
- More space to play and run around
- More equipment
- Safe and fun
- More resources
- More activities

### **Possible pitfalls of the proposed plan**

- The school will get muddy because it is built on grass and pupils will be coming in to the school with muddy feet (keep this in mind whilst building)

- Worried it will be too big and too busy for the little ones (children getting hurt)
- Will we have the same climbing frames and bars?
- Concern about losing some equipment they have now
- If it is two floors then it might be dangerous for the little ones
- More people could bully you
- Losing outside area during construction

### **General comments**

Good contributions from all pupils, Yr 2 up to Yr 6. Pupils responded in an organised, fair an open manner.

Overwhelming support for the proposal; when asked to vote for 'Yes', 'Not Sure,' or 'No', the 12 pupils voted as follows:

Yes – 11

Not Sure - 1

**12.iv.19**

**gj**

## **Annex E - Response from Estyn**

In accordance with the requirements of the School Organisation Code 2018, a copy of the consultation document was sent to Estyn.

### **Estyn response to the proposal by Vale of Glamorgan County Council's consultation on changing the age range and increasing the capacity of St. Nicholas CIW Primary School.**

This report has been prepared by Her Majesty's Inspectors of Education and Training in Wales.

Under the terms of the School Standards and Organisation (Wales) Act 2013 and its associated Code, proposers are required to send consultation documents to Estyn. However, Estyn is not a body which is required to act in accordance with the Code and the Act places no statutory requirements on Estyn in respect of school organisation matters. Therefore as a body being consulted, Estyn will provide their opinion only on the overall merits of school organisation proposals.

Estyn has considered the educational aspects of the proposal and has produced the following response to the information provided by the proposer.

#### **Introduction**

This is a consultation proposal from Vale of Glamorgan County Council.

The proposal is to:

- Change the age range of St. Nicholas CIW Primary School from 4-11 years to 3- 11 years and to establish a nursery class containing 48 part time places from September 2021
- Increase the capacity of St. Nicholas CIW Primary School from 126 places to 210 places from September 2021

#### **Summary/Conclusion**

The proposal focuses on meeting the projected increased demand for places in St. Nicholas CIW Primary School.

The proposer has outlined clearly that the proposal should meet the forecast demand for extra places in the school.

In Estyn's opinion the proposal is likely to at least maintain the current standards of education and provision in the area.

#### **Description and benefits**

The proposer has provided a detailed and clear rationale for the proposal. Due to significant housing developments within the school catchment area the forecast numbers of pupils should rise significantly. The proposer states validly that extra places are necessary in order to meet this anticipated demand as the school is currently above capacity. The proposer draws attention fairly to the poor present

state of the school buildings and nature of its sites and asserts reasonably that this situation would be improved by building a new school on the site.

The proposer outlines the possible advantages, disadvantages and risks usefully. It states validly that the school would provide a better learning environment for pupils and ensure that the Vale of Glamorgan Council is able to accommodate the future demand for faith based education. It maintains fairly that the improved facilities would increase the level of community interaction with the school. The proposer recognises suitably that the potential disadvantages include disruption to pupils, staff and resources during the transition to the new school building.

The proposer has considered other alternative options appropriately. It considered four alternative options and discounted each one due to a range of relevant factors. The proposer states firmly that the proposal would not impact on existing learner travel arrangements as the school would remain on the existing site and there would be no change to the catchment area.

The proposer states reasonably that the proposal is unlikely to have a significant impact on other schools in the area as catchment area boundaries will not change. The proposer has acted appropriately in assessing the proposals impact on the Welsh language. It maintains fairly that the proposal will not have a negative effect on Welsh medium provision nor the teaching of Welsh to pupils in the school which teaches predominantly through the medium of English.

### **Educational Aspects of the proposal:**

The proposer has considered comprehensively the effect of the proposals on the quality of outcomes, provision and leadership and management. It refers validly to the outcomes of the school's most recent inspection report by Estyn and the school's support category and band.

It concludes reasonably that it does not anticipate any negative impacts on the quality of standards of education and wellbeing of pupils in the school. The proposer asserts strongly that new facilities would support teaching, learning and the delivery of a broad and balanced curriculum. It argues effectively that the proposal could have a positive impact on standards through the provision of a learning environment and infrastructure that support both teachers and pupils.

The proposer asserts correctly that at present St Nicholas CIW Primary School does not offer nursery provision. It argues strongly that the proposed 48 part time nursery places will develop continuity and progression in children's learning from the age of three. This, it states fairly, should help ensure a consistent approach and delivery of the foundation phase.

The proposer makes the case satisfactorily that it does not anticipate any adverse impact on leadership and governance under these proposals.

The proposer has considered suitably the impact upon vulnerable groups. It concludes appropriately that there is no evidence to suggest the proposal would have a negative impact on vulnerable pupils including those with Special Educational Needs. It states reasonably that the new building would improve

facilities to support wellbeing, including spaces for withdrawal for additional learning needs interventions.

The proposer has given suitable consideration to possible disruption to pupils. It recognises validly that as the new school building will be built on the existing site this will result in some disruption during the construction phase. However, the school asserts reasonably that disruption will be minimised through working closely with the Council's 21st Century Schools Team

## **Annex F - Minutes of the Learning and Culture Scrutiny Committee on the proposal**

### **LEARNING AND CULTURE SCRUTINY COMMITTEE**

Extract from the Minutes of a meeting held on 9<sup>th</sup> April, 2019.

921 PROPOSAL TO INCREASE THE NUMBER OF PRIMARY SCHOOL PLACES AND ESTABLISH 48 PART TIME NURSERY PLACES AT ST. NICHOLAS CIW PRIMARY SCHOOL (REF) –

Cabinet had, on 18<sup>th</sup> February, 2019, referred the report to the Scrutiny Committee for its consideration as part of the proposed consultation exercise. Cabinet approval had been sought to undertake a statutory consultation as outlined in the School Organisation Code 2018 on the proposal to:

- Alter the lowest age range of pupils at St. Nicholas CIW Primary School from 4 to 3, to consist of the addition of a new nursery class containing 48 part time places from September 2021;
- Increase the capacity of St. Nicholas CIW Primary School from 126 places to 210 places from September 2021;
- The proposal would ensure St. Nicholas CIW Primary School was able to meet increased demand for school places as a result of recent housing developments within the catchment area and would address the condition and suitability issues with the existing buildings;
- The establishment of a nursery would develop continuity and progression in children's learning from the age of 3;
- St. Nicholas CIW Primary School had been included as part of Band B of the Council's 21st Century Schools Programme with the creation of a new 210 primary school building scheduled for completion by September 2021;
- Feedback received throughout the consultation period would be presented to Cabinet for consideration in June 2019.

The Council had a statutory duty to review the number and type of schools in the area and to make the best use of resources to raise standards in schools. The Council also had a statutory duty to secure sufficient school places in its area to meet current and future demand for school places in line with national, regional and local strategies. Expanding schools and developing new schools was required where there was a shortfall in school places, current and future, to meet demand for Welsh, English and denominational schools. This may arise due to large scale housing developments planned for an area, increased demand and changes to parental preference for schooling.

In order to ensure St. Nicholas CIW Primary School was able to meet anticipated future demand for education, its capacity would need to increase.

The report detailed that the current school building had a capacity of 126 places but had 128 pupils on roll as outlined below.

School	Type of school	Language category	Admission number	School capacity	Number on roll	Age range
St. Nicholas CIW Primary School	Voluntary Controlled	English Medium	18	126	128	4 - 11

The table showed that current demand for school places at St. Nicholas CIW Primary School was above the current capacity which meant there was no capacity to accommodate additional pupils generated by the new housing developments.

The Head of Service for Strategy, Community Learning and Resources in presenting the report, advised that it had therefore been considered that a 210 place building was the minimum size from an efficiency and sustainability perspective and a 210 place school would accommodate the projected increase in pupil numbers from the new housing developments. St. Nicholas CIW Primary School did not currently offer nursery provision due to the limitations of the existing building.

It was proposed that 48 part time nursery places were provided to develop continuity and progression in children's learning from the age of 3. This would ensure there was a consistent approach to planning and delivery of the Foundation Phase (Nursery to Year 2).

St. Nicholas CIW Primary School was a timber clad building which had been categorised as being in poor condition and suitability. This meant the school was exhibiting major defects and teaching methods were adversely affected. It would not be possible to refurbish teaching areas to fully meet 21st Century standards.

The school was split over two sites with Reception pupils having to walk to the nearby "Old School" building following morning assembly. There was no path along this stretch of road. Classroom sizes were also inconsistent throughout the building. There were currently 72 children being taught across two classrooms.

St. Nicholas had therefore been included as part of the Council's 21st Century Schools Programme and a new 210 place school building would be built on the existing school site. It was anticipated that the new school building would open by September 2021.

Following a query as to whether any consultation had been undertaken in light of the new developments for St. Nicholas and Bonvilston and whether the department also had information regarding where children resided that went to the school, the Head of Service advised that provisions and projections had been taken into account with the conclusion reached that there was enough demand for Church in Wales placements as well as there being some surplus capacity. There were a significant number of pupils who attended the school from outside the locality and once accepted, they were on the school roll.

The Chairman, in referring to the location and parking on the site, was informed that the department would look to install turning circles at the site. The issue of pupils currently walking from one site to the other would be resolved by the new proposals.

Having considered the report, the Scrutiny Committee subsequently unanimously  
RECOMMENDED – T H A T the proposals as outlined in the report be endorsed.

Reason for recommendation

Having regard to the contents contained therein and the discussions at the meeting.



**St Nicholas Church in Wales Primary School  
St Nicholas, Vale of Glamorgan, CF5 6SG**

**STATUTORY NOTICE TO INCREASE THE CAPACITY OF ST NICHOLAS' CHURCH IN WALES PRIMARY SCHOOL FROM 126 PLACES TO 210 PLACES AND EXPAND THE AGE RANGE FROM 4-11 TO 3-11 FROM SEPTEMBER 2021.**

NOTICE IS GIVEN in accordance with sections 42(2) of the School Standards and Organisation (Wales) Act 2013, 'the Act', and the School Organisation Code 2018 that governing body, having consulted such persons as required, propose to make regulated alterations to St Nicholas Church in Wales Primary School by:

- Increasing the school capacity for pupils of statutory school age from 126 places to 210 places (paragraph 10 Schedule 2 of 'the Act'); and
- Extending the age range of the school from 4 – 11 years to 3 - 11 years (paragraph 5 Schedule 2 of 'the Act').

The school is an English-medium Church in Wales voluntary controlled primary school maintained by the Vale of Glamorgan Council.

The governing body undertook a period of consultation before deciding to publish this proposal. A consultation report containing a summary of the issues raised by consultees, along with the proposer's responses is available to view on school and the Vale of Glamorgan Council website at the following addresses.

<http://www.stnicholascwprimary.co.uk/consultation>

<https://www.valeofglamorgan.gov.uk/en/living/schools/Consultations/Expanding-St-Nicholas-CIW-Primary.aspx>.

It is proposed to implement the proposal on 1<sup>st</sup> September 2021. The school will remain a voluntary controlled school and will continue to admit pupils of both sexes.

The proposal will result in the published admission number for the school increasing from 18 to 30. The number of pupils to be admitted to the school in Reception at age 4/5 in the first school year will be 30. The admission number for nursery aged pupils in the 3 to 4 age range at the school in the first school year will be 48 part time pupils. Admission arrangements do not make provision for selection by ability (pupil banding). As at January 2019, there were 128 pupils of statutory school age on roll at the school. The school capacity for pupils of statutory school age will increase from 126 places to 210 places.

The All Wales Learner Travel arrangements<sup>1</sup> provide eligibility for school transport if pupils reside beyond walking distance to their nearest or designated catchment area school. Walking distance is defined as two miles or further for primary age and three miles or further for secondary age pupils, as measured by the shortest available walking route. The Vale of Glamorgan provides transport in accordance with the above. School transport arrangements, eligibility and accessibility are not affected by this proposal.

In accordance with section 49 of 'the Act', any person may object to the proposal before the end of 28 days beginning with the day on which the proposals were published, that is to say by **Wednesday 24 July 2019**.

Objections should be sent to St Nicholas CIW Primary School, St Nicholas, Vale of Glamorgan, CF5 6SG or e-mail: [stnicholasps@valeofglamorgan.gov.uk](mailto:stnicholasps@valeofglamorgan.gov.uk)

Signed:



Dr Jen Hopkins  
Chair of Governors  
26 June 2019

#### **EXPLANATORY NOTE – THIS DOES NOT FORM PART OF THE STATUTORY NOTICE**

The governing body proposes to expand St Nicholas CIW Primary School from 126 places to 210 places and change the lowest age range of the school from 4 to 3 from September 2021.

The proposal is made under section 2.3 School Organisation Code 2018 referred to as regulated alterations.

The Vale of Glamorgan Council is the admission authority for the school. The school will provide 48 part time nursery and 210 primary school places.

Significant capital investment will be made, subject to Welsh Government funding, in establishing a new school building for St Nicholas CIW Primary School on the existing site. The estimated cost of the project is £4.183 million.

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<sup>1</sup> The Learner Travel (Wales) Measure 2008 and Learner Travel Statutory Provision and Operational Guidance June 2014



# St Nicholas Church in Wales Primary School Objection Report

## On the proposal to:

- **Change the age range of St Nicholas CIW Primary School from 4-11 years to 3-11 years and to establish a nursery class containing 48 part time places from September 2021**
- **Increase the capacity of St Nicholas CIW Primary School from 126 places to 210 places from September 2021.**

This document can be made available in Braille.

Information can also be made available in other community languages if needed.

Please contact us on 01446 760239 to arrange this.

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## Background

The governing body of St Nicholas CIW Primary School undertook a consultation exercise on the proposal from 18 March 2019 to 3 May 2019. The aim of the consultation was to inform prescribed consultees about the school re-organisation proposal being put forward under section 2.3 of the School Organisation Code and referred to as a regulated alteration as follows:

- To change the age range of St Nicholas CIW Primary School from 4 to 3 to include 48 part time nursery places
- To increase the capacity of St Nicholas CIW Primary School from 126 places to 210 places from September 2021.

The consultation process followed Welsh Government guidelines as outlined in the School Organisation Code 2018. It provided an opportunity for prescribed consultees as well as members of the local community to learn about the proposal and for the governing body to hear the views of all those with an interest so that they can be taken into account before decisions are made.

During the consultation exercise, 27 individual responses were received by the consultation closing date of 3 May 2019. Of the total 27 individual responses received, 22 were in favour of the proposal and 5 were opposed. The responses were published in the consultation report.

## Consultation Report

A consultation report was published following the consultation exercise. The consultation report was considered by the governing body on 23 May 2019.

## Statutory Notice

Following consideration of the consultation report on 23 May 2019, the governing body decided to progress the proposal and approve the publication of a statutory notice.

The statutory notice on the proposal was published on 26 June 2019 for a period of 28 days to allow for objections. The statutory notice period expired on 24 July 2019.

The notice was published on the school and Vale of Glamorgan Council's website (<http://www.stnicholascwprimary.co.uk/consultation/> and <https://www.valeofglamorgan.gov.uk/en/living/schools/Consultations/Expanding-St-Nicholas-CIW-Primary.aspx>) and posted at the main entrances of the school. Copies of the notice were distributed to parents, carers and guardians, governors and staff members, as well as respondents who wished to be notified. All other organisations and consultees required under the School Organisation Code 2018 were provided with a copy of the letter and notice as an attachment to the email as well as a link to the notice on the website.

Where objections are received to the statutory notice, an objection report must be published summarising the statutory objections and the proposer's response to those objections.

## Objections to the Proposal

The governing body received 47 individual objections by the end of the objection period. 29 of these objections included the same letter submitted by multiple residents. The objections received are summarised below, along with the governing body's response. A graphical summary of the number of responses to each objection theme is available in Annex 1.

All objections received during the objection period have been made available to the members of the governing body for consideration alongside this report.

### **Objection theme 1: Traffic, access and parking**

Respondents expressed concerns that expanding the capacity of the school would result in increased congestion in the area, and that this would pose a serious safety concern for residents and pupils, in part due to the lack of pavements in sections of the village. Related to this issue are concerns around noise and air pollution from the potential increase in traffic around the school site during the build process and future usage. Residents are particularly concerned about increasing parking conflicts with parents and other road users, an issue which already causes inconvenience at peak times (between 8am to 8.30am and 3pm to 3.40pm). The greatest access concern is for emergency vehicles to particularly narrow streets if parked cars cause obstruction. A few responses note that widening the roads would be difficult due to residential buildings and the conservation status of the village.

- **44** objections noted inconvenience to residents related traffic concerns

- **42** objections noted safety related traffic concerns
- **5** objections noted difficulties of widening roads due to village conservation status
- **3** objections noted potential noise pollution increases due to traffic and more pupils
- **3** objections noted potential air pollution increases due to traffic

### **Governing body's response to the objection raised**

The governing body understands the concerns of residents regarding the impact this proposal would have on traffic. It is important to note that the consultation in questions is being run in accordance with the School Standards and Organisation (Wales) Act 2013, focusing on the educational merits of a proposal. However, should this proposal be approved, a separate statutory process would follow to examine planning concerns including traffic, access and parking in order for planning permission to be approved.

A full transport assessment would be undertaken as part of the design process for the new school building. This would assess the impact on the local infrastructure and include a swept path analysis to ensure compliance with current legislation on accessibility for all emergency services. The transport assessment would be used as part of the design process to mitigate against any negative impacts identified. The governing body would work closely with the Council's 21<sup>st</sup> Century Schools Team throughout the design process.

The final design would be subject to planning permission. The planning process includes a statutory consultation with local residents. Firstly, the Pre Application Consultation (PAC) allows residents to provide feedback on the proposed design, as well as the transport assessment, to the contractor. Final designs would then be subject to the formal planning process. Local residents would be notified of the planning application and would be able to submit feedback that would be considered by the Council's Planning Committee.

The governing body would work closely with the Council's 21<sup>st</sup> Century Schools Team and the contractor to limit disruption during the construction of the new school building on the existing site. Delivery times would be restricted during peak times to limit the impact. The Council has advised that site logistics are assessed as part of the tender process. Construction logistics plans would also be considered as part of the planning process.

The governing body would also work closely with the Council to implement measures to minimise congestion and manage safe access to the site during use. Previously, a number of measures have been introduced, including:

- Minibus service provided by the school
- Introduction of breakfast club
- Staff presence at the gate before and after school

A key priority when developing the proposal was to eliminate the need for a split site at St Nicholas CIW Primary School. Currently the youngest pupils are taught within a separate building. The proposal aims to address residents' safety concerns of young children walking on a road without pavements. All pupils being taught within one building would resolve the current problems of transporting pupils between sites, which in turn reduces the number of occasions where pupils are exposed to roads without pavements.

## **Objection theme 2: The school should move to a new site**

Related to the objection raised above, the majority of objections from local residents involved concerns over the suitability of the current site in terms of access and suggested an alternative site to be considered.

- **40** objections noted a new school site should be considered

### **Governing body's response to the objection raised**

The governing body would continue to work with the Council to explore alternative site options for the new school building. The governing body understand that a potential opportunity for a new site has emerged and the feasibility of this is currently being determined and discussions are ongoing.

However, it is worth noting that this consultation is on the proposal to increase the capacity of the school from 126 to 210 places and to increase the age range from 4–11 to 3–11. A proposal to change the site would form part of a further consultation providing the proposed site is over 1 mile (1.60934km) from the existing site. If the proposed site is within 1 mile of the existing entrance, an additional consultation would not be required.

St Nicholas CIW Primary School is situated on approx. 12,034m<sup>2</sup> site. Building Bulletin 99: building framework for primary school projects (BB99) requires a gross site area of between 10,024m<sup>2</sup> and 11,224m<sup>2</sup> for a 210 place primary school with nursery. The existing site would exceed BB99 requirements. Therefore, purchasing an alternative site was not explored in the initial proposal due to the associated capital costs. Considering the current site area is above BB99 requirements, an alternative site may not provide as large an outdoor space for recreation, outdoor learning, and community use.

It is worth noting that the reason for the proposal is to meet the increased demand for school places as a result of recent and future housing developments planned for St Nicholas and Bonvilston. Land was not allocated for a school as part of the Section 106 agreements, however the Council did receive financial contributions for education.

### **Objection theme 3: Communications**

Multiple residents objected to the fact that they had not been directly contacted during the consultation process. Residents' objections also noted that being able to access the information from the school and Council's websites was insufficient as residents would not have reason to check those platforms. Residents have noted that the drop-in sessions held at the school during the consultation period were attended by community councillors but this information was not relayed back to residents.

- **36** objections noted residents should have been contacted directly
- **35** objections noted the communication methods used by the governing body (school), Council, and community council were insufficient

### **Governing body's response to the objection raised**

As outlined above, the consultation on the proposed regulated alterations was undertaken in accordance with the School Standards and Organisation (Wales) Act 2013 and is not the planning consultation. The consultation has been undertaken with prescribed consultees, as outlined in the School Organisation Code 2018. Local residents are not identified by the School Organisation Code 2018 as prescribed consultees. However, the community council is included within the list of prescribed consultees and they were sent the relevant documents. The full list of prescribed consultees set out by the School Organisation Code 2018 can be viewed here: <https://gov.wales/sites/default/files/publications/2018-10/school-organisation-code-second-edition.pdf>

The consultation document and statutory notice were published on the school and Vale of Glamorgan Council's website, distributed to prescribed consultees, and displayed in the school notice board.

Consultation meetings were arranged to provide the opportunity for members of the community to ask any questions regarding the proposal. The sessions were detailed within the consultation document and widely publicised through the Council's social media platforms. The following consultation sessions were arranged:

<b>Nature of consultation</b>	<b>Date/Time</b>	<b>Venue</b>
Parents and Community drop in session	Thursday 4 April 8.45am – 9.45am 3pm – 4pm	St Nicholas CIW Primary School, St Nicholas, Vale of Glamorgan. CF5 6SG
Governors' meeting	Thursday 4 April 6pm	St Nicholas CIW Primary School, St Nicholas, Vale of Glamorgan. CF5 6SG
Staff meeting	Monday 8 April 3.30pm	St Nicholas CIW Primary School, St Nicholas, Vale of Glamorgan. CF5 6SG
Parents and Community drop in session	Monday 8 April 4pm – 6.30pm	St Nicholas CIW Primary School, St Nicholas, Vale of Glamorgan. CF5 6SG

Pupil engagement session	Friday 12 April	St Nicholas CIW Primary School, St Nicholas, Vale of Glamorgan. CF5 6SG
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These drop-in sessions were attended by parents, residents and members of the St Nicholas with Bonvilston Community Council. Open communication channels were maintained throughout the consultation period. Prior to the closing date of the consultation the Council and governing body responded to several queries from local residents.

As referenced within the consultation response report, 9 responses (33%) were from residents within St Nicholas. Of those 9 responses from local residents, 44% were in favour of the proposal. Following feedback from consultation responses, the Community Impact Assessment was updated to reflect local concerns (full details of the changes are outlined in the [consultation response report](#)).

The governing body is satisfied that it has followed the statutory requirements laid out in the School Organisation Code for consultation on the proposal that included consultation with pupils. The consultation process has provided sufficient reason and information to enable intelligent consideration and response.

Should the proposal progress to the next stage a formal planning application would be submitted for the new school building. Local residents would be notified of this application directly and would be able to respond with any concerns.

The governing body value the views of local residents, staff, parents and other stakeholders and as such provide opportunities for involvement at each stage of the process. For instance, during the design stage, the 21st Century Schools team would frequently meet with school stakeholders for comments and hold drop in sessions open to the community before submitting to planning. During construction the appointed contractors would hold stakeholder engagement sessions in the form of site visits and workshops with pupils. There would also be opportunities for local community groups to apply for in-kind donations, digital skills training, and governance advice from the community benefits aspect of the development.

The contractor would also work closely with local residents to limit disruption during the construction of the new school, which would include limiting delivery hours.

#### **Objection theme 4: Radon**

8 objections had concerns over the exposure to radon gas and the expense of mitigating this risk.

#### **Governing body's response to the objection raised**

The levels of radon gas are similar across the whole of the St Nicholas area and can be addressed in a number of ways. Typically new buildings are installed with a radon gas proof membrane within the floor in order to achieve compliance with the Building Regulations. This requirement would apply to any development within the area.

### **Objection theme 5: Open space and public footpath access**

3 objections had concerns over the size of open space available to the public following the completion of the new school building and access to the footpath adjacent to the school site.

#### **Governing body's response to the objection raised**

The governing body are not proposing any changes to the existing arrangement in place for the community use of the school field. The public footpath is outside of the school boundary and therefore would not be impacted upon by this proposal.

There would be limited external space during the construction of the new building as the existing school would remain operational throughout. The new school may have a larger footprint than the current school building to accommodate the additional capacity which could result in an overall reduction in outside space. However, this impact would be minor and the space would still be compliant to BB99 standards. The external facilities would be enhanced as part of the development, resulting in higher quality external space including sport and habitat areas. The existing school building would be demolished following the opening of the new school building. High value natural features of the site would be maintained and enhanced where appropriate; for example hedgerows and existing nature areas. In addition, internal facilities would be available for sporting activities and meetings upon arrangement with the school and the governing body.

### **Objection theme 6: Sensitivity towards conservation status of village and proximity to neighbours**

2 objections suggested noise, visual impact, and parking measures of the design should be considerate to village conservation status and close proximity of neighbouring dwellings. Examples given include designing a single storey building set further back on the site than the current footprint and installing screening to reduce potential noise and visual impacts.

#### **Governing body's response to the objection raised**

Whilst this is more appropriate for the planning stage, the governing body aim to integrate the building design with local considerations early on through aspects of

the design; such as choice of materials and acoustic dampening methods. The 21st Century Schools team would examine all building design options appropriate for meeting educational needs and a single storey building is one of the options to be considered. Hedgerow and other vegetation would be maintained and enhanced where appropriate as part of noise and visual impact mitigations. The school building would be compliant with Building Bulletin 93, 'Acoustic Design of Schools: Performance Standards'. The contractor would also work closely with local residents to limit disruption during the construction of the new school, which would include limiting delivery hours. On-site parking would be provided using the Vale of Glamorgan Council Parking Standards as guidance.

### **Objection theme 7: Planning process has not been followed**

1 objection comment the consultation process did not followed planning procedure (by not completing a traffic risk assessment).

#### **Governing body's response to the objection raised**

This consultation is on the proposal to increase the capacity of the school from 126 to 210 places and to increase the age range from 4–11 to 3–11. The consultation process followed Welsh Government guidelines as outlined in the School Organisation Code 2018. The outcome of this statutory consultation is dependent upon the educational merits of this proposal.

If this proposal is accepted, multiple site surveys would then be completed as part of the design process for the new school building; including a full transport assessment. The transport assessment would be used as part of the design process to mitigate against negative impacts identified. The transport assessment would be undertaken considering the building's proposed capacity of 210 statutory age pupils and 48 part time nursery places (24 full time equivalent).

The final design would be subject to planning permission. The planning process includes a statutory consultation with local residents. If this proposal progresses to the next stage, the planning pre-application consultation process would run from February 2020 until April 2020.

<b>Stage</b>	<b>Date/s</b>
Objection report submitted to Council's Cabinet for final determination	September 2019
(If proposal approved) contractor tender process	September 2019 – January 2020

Planning pre-application consultation	February 2020 – April 2020
Planning application submitted	April 2020
Planning decision	June 2020
(If planning approved) start construction on site	July 2020
Construction due to finish	July 2021
School moves into new building	September 2021
Site completion	July 2022

These dates are subject to change.

### **Objection theme 8: Security issues**

1 objection noted concerns over the security arrangements at the school in light of opening up the facilities to external users.

#### **Governing body's response to the objection raised**

The school currently provides a number of services for the local community which have the potential to be enhanced through the proposed development. As noted in the Community Impact Assessment, the relevant ward for St Nicholas (Wenvoe 1) is amongst the 10-20% most deprived LSOAs for access to services. This could be improved through increasing community access to the proposed new facilities; such as sporting provision and meeting spaces. However, arrangements would take safeguarding and public security matters into consideration. South Wales Police would be consulted as part of the design process and the 'Designing Out Crime' officer would provide feedback on the proposed design. Security arrangements within the building would be enhanced compared to current provision. The governing body are not proposing any changes to the existing arrangement in place for the community use of the school field.

### **Objection theme 9: Addition of nursery provision**

1 objection noted the addition of nursery provision is an unnecessary step too far due to the increase in the school's capacity being in excess of 100%.

#### **Governing body's response to the objection raised**

The proposal to increase the capacity of the school from 126 to 210 places and to increase the age range from 4–11 to 3–11. The change from 126 statutory school places to 210 statutory school places is an increase of 66.67% (84 places). The additional nursery provision would consist of 48 part time nursery places. As these places are split across morning and afternoon sessions, this equates to 24 full time equivalent places. This results in an overall increase from 126 places to 234 places (85.71%).

Currently the school has no nursery provision, which results in a significant amount of time spent integrating reception pupils into the school and a loss of potential local pupils to other schools further away with nursery provision. The proposed nursery would provide a consistent approach from 3-11 years to promote and underpin continuity and progression for pupils, ensuring breadth and balance across the curriculum. It would also develop the ethos and culture of the school in children from an earlier age, leading to effective interpersonal relationships and higher self-esteem.

It is also worth noting that the increased capacity would be gradual with the school's admission number changing from 18 to 30 from September 2021. It wouldn't be until September 2028 that the school could be at full capacity.

## Conclusion

The governing body conclude that the proposal would have a positive impact on the existing and future pupils of St Nicholas CIW Primary School. The proposal would result in 21<sup>st</sup> century teaching and learning environments that would promote pupil wellbeing and attitudes to learning. Improved ICT infrastructure would ensure the school is adaptable to future changes to the curriculum. Estyn formally responded to the consultation stating that *'the proposer has considered comprehensively the effect of the proposals on the quality of outcomes, provision and leadership and management'*. Estyn also stated that *'the proposal is likely to at least maintain the current standards of education and provision in the area'*.

The proposal would also ensure the Council is able to meet its statutory duty to provide sufficient school places. St Nicholas CIW Primary School has limited capacity and oversubscription is becoming more regular as the local population increases with additional housing developments.

The existing buildings are in poor condition and ongoing maintenance is costly and disruptive. A new school building would reduce the revenue impact of this ongoing maintenance.

The governing body notes the concerns of local residents regarding increased traffic

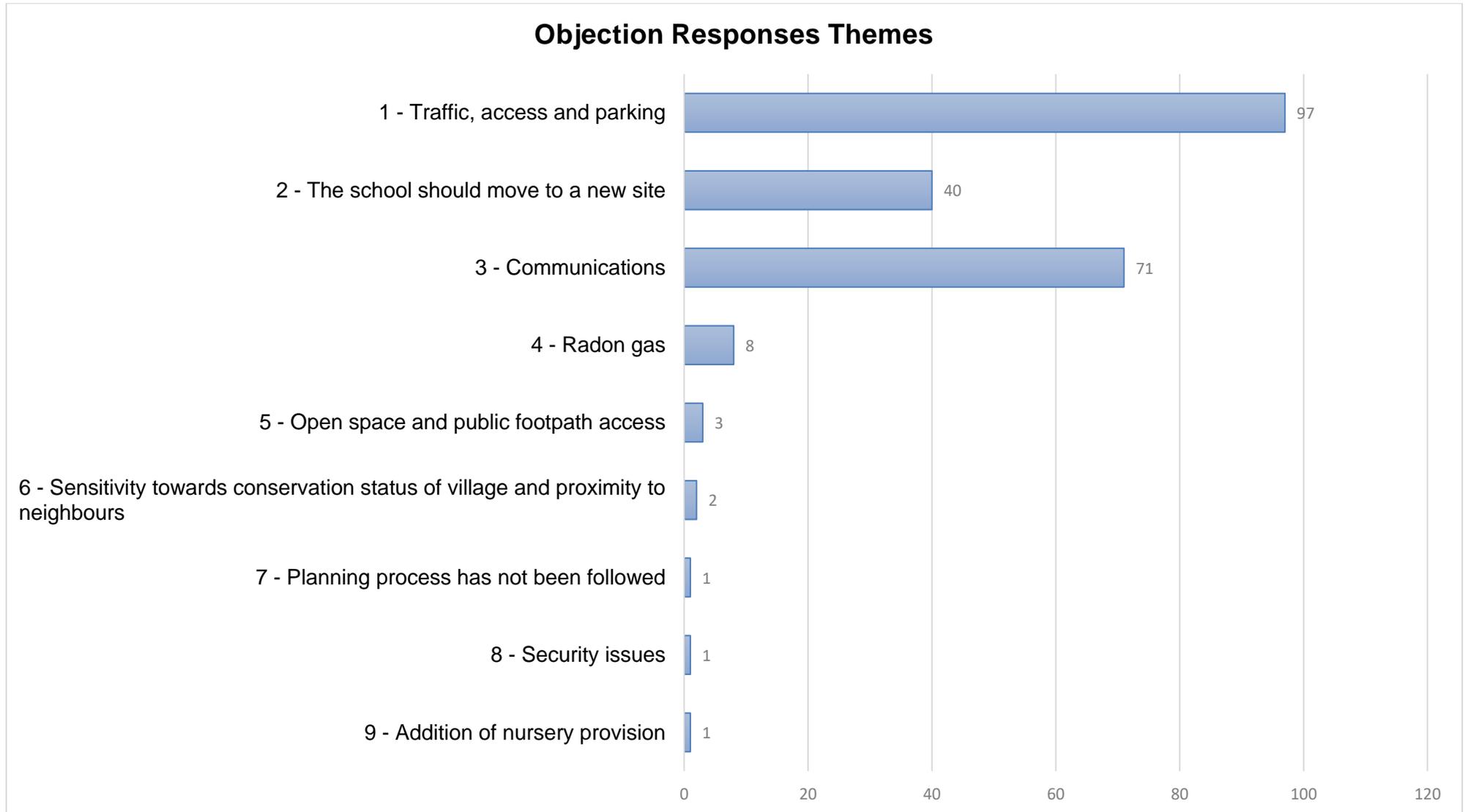
and would work closely with the 21<sup>st</sup> Century Schools Team to limit the impact of this. As outlined above, a full transport assessment would be undertaken and would be factored into the design. The final design would be subject to a planning application. This includes a formal consultation with local residents.

## Recommendations

It is recommended:

1. That the governing body consider the objection report along with the individual objections received during the objection period.
2. That the governing body approve the publication of the objection report
3. That the governing body approve the implementation of the proposal to change the age range of St Nicholas CIW Primary School from 4 to 3 to include 48 part time nursery places and to increase the capacity of St Nicholas CIW Primary School from 126 places to 210 places from September 2021.
4. That the governing body refer the Consultation Document, Consultation Report, Statutory Notice, Objection Report and Objections to the Council for final determination in line with section 51 of the School Standards and Organisation (Wales) Act 2013.

## Annex 1



## 1. What are you assessing?

A proposal to change the age range of St Nicholas CIW Primary School from 4 to 3 to include 48 part time nursery places and expand St Nicholas CIW Primary School from 126 places to 210 places from September 2021.

## 2. Who is responsible?

<b>Name</b>	Matthew Curtis	<b>Job Title</b>	Project Manager
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## 3. When is the assessment being carried out?

<b>Date of start of assessment</b>	18 March 2019
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## 4. Describe the proposal?

### What is the purpose of the proposal?

In March 2019, a new consultation was launched aimed at expanding education in St Nicholas and Bonvilston due to recent and proposed housing developments. The aim of the consultation was to inform the prescribed consultees about the proposal being put forward to provide additional school places to meet the future demand for primary education by extending the age range of St Nicholas CIW Primary from 4-11 to 3-11 and expanding the capacity from 126 places to 210 places from September 2021, and to seek feedback on this proposal.

The feedback and views expressed in the consultation are being considered together in the publication of a consultation report on the proposal and this Equality Impact Assessment.

St Nicholas CIW Primary School forms part of the Council's 21<sup>st</sup> Century Schools Programme with a new £4.185m new build school being proposed. . It is proposed that all pupils, staff and governors from St Nicholas CIW Primary would transfer into the new school building. Although the transferring of the school to the new building is included as part of this consultation, this is not subject to the statutory process as the transfer would be within 1.609344 kilometres (1 mile).

All staff and pupils would move to the new school building and the governing body would remain unchanged. Careful planning and management of any transitional arrangements would be necessary to mitigate the challenges of pupils moving in to the area between 2019 and 2021, ensuring no disadvantage to pupils moving to the new school building or negative impact on the current good performance of St Nicholas CIW Primary.

## Why do you need to put it in place?

### Housing Developments

A number of large scale housing developments are planned for the Vale of Glamorgan area. Planning permission has been granted for 117 dwellings to the east of St Nicholas and 120 dwellings to the east of Bonvilston. These housing developments are situated within the catchment area for St Nicholas CIW Primary School.

The projected number of pupils emanating from a development is calculated using a formula derived from census data of householders in the Vale of Glamorgan. The formula is contained within the Council's Supplementary Guidance for planning purposes. The development in total is projected to yield around 24 nursery and 66 primary school pupils.

St Nicholas CIW Primary School currently has 128 pupils on roll against a capacity of 126 pupils. Therefore, capacity would need to be increased to ensure the school is able to meet anticipated future demand for primary education. There is currently no additional capacity to accommodate the additional pupils generated by the new housing development.

### Condition of existing buildings

St Nicholas CIW Primary School is a timber clad building which has been categorised as being of poor condition and suitability. This means the school is exhibiting major defects and teaching methods are adversely affected. It would not be possible to refurbish teaching areas to fully meet 21st century standards.

The school is split over two sites with reception pupils having to walk to the nearby 'Old School' following morning assembly. There is no path along this stretch of road.

Classroom sizes are inconsistent throughout the building. There are currently 72 children being taught across two classrooms.

Building Bulletin 99: Briefing Framework for Primary School Projects advises that a sink, washable floor area and resources for simple 'wet' practical activities are required. This promotes good hygiene, prevents sickness and allows water play activities. Some classrooms at St Nicholas CIW Primary School do not currently have a water supply.

The outcome of the 2018 condition survey is outlined below.

School	Type	Condition	Suitability	Backlog Maintenance
St Nicholas CIW Primary School	Voluntary Controlled	Poor	Poor	£730,276

**Table 1 – 2018 condition survey**

The backlog maintenance includes the following.

Building element	2019 estimate (£)
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Structural repairs to timber frame	462,200
Flat roof renewal	196,435
Repairs to annex building	34,665
Internal redecoration, renewal of floor coverings and minor repairs	28,888
Install ventilation fans and blending valves in toilets.	8,089
<b>Total</b>	<b>730,276</b>

**Table 2 – Backlog maintenance record**

St Nicholas CIW Primary School has been included as part of the Council's 21st Century Schools Programme. A new 210 place school building would be built on the existing school site. It is anticipated that the new school building would open by September 2021, to provide sufficient space for the increased demand and address the condition and suitability issues with the existing buildings.

Pupils would be educated in a high quality modern building which would be able to support the delivery of a broad and balanced curriculum.

### **Nursery Provision**

St Nicholas CIW Primary School does not currently offer nursery provision.

It is proposed that 48 part time nursery places are provided to develop continuity and progression in children's learning from the age of three. This would ensure there is a consistent approach to planning and delivery of the foundation phase (nursery to year two).

### **Do we need to commit significant resources to it (such as money or staff time)?**

Subject to the approval of this proposal, a significant capital investment would be made to establish a new school building for St Nicholas CIW Primary School. The Council would manage the process and the governing body, staff, parents and pupils of St Nicholas CIW Primary School would be fully engaged in the development of the plans. The Council would also be responsible for managing the construction.

It is estimated that the total capital funding required to build a new school on the proposed site would be £4.185 million. The Council is expected to receive £2.720 million in Welsh Government funding through the 21st Century Schools Programme, subject to the approval of a business case. The additional £1.465 million would be funded by the Council Using Section 106 contributions.

Officer time has been addressed within the Vale of Glamorgan Council via the creation of a 21<sup>st</sup> Century Schools Team.

### **What are the intended outcomes of the proposal?**

Expanding the school and relocating to a new school building would;

- Enable the school to further improve while catering for a greater pupil population.
- Ensure the Council is able to accommodate the future demand for primary based education based on current trends.
- Provide innovative and creative learning environments which are adaptable to change and will challenge and support children to reach their full potential.
- Increase the level of community access and interaction through the use of the school's educational facilities whilst meeting the needs of the school.
- The new building will meet BREEAM (Building Research Establishment Environmental Assessment Method) Excellent standards and be built to an EPC (Energy Performance Certificate) A rating.
- Establish a nursery unit which offers a more efficient and sustainable model of delivery of education for the 21st Century that meets national building standards and reduces the recurrent costs and carbon footprint of education buildings.
- Develop the ethos and culture of the school in children from an earlier age, leading to effective interpersonal relationships and higher self-esteem.
- Provide a consistent approach from 3-11 years to promote and underpin continuity and progression for pupils, ensuring breadth and balance across the curriculum.
- All curriculum planning and resourcing would build successfully on previous pupil knowledge and experience and engage interest.
- Support pupils to develop their ability to learn new skills and apply their subject knowledge more positively and creatively across a continuum of learning.
- Improve the already good arrangements for the care, support and guidance of pupils from an earlier age.
- Extend and develop partnerships with families from the earliest opportunity to strengthen home / school transition.

## **Who does the proposal affect?**

All staff, pupils, parents of pupils, and governors at St Nicholas CIW Primary on the date of the move to a new improved school building in Bonvilston. The date of the move is anticipated to be September 2021.

In addition this proposal if implemented would provide a local school for the growing St Nicholas and Bonvilston communities and surrounding areas, ensuring that the majority of pupils can be educated at a school within their community.

## Will the proposal affect how other organisations work?

The proposal is unlikely to have a significant impact on any other schools in the local area. Whilst the Council is increasing the number of places, the current primary provision in the St Nicholas and Bonvilston area will not be able to meet the future demand for school places from the new housing development. There is no proposed change to the catchment area as a result of this proposal.

## Will the proposal affect how you deliver services?

The Council must ensure that schools serve their local communities and are reflective of demand. There is a need to meet future demand from the new housing developments in St Nicholas and Bonvilston. A new 210 place school would accommodate the projected increase in pupil numbers from the new development in St Nicholas and Bonvilston, in addition to the projected pupil numbers that would move from the existing site of St Nicholas CIW Primary.

All staff and pupils would move to the new school building and the governing body would remain unchanged. Careful planning and management of any transitional arrangements would be necessary to mitigate the challenges of pupils moving in to the area between 2019 and 2021, ensuring no disadvantage to pupils moving to the new school or negative impact on the current performance of St Nicholas CIW Primary.

The needs of the new school community that will attend this school in future cannot be known, however a great deal of information is available with relation to the population within the Vale of Glamorgan. This can be accessed from the following sources.

Household projections by local authority <https://gov.wales/docs/statistics/2017/170323-household-projections-local-authorities-2014-based-en.pdf>

Future population trends <https://www.slideshare.net/StatisticsWales/welsh-government-future-trends-report-2017-population>

ONS 2016 population estimates (row 392 code W06000014)  
<https://www.ons.gov.uk/file?uri=/peoplepopulationandcommunity/populationandmigration/populationestimates/datasets/populationestimatesforukenglandandwalesscotlandandnorthernireland/mid2017/ukmidyearestimates2017finalversion.xls>

Protected characteristic data from 2011 Census  
<https://gov.wales/statistics-and-research/census-population/?lang=en>

## Will the proposal impact on other policies or practices?

The proposal is part of the councils overall strategic outline programme for Band B of the 21<sup>st</sup> Century Schools Programme. The operation of the school would continue to be supported by many policies and procedures. The governing body would be required to continue to comply with all policies, including the Council and schools Equality Policies. All

schools have their part to play in meeting the equality objectives that the Learning and Skills Directorate is responsible for delivering and support the performance reported on in the annual equality monitoring report where appropriate.

The Vale of Glamorgan Local Development Plan (LDP) 2011-2026 provides the local planning policy framework for the Vale of Glamorgan and was adopted by the Council on 28 June 2017.

**Can you change the proposal so that it further promotes equality of opportunity and fosters good relations?**

The proposal being put forward is to build a new 210 place school building for St Nicholas CIW Primary, which would be located on the current site. It is proposed that all pupils, staff and governors from St Nicholas CIW Primary would be provided with a new school building. The building will be designed to improve accessibility and promote equality of opportunity for education for more pupils over an increased age range. It would provide the school with improved facilities which would enable them to promote equality of opportunity and foster good relations between those with different protected characteristics. Specific consideration to feedback in relation to pupils with disabilities has been fed into the consultation document and in turn would be reflected in the design for the new building.

The formal consultation process follows Welsh Government guidelines outlined in the School Organisation Code 2018. A range of individuals and groups were asked for their views about these proposals during the period 18 March to 3 May 2019. All responses received as part of the consultation are reflected in the Consultation Report.

Before any decisions are made, the governing body needs to ensure that it offers a number of opportunities for individuals and interested groups to make their views and opinions on the proposals known.

The governing body consulted with the following groups:

Staff (teaching and non-teaching) at St Nicholas CIW Primary School	Governing Body of St Nicholas CIW Primary School
Parents/Carers and Guardians of children attending St Nicholas CIW Primary School	St Nicholas with Bonvilston Community Council
Vale of Glamorgan Children and Young People's Partnership	Vale of Glamorgan Early Years Development Partnership (EYDCP)
Assembly Members (AM's) / Members of Parliament (MP's) / Regional Assembly Members	Local Councillors
Care and Social Services Inspectorate Wales (CSSIW)	Welsh Language Commissioner
Rhieni dros Addysg Gymraeg (RHAG)	Neighbouring Primary and Secondary schools in the Vale of Glamorgan
Estyn	Central South Consortium Joint Education Service
Welsh Government Ministers	Trades Unions
Local Police and Crime Commissioner	Directors of Education – All Neighbouring Authorities
Council's Transportation Department	Diocesan Directors of Education

**Table 4 - List of groups to consult as part of the consultation process**

## How will you achieve the proposed changes?

The consultation period for the proposal started on 18 March 2019 and ended on 3 May 2019.

The governing body considered responses received during the consultation exercise on 23 May 2019, and approved the publication of the consultation report.

The consultation report was published on 12 June 2019.

The governing body determined to progress the proposal through the publication of a statutory notice. The statutory notice was published on 16 June 2019.

In accordance with section 49 of 'the Act', any person may object to the proposal before the end of 28 days beginning with the day on which the proposals were published, that is to say by Wednesday 24 July 2019.

47 individual objections were received during the objection period. On 12 August the governing body approved the publication of the objection report. The report was published on 20 August 2019.

In accordance with section 51 of the School Standards and Organisation (Wales) Act 2013, all documentation has been referred to the Council for final determination.

## Who will deliver the proposal?

Subject to the approval of this proposal, a significant capital investment will be made to establish a new school building for St Nicholas CIW Primary.

This building would be delivered by the 21<sup>st</sup> Century Schools team within the Directorate of Learning & Skills as part of the Councils School Investment Programme following its successful bid for funding as part of the 21<sup>st</sup> Century Schools Programme. Projects are subject to statutory consultation and rigorous business cases as required by the School Organisation Code and Welsh Government. The 21<sup>st</sup> Century Schools Programme is a long-term strategic investment in educational estate throughout Wales. It is a unique collaboration between Welsh Government, the Welsh Local Government Association (WLGA), local authorities, colleges and dioceses. All of the Vale of Glamorgan Council projects that were undertaken as part of Band A of the 21<sup>st</sup> Century Schools Programme were completed on time and on budget.

## How will you know whether you have achieved the proposal's purpose?

The Council would have determined the proposal to:

- Provide additional school places to meet the future demand for faith education in Bonvilston by expanding St Nicholas CIW Primary from 126 places to 210 places and extending the age range from 4-11 to 3-11 from September 2021

The Council may decide to approve, reject or approve the proposals with modifications. In doing so, the Council will take into account any statutory objections that have been received.

## 5. What evidence are you using?

### Engagement (with internal and external stakeholders)

The consultation process followed Welsh Government guidelines, in compliance with the Schools Standards and Organisation (Wales) Act 2013 and School Organisation Code 2018. The governing body consulted with a range of statutory consultees outlined in and required by the Code.

Prior to the consultation, a meeting was held with the Headteacher of St Nicholas CIW Primary and representatives from the governing body to discuss the proposal and respond to queries raised. The Council arranged tours with the school's staff and governing body of comparable primaries completed within Band A to provide context of the proposed new building.

Consultation was undertaken at a formative stage and allowed for intelligent consideration and response. The timescales for consultation comply with the School Organisation Code and allowed 7 weeks for consultees to consider and prepare a response. A number of

themes received as part of the process were addressed and detailed within a consultation report.

The governing body held drop in sessions which were attended by representative from the Council. Feedback from the drop in sessions are not included in the consultation response report as it was stated clearly in the consultation document that the Council would only accept responses using the official consultation response form. Consultees were advised of this at the drop in sessions.

## **Consultation (with internal and external stakeholders)**

The consultation processes followed Welsh Government guidelines, in compliance with the Schools Standards and Organisation (Wales) Act 2013 and School Organisation Code 2018. The governing body consulted with a range of statutory consultees outlined in and required by the Code.

Formal consultations were conducted through a consultation document and response form distributed electronically to prescribed consultees and published on the school's and Vale of Glamorgan Council's websites the on the 18 March 2019.

The bilingual consultation documents were published on 18 March 2019 and distributed online; through social media, and on the Vale of Glamorgan Council's website. Consultees were provided with an electronic copy of the documents and a link to the Vale of Glamorgan Council website. Hard copies were available at the school and also at all of the consultation events.

Consultees for both consultations were asked for their opinion on a key question:

- Do you support the proposal to expand St Nicholas CIW Primary School from 126 places to 210 places and change the lowest age range for the school from 4 to 3 to provide nursery provision from September 2021?

Consultees were also offered the opportunity to comment further:

- If you would like to suggest any changes or alternatives to the proposals, please detail these below.
- Any other comments?

Meetings for the consultation were held with the staff and governors at St Nicholas CIW Primary which were attended by Council officers. Three drop in sessions were held for all stakeholders in St Nicholas CIW Primary. A consultation session was undertaken with the School Council of St Nicholas CIW Primary to engage the pupils in the consultation process.

The consultation processes gave a range of consultees and local people the opportunity to learn about the proposal and for the governing body to hear the views of all those with an interest so that they can be taken into account before any decisions are made. The

number of respondents and characteristics thereof are detailed in the consultation response report.

The governing body received 27 individual responses by the consultation closing date of 3 May 2019. Of the total 27 individual responses received 22 were in favour of the proposal and 5 were opposed. The key issues raised were addressed as part of the consultation report.

## National data and research

A great deal of information is available with relation to the population within the Vale of Glamorgan. This can be accessed from the following sources.

Household projections by local authority <https://gov.wales/docs/statistics/2017/170323-household-projections-local-authorities-2014-based-en.pdf>

Future population trends <https://www.slideshare.net/StatisticsWales/welsh-government-future-trends-report-2017-population>

ONS 2016 population estimates (row 392 code W06000014)  
<https://www.ons.gov.uk/file?uri=/peoplepopulationandcommunity/populationandmigration/populationestimates/datasets/populationestimatesforukenglandandwalesscotlandandnorthernireland/mid2017/ukmidyearestimates2017finalversion.xls>

Protected characteristic data from 2011 Census  
<https://gov.wales/statistics-and-research/census-population/?lang=en>

The proposal will be delivered through the Welsh Government 21<sup>st</sup> Century Schools Programme. The 21<sup>st</sup> Century Schools Programme is a long-term strategic investment in educational estate throughout Wales. It is a unique collaboration between Welsh Government, the Welsh Local Government Association (WLGA), local authorities, colleges and dioceses. All of the Vale of Glamorgan Council projects that were undertaken as part of Band A of the 21<sup>st</sup> Century Schools Programme were completed on time and within budget. The Council is expected to receive Welsh Government Band B match funding through the 21<sup>st</sup> Century School Programme for the proposal.

Changes to school provision, in the form of statutory school organisation proposals, are often necessary as part of plans within the 21<sup>st</sup> Century Schools and Education Capital Programme.

The School Standards and Organisation (Wales) Act 2013 requires that the Welsh Ministers issue a School Organisation Code. The School Organisation Code 2018 sets out requirements for consultation upon and publication of, statutory proposals for change and local authorities are required to follow the Code. The Code sets out requirements and provides guidance in respect of school reorganisation proposals brought forward to reconfigure school provision and for those responsible for determining proposals. The consultation process follows Welsh Government guidelines outlined in the School

Organisation Code.

## Local data and research

The Council is using current demographic, school and pupil data to inform the proposal. A strategic review of data was used to inform the process.

St Nicholas CIW Primary is a Voluntary Controlled school serving 4 to 11 year olds in St Nicholas and Bonvilston. In terms of admissions, there are 18 pupils per year group with a total capacity of 126 pupils.

St Nicholas CIW Primary School is a timber clad building which has been categorised as being of poor condition and suitability. This means the school is exhibiting major defects and teaching methods are adversely affected. It would not be possible to refurbish teaching areas to fully meet 21st century standards. The school is split over two sites with reception pupils having to walk to the nearby 'Old School' following morning assembly. There is no path along this stretch of road. Classroom sizes are inconsistent throughout the building. There are currently 72 children being taught across two classrooms.

The buildings do not meet 21st Century School design guidance standards for primary schools which have been used for all new builds completed through the Councils 21st Century Schools programme. These schools comprise a fully accessible one or two storey building providing all the required educational functions within a single building set in grounds meeting current outdoor curriculum needs.

The Vale of Glamorgan Local Development Plan (LDP) 2011-2026 provides the local planning policy framework for the Vale of Glamorgan and was adopted by the Council on 28 June 2017.

A number of large scale housing developments are planned for the Vale of Glamorgan area. Planning permission has been granted for 117 dwellings to the east of St Nicholas and 120 dwellings to the east of Bonvilston. These housing developments are situated within the catchment area for St Nicholas CIW Primary School. The development in total is projected to yield around 24 nursery and 66 primary school pupils.

A new 210 place school building would accommodate the projected increase in pupil numbers from the new developments.

## 6. [How robust is the evidence?](#)

### Does it show what the impact will be (positive and negative)?

This proposal pays due regard to the need to eliminate discrimination, advance equality, and foster good relations as an integral part of the decision making process. The impact of the proposal will be positive in terms of managing the demand for school places in the Vale of Glamorgan and in the St Nicholas and Bonvilston area and ensuring that pupils within an extended age range can receive education. The proposal may also be positive

for those children attending St Nicholas CIW Primary who live in the St Nicholas and Bonvilston area, particularly those from the new housing developments.

There may be a negative impact in terms of potential disruption during the construction phase. A part of the school site would not be accessible during construction. The school would work closely with the construction team to limit disruption. The school currently utilises the outdoor community facilities at the Village hall. It is anticipated that this could complement the hard standing areas.

## **What are the gaps?**

The protected characteristics of future new residents emanating from the proposed new development are unknown at this stage. There is limited information held within the Directorate of the protected characteristics of the staff and governing body however the proposal is designed to have a positive or neutral impact on those with protected characteristics accessing the new building. As the staff and governing body are small in number, this data may also serve to identify individuals and personal information held about them. However as part of the consultation several opportunities via a variety of confidential methods were given to staff and governors to express concerns with relation to their personal circumstances as well as any wider concerns. No issues were raised during the consultation or subsequently that were considered to have an adverse impact on the protected characteristics of staff or governors. As a result this is not included in this assessment.

The Council would ensure that all staff and governors would not be adversely impacted as a result of their protected characteristic as a result of this proposal.

## **What will you do about this?**

Consideration of the protected characteristics of the pupils, staff and Governing Body would be reflected in the development of the new building for example via the provision of a fully accessible building and gender neutral toilets.

The protected characteristics of future occupiers of the school cannot be known however the new building would ensure equality of opportunity for all those accessing the new building.

Information is provided to the school by the parents and professionals on the child's enrolment at the school. This allows the school to ensure that the school can meet their needs.

## **What monitoring data will you collect?**

The Pupil Level Annual School Census (PLASC) data is collected on an annual basis, protected characteristics are captured through this process.

## How often will you analyse and report on this?

The pupils Level Annual School Census (PLASC) is completed annually. The Council and schools use the data to develop and monitor policy and performance in the Vale of Glamorgan. The effectiveness of this proposal will be monitored via the school's governing body, the Council, the Central South Consortium and Estyn.

## Where will you publish monitoring data and reports?

School Census is published by Welsh Government on the STATS Wales website for each local authority area.

<https://statswales.gov.wales/Catalogue/Education-and-Skills/Schools-and-Teachers/Schools-Census>

There would be continued monitoring of school standards across all year groups by the governing body, the Local Authority and the Central South Consortium and via Estyn.

Standards in schools are monitored on an annual basis by the Consortium and reported back to the Local Authority. Standards for children who have been identified with additional learning needs, along with those children identified as school action and school action plus will also be part of the Annual National Categorisation School Report carried out by the Central South Consortium in partnership with the school.

## 7. [Impact](#)

### Is there an impact?

There would be a positive impact on persons with the protected characteristics of age, disability, gender reassignment and identity, religion/belief, and human rights. The proposal would support the school to ensure that it has the improved facilities to promote equality of opportunity and foster good relations between those with different protected characteristics.

There has been no perceived negative impact on the protected characteristics identified. The existing site is not fully compliant with the requirements of the Equality Act 2010 due to site constraints. Successful implementation of the proposal would enable compliance by providing a fully accessible building with gender neutral facilities.

The positive impacts are outlined below in the relevant section.

**If there is no impact, what is the justification for thinking this? Provide evidence.**

Evidence is assessed through the consultation process and through school and pupil data.

## If there is likely to be an impact, what is it?

### Age

According to the Pupil Level Annual School Census (PLASC) carried out in January 2018 there were 125 children on roll of compulsory school age. 53 children were aged 4–7 and 72 children were aged 8–11.

The proposal would provide a 210 place primary school building with a 48 part time place nursery class. This proposal would develop continuity and progression in children’s learning from the age of three. A consistent approach to the planning and delivery of the foundation phase (nursery to year two) would be enhanced through a purpose build nursery unit with access to outdoor learning areas. Provide a consistent approach from 3-11 years to promote and underpin continuity and progression for pupils, ensuring breadth and balance across the curriculum. The already well-developed holistic approach could be embedded from an early age.

As the school on a new site would be of sufficient size to provide the required places for children of nursery and primary school age who will be residing in the area, the proposal would provide a **positive** impact for children of these age brackets. The school would be able to provide sufficient places for primary school age children that would not be available without the new school building.

However, it is noted that section 149, so far as relating to age, does not apply to the exercise of a function relating to the provision of education to pupils in schools (see paragraph 1 of Schedule 18 to the 2010 Act).

### Disability

The data held on pupils is characterised by Special Educational Needs (SEN) not disability. 37% of children attending St Nicholas CIW Primary have SEN which is higher than the average (14.3%) for the Vale of Glamorgan Primary School population. This will include pupils with a disability however it will also include pupils without a disability. There are no pupils with a disability which impacts on their mobility currently on roll at the school. The degree of need varies across a range of additional learning needs types including:

Additional Learning Needs (ALN) Groups
ASD (Autistic Spectrum Disorder)
BESD (Behavioural, emotional and social difficulties)
DYSL (Dyslexia)
GLD (General Learning Difficulties)

MLD (Moderate Learning Difficulties)
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SLCD (Speech, Language and Communication Difficulties)
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The school does not have an attached specialist resource base (SRB); it provides specialist support for children who have identified needs in an inclusive setting within the school.

The proposed new school building would be designed in such a way as to equip staff to meet the needs of learners with additional learning needs. The school would provide a targeted and bespoke curriculum which is responsive to the individual child's abilities and ensures that all children who require additional support are integrated across all areas of the curriculum.

There are many design elements that could be incorporated to support pupils. These could include, for example a small room between a pair of classrooms which could be used for individual / small group learning or could be used as a breakout space should a pupil need to retreat from the classroom. Creative use of acoustic materials and bespoke calming colour schemes etc. would also be considered by part of the design team in full consultation with staff pupils and governors. The school will be designed to have flexible spaces which could be adapted by the use of furniture for specific activities, which would include quiet areas for individual learning. The building will be designed to current acoustic standards (BB93). This will define the acoustic performance standard that the school will be designed to. The whole building will be designed to comply with current building regulations for disabled access, with parking and access into the school building as well as access throughout the school. Natural daylighting and ventilation will be a key feature of the new learning environment.

The protected characteristics of children who will emanate from the new developments in St Nicholas and Bonvilston are unknown at this stage. This data is collected where appropriate on admission and the Council and schools use the data to develop and monitor policy and performance in the Vale of Glamorgan. The effectiveness of this proposal will be monitored via the school's governing body, the Council, the Central South Consortium and Estyn.

Based on the policies in place that would not change as a result of the move to a new school building, staff would continue to receive protection under the Equalities Act 2010 which would be referred to by the governing body and Council in order to support the staff at the school and all people accessing the building will benefit from its accessible nature.

The proposal will therefore provide a **positive** impact for pupils, staff, governors and the wider community visiting the school who have been identified within this protected group as they will have access to a fully accessible school building which has been designed to consider individual needs and will be managed by existing senior leaders at the school.

### **Gender reassignment, including gender identity**

Gender reassignment is not recorded for Primary age pupils however individual pupils choosing to live other than at their birth gender are supported within Primary Schools. All

children would continue to receive a high quality education at the new school site. The new building would have suitable facilities in place to accommodate pupils of any gender; no pupil would need to consider changing schools due to gender reassignment. Pupils and staff have the right to access the toilet that corresponds to their gender identity. Any pupil or staff member who has a need or desire for increased privacy, regardless of the underlying reason, would be provided access to a single stall toilet, but no pupil or staff member shall be required to use such a toilet. The new building would provide single stall toilets that can be used by all, albeit separate facilities would be available for adults and children.

The use of changing rooms by transgender pupils and staff would be assessed on a case by-case basis in discussion with the individual concerned. The school would maximise social integration and promote an equal opportunity to participate in physical education classes and sports, ensuring the safety and comfort, and removing adverse impact for the individual. In most cases, transgender pupils or staff would have access to a changing space that corresponds to their gender identity.

Staff would also have access to improved, gender neutral facilities and would continue to receive protection under the Equalities Act 2010 which would be referred to by the governing body and Council in order to support the staff at the school. Non-binary people, including staff, governors and members of the community accessing the facilities would benefit from the gender neutral adaptations to the school that have been identified above.

None of the respondents indicated that this proposal would have an adverse impact on their gender identity. Based on current evidence this proposal would have a **positive** impact on this protected group.

### **Marriage and civil partnership (discrimination only)**

None of the respondents indicated that this proposal would have an adverse impact on their status in this regard. This information is not held at a directorate level for staff and governors however the proposal is designed to have a positive or neutral impact on those with protected characteristics accessing the new building. Pupils at the school are below the legal marriage age. Staff would continue to receive protection under the Equalities Act 2010 which would be referred to by the governing body and Council in order to support the staff at the school.

Based on the policies in place that would not change as a result of the transfer to a new school building, this proposal would have a **neutral** impact on this protected group.

### **Pregnancy and Maternity**

It is considered that there will not be a negative impact on pupils in this protected group as there is a minimal likelihood of pupils falling within this protected group due to the age range of the school. The provision of education for any pupil who were within this protected group would remain unaltered by the proposal.

Staff who are currently on maternity leave or are pregnant at the point of the proposed move would be protected under the Equalities Act 2010.

None of the respondents indicated that this proposal would have an adverse impact on their status in this regard however reference to the impact, both positive and negative, on future children was made in a small number of responses. Based on the policies in place that would not change as a result of the proposal, this proposal would have a **neutral** impact on people in this protected group.

## Race

The predominant ethnicity at St Nicholas CIW Primary is currently White – Welsh/English/Scottish/Northern Irish British with 86% of children falling within this category. This is lower than the average (90% White British) across the wider Vale Primary School population.

As the children will be moving to a new school building, it is unlikely that the proposal will change the ethnic profile of the school although the characteristic of children emanating from the new development in St Nicholas and Bonvilston being built at this time is unknown at this stage.

All staff, pupils and governors would continue to receive protection under the Equalities Act 2010 which would be referred to by the governing body and Council in order to support the staff at the school.

None of the respondents indicated that this proposal would have an adverse impact on their status in this regard. Based on the policies in place that would not change as a result of the proposal and the very small number of pupils in this category, this proposal would have a **neutral** impact on people in this protected group.

## Religion and belief

Staff would continue to receive protection under the Equalities Act 2010 which would be referred to by the governing body and Council in order to support the staff at the school.

Respect for all religious and non-religious beliefs would not change due to this proposal. This school is a Voluntary Controlled school and the aspect of the curriculum relating to religion and belief would not change as a result of this proposal.

St Nicholas CIW Primary School is one of the seven Church in Wales primary schools. This proposal would increase the school's capacity from 126 places to 210 places resulting in an additional 84 Church in Wales school places.

St Nicholas CIW Primary School would maintain its religious ethos whilst catering for a larger number of pupils. Governors welcome applications for admission from a range of backgrounds and admissions criteria does not require identification of religion.

None of the respondents indicated that this proposal would have an adverse impact on their status in this regard. Provision for Church in Wales education would increase, meaning the proposal would have a **positive** impact on people in this protected group.

## Sex

The school currently has 50.4% (63) female pupils on roll and 49.6% (62) male. This is a similar percentage to the Vale wide primary pupil population (49% female and 51% male), therefore there would be no perceived negative impact. The staff population is 69.7% female and 30.3% male, compared with a Vale wide profile of 89.7% female and 10.3% male staff in Primary Schools.

Children of both sexes would be treated and taught equally in the school at its new site. There would be no different methods of teaching or curricula for either sex. The school would aim to reduce - as far as possible - segregating pupils and students by Gender. Pupils would continue to be supported to enable equal access to PE and where lessons are segregated by sex/gender they would be enabled to participate in the activity which corresponds to their gender identity if this is what they request. The aspect of the curriculum management relating to any identified gender based attainment gap would not change as a result of this proposal.

Staff would continue to receive protection under the Equalities Act 2010 which would be referred to by the Governing body and Council in order to support the staff at the school. This proposal would lead to an increase in employment opportunities at the school as additional pupil numbers would lead to growth in future staffing levels. This may lead to more employment opportunities for people of either sex.

None of the respondents indicated that this proposal would have an adverse impact on their status in this regard. Based on the policies in place that would not change as a result of the proposal, this proposal would have a **neutral** impact on people in this protected group.

## Sexual orientation

Inclusivity and respect of others is an intrinsic element of the national curriculum. The principles of school inspection as described in the 'Framework for School Inspection', September 2015 states that the inspection will focus on the needs of pupils and parents by evaluating the extent to which schools provide an inclusive environment which meets the needs of all pupils irrespective of age, disability, gender reassignment, race, religion or belief, sex or sexual orientation. The Estyn School Inspection Handbook also details how inspection will evaluate how well individual pupils benefit from the school and states it may be relevant to pay particular attention to those with protected characteristics, therefore including transgender pupils. Under spiritual, moral, social and cultural development Estyn will look for evidence where pupils develop awareness and respect for diversity in relation to, for example gender, race, religion and belief, sexual orientation and disability.

Inspectors will also consider types, rates and patterns of bullying and the effectiveness of the school's actions to prevent and tackle all forms of bullying and harassment – this includes cyber bullying and prejudice-based bullying related to special education need, sexual orientation, sex, race, religion and belief, gender reassignment or disability.

Staff would continue to receive protection under the Equalities Act 2010 which would be referred to by the governing body and Council in order to support the staff at the school.

Based on the policies in place that would not change as a result of the proposal, this proposal would have a **neutral** impact on people in this protected group.

## Welsh language

Parental demand for Welsh medium primary education will continue to be provided through the catchment area school Ysgol Iolo Morgannwg.

St Nicholas CIW Primary is an English medium school and this proposal does not seek to change this. The Council was very successful in increasing Welsh medium primary sector capacity within the Vale of Glamorgan under Band A of the 21st Century Schools Programme. In order to build on this success, a key priority for Band B is to increase capacity in the Welsh medium secondary sector as well as consideration of further developments at primary level. In order to ensure that the Council actively addresses the Welsh Government target of one million Welsh speakers by 2050, the Council will be undertaking an active programme of addressing need with regard to Welsh and English medium education.

Staff would continue to receive protection under the Equalities Act 2010 which would be referred to by the governing body and Council in order to support the staff at the school.

None of the respondents indicated that this proposal would have an adverse impact on their status in this regard. Based on current evidence, this proposal would have a **neutral** impact on people in this protected group.

## Human rights

Consideration of the UNICEF document, A Human Rights-Based Approach to Education For All was given as part of the development of this consultation. This document advises that Chapter 2 introduces a conceptual framework for the rights-based approach to education that embodies three interlinked and interdependent dimensions. It contends that human rights related to education cannot be realized unless and until all three are addressed:

- The right of access to education – the right of every child to education on the basis of equality of opportunity and without discrimination on any grounds. To achieve this goal, education must be available for, accessible to and inclusive of all children.
- The right to quality education – the right of every child to a quality education that enables him or her to fulfil his or her potential, realize opportunities for employment and develop life skills. To achieve this goal, education needs to be child-centred, relevant and embrace a broad curriculum, and be appropriately resourced and monitored.
- The right to respect within the learning environment – the right of every child to respect for her or his inherent dignity and to have her or his universal human rights respected within the education system. To achieve this goal, education must be provided in a way

that is consistent with human rights, including equal respect for every child, opportunities for meaningful participation, freedom from all forms of violence, and respect for language, culture and religion.

This proposal has been presented in order to address the right of access to education, the right to quality education and the right to respect within the learning environment for all pupils within the Vale of Glamorgan.

Moving the school to larger accommodation with sustainable numbers would:

- Enable the school to further improve while catering for a greater pupil population.
- Ensure that the environment was accessible for all
- Provide innovative and creative learning environments which are adaptable to change and will challenge and support children to reach their full potential.
- Increase the level of community access and interaction through the use of the school's educational facilities whilst meeting the needs of the school.
- Establishing a new building and site offers a more efficient and sustainable model of delivery of education for the 21st Century that meets national building standards and reduces the recurrent costs and carbon footprint of education buildings. The new building will meet BREEAM (Building Research Establishment Environmental Assessment Method) Excellent standards and be built to an EPC (Energy Performance Certificate) A rating.
- Develop the ethos and culture of the school in children from an earlier age, leading to effective interpersonal relationships and higher self-esteem.
- All curriculum planning and resourcing would build successfully on previous pupil knowledge and experience and engage interest.
- Support pupils to develop their ability to learn new skills and apply their subject knowledge more positively and creatively across a continuum of learning.
- Improve the already good arrangements for the care, support and guidance of pupils from an earlier age.
- Extend and develop partnerships with families from the earliest opportunity to strengthen home / school transition.

It is not anticipated that there would be any adverse impacts for staff as they would simply move to a new building on their existing contracts. This proposal would lead to an increase in employment opportunities at the school as additional pupil numbers would lead to growth in future staffing levels. If the move to a new school site takes place, the governing body and headteacher would need to consider an increase in the staffing structure for the additional pupil numbers from September 2021. Any proposed changes to staffing would be subject to full consultation with staff and the relevant trades unions where necessary.

The Vale of Glamorgan Council fully supports the governors, headteacher and staff at the school with any employment related matters. The school has access to the Council's Human Resources policies and procedures, including recruitment policies. The Human Resources service works closely with governors to ensure regular and clear communication with all employees takes place on all matters relating to a change in location of their workplace.

None of the respondents indicated that this proposal would have an adverse impact on their status in this regard. Based on current evidence, this proposal would have a **positive** impact on people in this protected group.

## How do you know?

**Explain this for each of the relevant protected characteristics as identified above.**

Data is provided and analysed through the Pupil Level Annual School Census data collected in the January of each year. The Council also uses current demographic, school and pupil data to inform the proposal. The staff would also continue to receive protection under the Equalities Act 2010 which would be referred to by the governing body and Council in order to support the staff at the school.

## What can be done to promote a positive impact?

**Explain this for each of the relevant protected characteristics as identified above.**

The availability of the school, its benefits and the facilities available will be published on the Council's website and through the Council's Parental Guide to School Admissions for parents to consider when making a decision on where to express a preference for a pupil place. Having due regard to the need to advance equality of opportunity includes having due regard to the need to remove or minimize disadvantages suffered by them. Due regard would therefore be paid to the need to take steps to meet the needs of such persons where those needs are different from persons who do not have that characteristic, and to encourage those who have a protected characteristic to participate in public life. The steps involved in meeting the needs of disabled persons include steps to take account of the persons' disabilities would be key to the design of the new building. Having due regard to 'fostering good relations' involves having due regard to the need to tackle prejudice and promote understanding. This is an important aspect to curriculum delivery and would not change as a result of this proposal.

It is acknowledged that complying with the duty may involve treating some people better than others, as far as that is allowed by the discrimination law.

### Age

As the school would continue to provide sufficient places for children of primary school age. Inclusivity and respect of others is an intrinsic element of the national curriculum.

### Disability

St Nicholas CIW Primary's buildings do not meet 21<sup>st</sup> Century School design guidance. This new building would be designed to ensure it was fully accessible to all, regardless of the nature of their disability.

As stated previously design elements would be incorporated to support pupils such as a small room between a pair of classrooms which could be used for individual / small group learning or could be used as a breakout space should a pupil need to retreat from the classroom. The school would be designed to have flexible spaces which could be adapted by the use of furniture for specific activities, which would include quiet areas for individual learning. The school would be designed to current acoustic standards (BB93); this will define the acoustic performance standard that the school will be designed to. The whole building will be designed to comply with current building regulations for disabled access, with parking and access into the school building as well as assess throughout the school. Natural daylighting and ventilation will be a key feature of the new learning environment.

Inclusivity and respect of others is an intrinsic element of the national curriculum. The proposal would provide a positive impact.

### **Gender reassignment, including gender identity**

All children would be supported to receive a high quality education if the proposal were to be successfully implemented regardless of gender identity. The school will have suitable facilities in place to accommodate pupils of any gender; no pupil or staff member would need to consider changing schools due to gender reassignment.

Inclusivity and respect of others is an intrinsic element of the national curriculum. The proposal would provide a positive impact.

### **Marriage and civil partnership**

Staff would continue to receive protection under the Equalities Act 2010 which would be referred to by the governing body and Council in order to support the staff at the school.

Inclusivity and respect of others is an intrinsic element of the national curriculum. The Council will ensure that the school promotes this requirement through its monitoring and challenge carried out by the school improvement service and Human Resources.

### **Pregnancy and Maternity**

Staff would continue to receive protection under the Equalities Act 2010 which would be referred to by the governing body and Council in order to support the staff at the school.

Inclusivity and respect of others is an intrinsic element of the national curriculum. The Council will ensure that the school promotes this requirement through its monitoring and challenge carried out by the school improvement service and Human Resources.

### **Race**

Inclusivity and respect of others is an intrinsic element of the national curriculum. The Council will ensure that the school promotes this requirement through its monitoring and challenge carried out by the school improvement service and Human Resources.

### **Religion and belief**

Inclusivity and respect of others is an intrinsic element of the national curriculum. The Council will ensure that the school promotes this requirement through its monitoring and challenge carried out by the school improvement service and Human Resources.

### **Sex**

Children of both sexes would continue to be treated and taught equally in the new school building. There would be no different methods of teaching or curricula for either sex. Inclusivity and respect of others is an intrinsic element of the national curriculum. The Council will ensure that the school promotes this requirement through its monitoring and challenge carried out by the school improvement service and Human Resources.

### **Sexual orientation**

Staff would continue to receive protection under the Equalities Act 2010 which would be referred to by the Governing body and Council in order to support the staff at the school.

Inclusivity and respect of others is an intrinsic element of the national curriculum. The Council will ensure that the school promotes this requirement through its monitoring and challenge carried out by the school improvement service and Human Resources.

## **What can be done to lessen the risk of a negative impact?**

**Explain this for each of the relevant protected characteristics as identified above.**

No negative impacts have been identified as a result of this proposal.

## **Is there a need for more favourable treatment to achieve equal outcomes? (Disability only)**

The current facilities are not fully accessible and this would be addressed positively as part of this proposal. The building will be designed to be fully accessible. In addition, small classrooms and quiet break out areas will be considered as part of the design plan in order to ensure that children requiring a quieter and less busy learning environment can be accommodated.

## Will the impact be positive, negative or neutral?

Explain this for each of the relevant protected characteristics as identified above.

**Age – Positive**

**Disability – Positive**

**Gender reassignment, including gender identity – Positive**

**Marriage and civil partnership – Neutral**

**Pregnancy and Maternity – Neutral**

**Race – Neutral**

**Religion and belief – Positive**

**Sex – Neutral**

**Sexual orientation – Neutral**

**(Welsh language – Neutral**

**Human rights – Positive)**

Please see reasons outlined in the previous sections. In conclusion, there is no real risk of direct or indirect discrimination as the Council is pursuing a legitimate aim (namely, improving the capacity and efficiency of education) and the decision to publish the proposals to make a regulated alteration is a proportionate means of achieving that aim.

## 8. Monitoring on-going impact

### Date you will monitor progress

PLASC data is annual and if approved by cabinet a project plan for this proposal will be initiated. This will include reference to this document. Any changes in outcomes resulting from this ongoing analysis will be used to update this Equality Impact Assessment, including any mitigating actions which may be required.

### Measures that you will monitor

PLASC data for all pupils will be broken down and monitored by Age, Disability, Race, Religion and belief and Welsh language. The Equalities Team monitors service data and provides information in the annual equality monitoring report. The measures identified for the education of pupils are a matter for the governing body in their School Improvement Plan.

### Date you will review implemented proposal and its impact

Subject to the Council's approval, the school would receive enhanced support and challenge in the year following its move as is the practice following all school re-organisations. This will be provided by the Council. Thereafter, the school will be subject to routine monitoring and challenge from the Central South Consortium, Estyn, and the

Council.

The Vale of Glamorgan Council works closely with the governing bodies of schools to ensure that standards are robust, that teaching and learning is of a high quality and that leadership and governance is strong. The Council works with two organisations in order to monitor the performance of schools and to support school improvement.

Estyn is the office of Her Majesty's Chief Inspector of Education and Training in Wales. It is a Crown body, established under the Education Act 1992. Estyn is independent of the National Assembly for Wales but receives its funding from the Welsh Government under section 104 of the Government Wales Act 1998. Estyn inspects quality and standards in education and training providers in Wales.

The Central South Consortium Joint Education Service (CSCJES) was established in September 2012. The Local Authority works with the Consortium to support and challenge all schools in the Vale of Glamorgan.

Schools are inspected as part of a national programme of school inspection. The purpose of an inspection is to identify good features and shortcomings in schools in order that they may improve the quality of education offered and raise the standards achieved by their pupils (Estyn).

In September 2017 a new Estyn School Common Inspection Framework was introduced for all schools across Wales. St Nicholas CIW Primary was last inspected in January 2017 under Estyn's previous School Inspection Framework which evaluates a provider's effectiveness using a four-point judgement scale.

## 9. Further action as a result of this equality impact assessment

Possible Outcomes	Say which applies
No major change	Yes
Adjust the policy	
Continue the policy	
Stop and remove the policy	

## 10. Outcomes and Actions

Recommend actions to senior management team

Outcome following formal consideration of proposal by senior management team

## 11. Important Note

Where you have identified impacts, you must detail this in your Cabinet report when seeking approval for your proposal.

## 12. Publication

Where will you publish your approved proposal and equality impact assessment?

The Council's website

## 13. Authorisation

Approved by (name)	
Job Title (senior manager)	
Date of approval	
Date of review	