

Meeting of:	Cabinet
Date of Meeting:	Monday, 11 April 2022
Relevant Scrutiny Committee:	Learning and Culture
Report Title:	Proposal to Reconfigure Nursery Provision in Penarth
Purpose of Report:	To advise Cabinet of the outcome of the statutory notice to reconfigure nursery provision in Penarth and the process to be followed to allow a determination to be made.
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>Officers Consulted:</p> <p>Lisa Lewis: Operational Manager, Strategy and Resources Nathan Slater: Project Manager, Sustainable Communities for Learning Mike Matthews: Principal Strategic Planning Officer Carolyn Michael: Head of Finance/Section 151 Officer Tracy Dickinson: Operational Manager, Human Resources Victoria Davidson: Operational Manager, Legal Services</p> <p>Public consultation with all interested parties has been carried out, in accordance with legislation.</p> <p>The proposal was referred to the Council's Scrutiny Committee (Learning and Culture) on 10th February 2022.</p> <p>Local Ward Members have been consulted.</p>
Policy Framework:	This is a matter for Executive decision by the Cabinet

Executive Summary:

- The purpose of this report is to advise Cabinet of the outcome of the statutory notice on the proposal to reconfigure nursery provision in Penarth by:
- **Proposal 1:** To Amalgamate Bute Cottage Nursery School and Evenlode Primary School By:
- Changing the lowest age range of pupils at Evenlode Primary School from 4 to 3, to include 96 part time nursery places:
- Increasing the capacity of Evenlode Primary School to accommodate the 96-part time nursery places; and
- Discontinuing Bute Cottage Nursery School and transferring all staff and pupils of the nursery phase under the governance of Evenlode Primary School from September 2022.
- **Proposal 2:** To Amalgamate Cogan Nursery School and Cogan Primary School By:
- Changing the lowest age range of pupils at Cogan Primary School from 4 to 3, to include 96 part time nursery places:
- Increasing the capacity of Cogan Primary School to accommodate the 96-part time nursery places; and
- Discontinuing Cogan Nursery School and transferring all staff and pupils of the nursery phase under the governance of Cogan Primary School from September 2022.
- The Council received 111 objections by the closing date of 16th March 2022. These objections have been categorised under themes and outlined in the attached objection report for Cabinet to consider as part of the decision-making process. This report can be found at Appendix A.
- Following the completion of the period of statutory notice, a decision is now required on whether to implement the proposal to reconfigure nursery provision in Penarth as set out under Proposals 1 and 2.

Recommendations

1. That Cabinet considers the findings of the objection report on the proposal.
2. Subject to consideration of the above, Cabinet approves implementation of the proposal to reconfigure nursery provision in Penarth by:

Proposal 1: To Amalgamate Bute Cottage Nursery School and Evenlode Primary School By:

- Changing the lowest age range of pupils at Evenlode Primary School from 4 to 3, to include 96 part time nursery places:
- Increasing the capacity of Evenlode Primary School to accommodate the 96-part time nursery places; and
- Discontinuing Bute Cottage Nursery School and transferring all staff and pupils of the nursery phase under the governance of Evenlode Primary School from September 2022.

Proposal 2: To Amalgamate Cogan Nursery School and Cogan Primary School By:

- Changing the lowest age range of pupils at Cogan Primary School from 4 to 3, to include 96 part time nursery places:
- Increasing the capacity of Cogan Primary School to accommodate the 96-part time nursery places; and
- Discontinuing Cogan Nursery School and transferring all staff and pupils of the nursery phase under the governance of Cogan Primary School from September 2022.

3. That use of the urgent decision procedure as set out in section 14.14 of the Council's constitution is exercised in order to meet the timescales for implementation in September 2022, the commencement of the new academic year, which will ensure minimal disruption for staff pupils and parents.

Reasons for Recommendations

1. To enable the views of objectors, and the objections received, to be carefully considered alongside what is proposed as a part of the decision-making process.
2. Following the conclusion of the period for publication of a statutory proposal by way of a statutory notice, a decision is required to be made as required under section 53 of the School Standards and Organisation (Wales) Act 2013, on whether to implement the proposal to reconfigure nursery provision in Penarth.
3. In order to ensure that if approved, this proposal can be implemented for September 2022, at the commencement of the academic year, which will ensure minimal disruption for staff pupils and parents.

1. Background

- 1.1 A Cabinet report recommending that the Council consult on a proposal to reconfigure nursery provision in Penarth was presented to Cabinet on 13th

September 2021. Cabinet agreed at the meeting to undertake a consultation exercise on the proposal.

- 1.2** In line with the requirements of the School Standards and Organisation (Wales) Act 2013 and the School Organisation Code 2018, a consultation exercise with prescribed consultees was undertaken between 20th September 2021 and 5th November 2021.
- 1.3** The aim of the consultation was to inform prescribed consultees about the school re-organisation proposal being put forward under section 2.1 and 2.3 of the School Organisation Code. Section 2.1 refers to the closing of a maintained school. Section 2.3 refers to Regulated Alterations of a school, which includes changing the age range of a school by a year or more.
- 1.4** The consultation document set out the rationale behind the proposals and notes several drivers for the proposal including potential cost savings. However, the main driver for the proposals is to ensure equality and consistency across primary provision in the Vale of Glamorgan, furthering the move towards the 3-11 primary model.
- 1.5** This model is considered to have several benefits, including developing 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) and minimise the potential for disruption during transition from nursery to primary school.
- 1.6** The Council received 238 responses by the closing date of 5 November 2021. Consultees were asked to indicate whether they 'support', 'do not support' or have 'no opinion' on the three individual elements of the proposals.
- 1.7** Proposal 1 - Amalgamating Bute Cottage Nursery School and Evenlode Primary School: Out of 238 individual responses, 48 consultees were in support of the proposals, 169 were opposed and 21 offered no opinion either way.
- 1.8** Proposal 2 - Amalgamating Cogan Nursery School and Cogan Primary School: Out of 238 individual responses, 47 consultees were in support of the proposals, 73 were opposed and 118 offered no opinion either way.
- 1.9** Several themes were identified as part of the Consultation Report details of which can be found under the Consultation Report on the following link:
<https://www.valeofglamorgan.gov.uk/Documents/Working/Education%20and%20Skills/21st-Century-Schools/Nursery-Provision-Penarth-Consultation-Consultation-Response-Report-formatted.pdf>
- 1.10** The Vale of Glamorgan Council is committed to ensuring that consultations are meaningful, relevant, and appropriate for the communities involved, and the Council has a duty of care to ensure that proposals are clear, transparent, and reflective of those affected. A consultation report was produced and published following the consultation exercise which set out the Council's response to the Themes identified above. The consultation report was considered by the Council's Cabinet on 10th January 2022.

- 1.11** Following consideration of the Consultation Report and referral to the Learning and Culture Scrutiny Committee for consideration, Cabinet approved the recommendation to proceed to issue a statutory notice on the proposal (ref Cabinet Minute C786).
- 1.12** A statutory notice was published on 16th February 2022. The statutory notice period of 28 days (including 20 school days) closed on 16th March 2022. A copy of the notice is attached as at Appendix B.

2. Key Issues for Consideration

- 2.1** The Welsh Government issued the School Organisation Code in 2018 that came into effect in November 2018. The Local Authority must “act in accordance with the Code” as determined by the School Standards and Organisation (Wales) Act 2013.
- 2.2** In line with the School Organisation Code (2018) requirements the statutory notice was published in English and Welsh on the Council's website and posted at the main entrances and in the area to the schools included under the proposal; Cogan Nursery, Bute Cottage Nursery, Evenlode Primary School and Cogan Primary School. Each school was provided with copies of the notice to distribute to pupils, parents, carers and guardians, governing body, and staff members. Links to the notice were also sent via email.
- 2.3** On the day of the statutory notice being published, the following stakeholders received either a hard copy or were e-mailed a link to the Council's website together with an electronic copy of the document:
- Cardiff City Council, Bridgend County Borough Council and Rhondda Cynon Taf County Borough Council;
 - the Church in Wales and Roman Catholic Diocesan Authority for the area;
 - the Governing Bodies of Cogan Nursery, Bute Cottage Nursery, Evenlode Primary and Cogan primary Schools;
 - All neighbouring nursery, primary and secondary schools in the Vale of Glamorgan
 - the Welsh Ministers;
 - Members of the Senedd (MS) and Members of Parliament (MPs) representing the area;
 - County Councillors representing the area;
 - Estyn;
 - the relevant teaching and trade unions representing staff;
 - Central South Consortium (Joint Education Service) - the relevant Regional Education consortium;
 - CSSIW South East;
 - the Council's Transportation Department;

- the Police and Crime Commissioner for South Wales;
 - Penarth Town Council;
 - The Vale of Glamorgan Early Years Development and Childcare Partnership (EYDCP)
 - Welsh Language Commissioner and RHAG.
- 2.4** All objections submitted during the notice period had to be made in writing or by email. By the end of the statutory notice period on 16th March 2022, the Council had received 111 objections.

Objections

- 2.5** In accordance with the Act (2013), Cabinet is required to give full consideration to the objections received to the proposal. A number of key issues were raised during the objection period. These are contained in the Objection Report which details the objections received and the Council's responses to these concerns.
- 2.6** Following detailed assessment of the issues raised, it is considered the implementation of this proposal would maintain the current level of provision as a minimum. However it is anticipated that this proposal would significantly enhance the learning environments for pupils through stronger collaboration between nursery and primary school phases and streamlined management process resulting in cost savings. Therefore overall the proposal would contribute to raising standards.
- 2.7** The objections received are, in the main, reflective of comments received and responded to during the consultation period. These comments will be familiar to Members who have already read the consultation responses contained in the consultation report.
- 2.8** Members are reminded that an individual is able to resubmit their previous comments as an objection. Therefore members should ensure that these comments submitted as objections are reconsidered.
- 2.9** All objections received during the objection period have been made available to Councillors via democratic services prior to the meeting through email with the consultation report for further perusal.
- 2.10** Of the 111 responses, fourteen themes were noted of which six themes have expanded upon previous concerns raised during the consultation process and required separate responses. All of these have been addressed in the Objection Report as follows:
- Issue 1 – Loss of nursery school identities
 - Issue 2 – Loss of tailored nursery school provision
 - Issue 3 – Cost savings insufficient to warrant proposal
 - Issue 4 – Current relationship between schools appropriate
 - Issue 5 – Inappropriate setting for nursery pupils
 - Issue 6- Majority of consultees oppose proposals
 - Issue 7 - No clear rationale for proposal

- Issue 8- Insufficient resources to maintain quality of education
 - Issue 9 - Consultation process inadequate
 - Issue 10 - Loss of Outdoor Space
 - Issue 11 - Increased School Traffic
 - Issue 12 - Changes to catchment area detrimental to local residents
 - Issue 13 - Proposal would result in shared school site in long term
 - Issue 14 - Transition arrangements between nursery and primary inappropriate.
- 2.11** Under section 49 of the School Standards and Organisation (Wales) Act 2013, the Council must publish a summary of the statutory objections and a response to those objections - the Objection Report. This is attached at Appendix A.
- 2.12** Under section 53 of School Standards and Organisation (Wales) Act 2013, determination by the proposer must be made within 16 weeks (112 days) of the end of the objection period. The Council must therefore make a determination by 6th July 2022. Where the proposer fails to determine the proposal within the period of 16 weeks it is taken to have withdrawn the proposal and it is required to republish the proposals if it wishes to proceed.

Process

- 2.13** In determining the proposal the School Organisation Code 2018 states that decision makers:
- must consider whether there are any other related proposals;
 - must ensure that the statutory consultation has been conducted in accordance with the Code;
<http://wales.gov.uk/topics/educationandskills/publications/guidance/school-organisation-code/?lang=en>
 - must ensure that the proposal has been published in accordance with this Code and
 - the notice contains all the required information;
 - must consider the consultation document and consultation report;
 - must consider the objections and the objection report and any response to the notice supporting the proposals
- 2.14** The School Organisation Code clearly states that "where a local authority's proposals have received objections, and require determination under section 53 of the Act, the local authority must not approach the determination of these proposals with a closed mind. Objections must be conscientiously considered alongside the arguments in respect of the proposals and in light of the factors set out in section 1.3 - 1.6 of this code". The factors are as follows:
- Quality and standards in education.
 - Need for places and the impact and accessibility of schools.
 - Resourcing of education and other financial implications.

2.15 These factors are addressed in detail below:

Quality and standards in education

2.16 Members should place the interests of learners above all others. They should give paramount importance to the likely impact of the proposals on the quality of:

- Outcomes (standards and wellbeing);
- Provision (learning experiences, teaching, care, support, and guidance and learning environment); and
- Leadership and management (leadership, improving quality, partnership working and resource management) at Evenlode and Cogan Primary Schools and how this will affect the current arrangement at the Nursery Schools of Bute Cottage and Cogan. Particular attention should be paid to the impact of the proposals on vulnerable groups, including children with SEN.

2.17 Members should consider the ability of Evenlode Primary School and Cogan Primary School to deliver the full curriculum at each key stage of education (including the quality of curriculum delivery, and the extent to which the structure or size of the school is impacting on this).

2.18 In assessing the impact of proposals on quality and standards in education and how effectively the curriculum is being delivered, members should also consider any relevant advice from Estyn, refer to the most recent Estyn reports or other evidence derived from performance monitoring, and take into consideration any other available information on the school's effectiveness. Estyn's full assessment of the proposal is contained at Appendix C.

2.19 In this case, the proposal has been identified as having the following effects:

- (a) An extended range of 3-11 with the inclusion of nursery school provision enhances the provision available to parents and offers fewer transitions for pupils.
- (b) The Primary Schools would be able to incorporate provision for 3- and 4-year-olds in a high-quality Early Years and Foundation Phase setting. A nursery would enable a seamless transition for nursery age children into the reception class of the school and sustain pupil numbers for the future.
- (c) Introduction of consistent policies, strategies and pedagogy across all ages would result in clear expectations and a shared ethos which is understood by children, parents, and carers throughout all phases of primary education
- (d) Support a coordinated approach to planning for the needs of vulnerable pupils across the foundation phase. A single leadership team and governing body across each school would result in the removal of duplication of management and governance functions.
- (e) Streamlining of management and administrative functions, as well as the ability to arrange joint contracts and service level agreements for buildings and other support services, would result in available funding being utilised more effectively
- (f) The amalgamated schools would make it easier to engage with parents particularly where they have children of both nursery and primary ages. Parents would only

need to familiarise themselves with one set of policies and one set of communications.

- (g) Result in a more efficient use of financial resources across all schools. Larger schools are also generally able to secure better value for money through economies of scale.
- (h) Estyn's response to the consultation highlights that the Council has presented a sound rationale for the proposals, and that the proposals are likely to at least maintain the standard of educational provision in the area. Estyn also stated that the proposal would support continuity and progression in pupils' learning experiences from pre-school age to statutory school age.
- (i) Estyn has advised as part of their response to the consultation that "the proposals would provide a consistent approach to planning and delivery of the foundation phase and ease the transition process from nursery to primary school."

Need for places and the impact on accessibility of schools

2.20 Members should have regard to whether the proposals ensure sufficient capacity and provide accommodation of at least equivalent quality to that currently in place at Bute Cottage Nursery, Cogan Nursery, Evenlode Primary and Cogan Primary Schools for existing and projected pupil numbers. Members should also have regard to the nature of journeys to school pursuant to the proposals, and resultant journey times for pupils, including ALN pupils. That includes whether primary school pupils will have one-way journeys in excess of 45 minutes.

2.21 In circumstances where an increase in capacity or age range is proposed, members should have regard to the evidence of current or future need/demand in the area for additional places, with reference to the school's language category, designated religious character and gender intake. Members should also consider whether the proposals will improve access for disabled pupils in accordance with requirements under the Equality Act 2010.

2.22 In this case, the proposals have been identified as having the following effects:

- (a) The proposal would maintain nursery provision within the area. Nursery provision within the Cogan Primary School area would see a reduction of 2 places to reflect demand.
- (b) Accessibility at all School sites would remain as existing under the proposals.

Resourcing of education and other financial implications

2.23 Members should take into account the following factors relevant to the resourcing of education:

- (a) Whether the proposals will ensure a fairer and more equitable distribution of funding between mainstream schools within the Council's area. Proposals should not exacerbate uneven and unfair funding patterns but should where possible contribute towards establishing a more equitable pattern of school funding.
- (b) What effect the proposals will have on any surplus provision in the area.
- (c) Whether proposals form part of the Council's Sustainable Communities for Learning Investment Programme and contribute to the delivery of sustainable

schools for the 21st Century and to the better strategic management of the school estate through the removal of maintenance backlogs and school buildings which are inefficient or in poor condition.

- (d) The recurrent costs of proposals over a period of at least 3 years and whether any necessary recurrent funding is available.
- (e) Additional transport costs incurred as a result of proposals.
- (f) The capital costs of proposals and whether the necessary capital funding is available.
- (g) The scale of any projected net savings (taking into account school revenue, transport, and capital costs).
- (h) Whether schools affected would face budget deficits.
- (i) Whether any savings in recurrent costs will be retained in the Council's local schools' budget.

2.24 In this case, the proposals have been identified as having the implications set out below.

2.25 It is estimated that the total revenue funding required for the school would not increase and would result in a potential cost saving of £140,000 split equally between the Primary Schools.

2.26 The staff at Bute Cottage Nursery and Cogan Nursery will continue to be employed to work at the school, on current terms and conditions with changes to staff contracts to reflect the change in the place of work.

Other general factors

2.27 Members should also take into account what impact the proposals will have on educational attainment among children from economically deprived backgrounds; and any equality issues, including those identified through the Equality Impact Assessment. A copy of the Equality Impact Assessment in this case is attached at Appendix D.

2.28 The findings of the Equality Impact Assessment are summarised below:

Age - Positive impact

- The schools would continue to provide sufficient places for nursery pupils under a shared and consistent set of policies.
- 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 - Positive impact

- Current ALN provision would not be changed as a result of these proposals. However, needs could be identified at an earlier age and pupil needs monitored within a single data setting to ensure continuity.

Gender reassignment, including gender identity – Neutral impact

- 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 be supported to receive a high-quality education if the proposal were to be successfully implemented regardless of gender identity. Inclusivity and respect of others is an intrinsic element of the national curriculum.
- None of the respondents indicated that this proposal would have an adverse impact on their gender identity.

Marriage and civil partnership – neutral impact

- 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 amalgamated school buildings. Pupils at the schools 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 schools.

Pregnancy and Maternity – neutral impact

- 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 – neutral impact

- Inclusivity and respect of others is an intrinsic element of the national curriculum. The Council will ensure that the schools promote this requirement through its monitoring carried out by the school improvement service and Human Resources.
- 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 schools.

Religion and belief – neutral impact

- 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 – neutral impact

- Children of both sexes would be treated and taught equally as they are currently should the proposal go ahead. 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 – neutral impact

- 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 schools.

- Inclusivity and respect of others is an intrinsic element of the national curriculum. The Council will ensure that the schools promote this requirement through its monitoring carried out by the school improvement service and Human Resources.

Welsh Language - neutral impact

- Parental demand for Welsh medium primary education will continue to be provided through the catchment area school Ysgol Pen y Garth.
- Schools subject to this proposal are English medium schools and this proposal does not seek to change this.
- 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 schools.
- None of the respondents indicated that this proposal would have an adverse impact on their status in this regard.
- There is no real risk of direct or indirect discrimination as the Council is pursuing a legitimate aim (improving the quality and efficiency of education in the Council's area) and the decision to publish the proposals to make regulated alterations is a proportionate means of achieving that aim.

Human Rights - Positive

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

Socio-economic Duty - Neutral

- The proposals are unlikely to have a significant impact on any other schools in the local area as no change to the existing catchment area is proposed.
- The schools do take in pupils from wider areas with more varied socio-economic status, this would not change as a result of these proposals.
- The governing bodies of Evenlode Primary School and Cogan Primary School would be responsible for amending their staffing structures to reflect the addition of the nursery phase. It is not anticipated that there would be any compulsory redundancies as a result of these proposals. However, any proposed changes to staffing would be subject to full consultation with staff and the relevant trade unions where necessary.
- The schools have a highly positive and inclusive ethos, which helps pupils to develop self-esteem and grow in confidence.
- 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. As the nursery phases would remain on their current sites with their current capacity, there are no envisaged implications for transport and learner travel arrangements.

- None of the respondents indicated that these proposals would have an adverse impact on their socio-economic status in this regard. Based on current evidence noted above, these proposals would have a neutral impact on pupils from families which are socio-economically disadvantaged.

2.29 A key driver to all school reorganisation proposals is to improve educational outcomes for children and young people in all phases and help to narrow the inequalities in achievement between advantaged and disadvantaged groups and individuals (including those from economically deprived backgrounds). These proposals have the potential to ensure that all children in the area, including those from economically deprived backgrounds, have access to a broad curriculum and are supported to achieve their full potential through the streamlining of management and governance processes and stronger collaboration and transitional arrangements between staff at nursery and primary school stages.

Specific factors to be taken into account for proposals to add or remove nursery classes

2.30 In accordance with paragraph 1.9 of the Code, Members should take into account the standard of nursery education and the sufficiency of accommodation and facilities offered, both in the classroom and outdoors, and the viability of any school that wishes to add nursery places; whether there is a need for additional nursery places in the area; the levels of demand for certain types of nursery education e.g. Welsh medium or provision with a religious character; the effect of the proposals on other institutions, including private and third sector providers; and the extent to which proposals will integrate early years education with childcare services or are consistent with an integrated approach.

2.31 In this case, the proposal has been identified as having the following effects:

- (a) The proposal will continue to address the need for nursery places in the area.
- (b) The proposals are consistent with an integrated approach, by providing for a single institution giving educational provision from the ages 3-11.

2.32 This proposal would have an overall positive impact on the existing and future pupils of Bute Cottage Nursery School, Cogan Nursery School, Evenlode Primary School and Cogan Primary School. The proposal would 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) and minimise the potential for disruption during transition from nursery to primary school.

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 The Council has committed as part of the Corporate Plan 2020-2025 to achieving a vision of ‘Working Together for a Brighter Future’. This plan is reflective of the

Welsh Government's Well-being of Future Generations Act and is comprised of four Well-being objectives to deliver this vision:

- Objective 1 - To work with and for our communities
- Objective 2 - To support learning, employment, and sustainable economic growth
- Objective 3 - To support people at home and in their community
- Objective 4 - To respect, enhance and enjoy our environment

3.3 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 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

3.4 The Sustainable Communities for Learning Programme contributes to achieving the wellbeing goals by:

- Generating financial savings to ensure a more efficient financial model for education in the Vale.
- Ensuring a fairer distribution of funding across the Vale.
- Increasing collaboration across all phases of primary education.

3.5 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.

3.6 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.
- 3.7** The Sustainable Communities for Learning Programme meets 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 across the Vale.
 - Developing schools that will have an environment reflective of the national mission for education in Wales and future curriculum.
 - Ensuring that schools remain sustainable, reflects the needs of local communities, and are equipped with the best possible learning environments.
 - 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** The funding formula is driven by per pupil funding and a number of lump sum allocations per school. On that basis the formula saving from amalgamating Bute Cottage Nursery School and Evenlode Primary School would be £70,000 based on the removal of lump sum allowances. The 2021/22 Evenlode Primary School budget is £1,346,511 and the Bute Cottage Nursery School budget is £286,292 (totalling £1,632,803). The combined budget generated by amalgamating Bute Cottage Nursery School with Evenlode Primary School would be £1,562,803 at the 2021/22 funding rates.
- 4.2** The funding formula saving from amalgamating Cogan Nursery School and Cogan Primary School would be £70,000 based on the removal of lump sum allowances. The 2021/22 Cogan Primary School budget is £838,705 and the Cogan Nursery School budget is £280,829 (totalling £1,119,534). The combined budget generated by amalgamating Cogan Nursery School and Cogan Primary School would be £1,049,934 at the 2021/22 funding rates.
- 4.3** The Council has allocated £1.362m as part of the Sustainable Communities for Learning Programme to support reconfiguration of nursery provision in Penarth. However, the Council's School Investment Programme Board determined the project would not be feasible. Consequently, the Council is seeking approval from Welsh Government to remove the project to reconfigure nursery provision in Penarth from the current Sustainable Communities for Learning Programme to allow funding to be focused on other ongoing projects in the programme.

Employment

- 4.4** Bute Cottage Nursery School and Cogan Nursery School staff would transfer under the management of the governing bodies of Evenlode Primary School and Cogan Primary School respectively.
- 4.5** The governing bodies of Evenlode Primary School and Cogan Primary School would be responsible for amending their staffing structures to reflect the addition of the nursery phase. It is anticipated that for permanent posts on the structure, there would not be any compulsory redundancies as a result of these proposals, however any safeguarding or redundancy provisions would be applied in line with relevant policies. 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 for Councils to develop school organisation proposals are governed by the School Standards and Organisation (Wales) Act 2013 and the School Organisation Code 2018 (“the Code”). The Council is to comply with the relevant provisions in connection with the proposals.

(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 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:

<https://gov.wales/sites/default/files/publications/2018-10/school-organisation-code-second-edition.pdf>

- 4.11** Chapter 2 of Part 3 of the 2013 Act deals with school organisation proposals.
- 4.12** Section 48(2) of the 2013 Act provides that before publishing such proposals, a proposer (in this case, the Council) 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.
- 4.13** 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 proposals or rejection of the concerns, with supporting reasons; and setting out Estyn's view (as provided in its consultation response) of the overall merits of the proposals.
- 4.14** If a local authority decides to proceed with proposals to make regulated alterations to a maintained school, it must publish proposals to that effect in accordance with the Code (section 48(1)). The proposals 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).
- 4.15** 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 Council must then publish a summary of all objections made to the proposals and its response to those objections before the end of 7 days beginning with the day of the Council's determination.
- 4.16** The local authority proposer must then determine whether the proposals should be implemented. Where a local authority's proposals have received objections, and require determination, those objections will be carefully considered before a final determination is made. A further report to Cabinet will be prepared before any such determination is made. This determination must take place before the end of 16 weeks beginning with the end of the objection period.

(2) The Code

- 4.17** The Code contains the following elements:
- 4.18** It imposes requirements in accordance with which relevant bodies (including all local authorities in Wales) 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.

- 4.19** It includes statutory guidance to which the Council 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.
- 4.20** Paragraph 1.1 of the Code sets out the key background principles and policies, which should be taken into account by the Council in 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)
 - Sustainable Communities for Learning – 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
- 4.21** Section 1.4 of the School Organisation Code 2018 (“the Code”) outlines that Councils should consider the extent to which the proposals would support the targets in the approved Welsh in Education Strategic Plan (WESP).
- 4.22** Section 1.9 of the School Organisation Code 2018 (“the Code”) relates to the specific factors which must be taken into account for proposals which seek to add or remove nursery classes. The proposals would add nursery classes to Evenlode and Cogan Primary Schools although the existing nursery buildings would remain. These proposals must consider the following factors:

- the standard of nursery education and the sufficiency of accommodation and facilities offered, both in the classroom and outdoors, and the viability of any school that wishes to add nursery places;
- whether there is a need for additional nursery places in the area;
- the levels of demand for certain types of nursery education e.g. Welsh medium or provision with a religious character;
- the effect of the proposals on other institutions, including private and third sector providers; and
- the extent to which proposals will integrate early years education with childcare services or are consistent with an integrated approach.

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

4.23 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 make 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.

4.24 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>

4.25 The Act itself is available to view online:

<http://www.legislation.gov.uk/anaw/2015/2/contents/enacted>

4.26 Current practice on the use of surplus school accommodation, Information document No 158/2014.

(4) Equalities Act 2010

4.27 The Council has to satisfy its public sector duties under the Equalities Act 2010 (including specific Welsh public sector duties). Pursuant to these legal duties Council's must in making decisions have due regard to the need to (1) eliminate

unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of protected characteristics.

4.28 A full Equality Impact Assessment will be developed as part of the consultation exercise and will be included within the consultation report.

(5) The Equality Act (Authorities subject to a duty regarding Socio economic Inequalities) (Wales) Regulations 2021

4.29 On the 10 and 11 March 2021 respectively, the Equality Act (Authorities subject to a duty regarding Socio-economic Inequalities) (Wales) Regulations 2021 (SI 2021/295) and the Equality Act 2010 (Commencement No 15) (Wales) Order 2021 (SI 2021/298) were made, and the 'socio-economic' inequality duty under the Equality Act 2010 and make public bodies subject to the duty.

4.30 The Socio-economic duty places a duty on the Council, as a public sector organisation in Wales, to consider how it might help reduce the inequalities associated with socio-economic disadvantage when strategic decisions are made, including decision which would include deciding priorities and setting objectives, such as:

- Strategic directive and intent.
- Strategies developed at Regional Partnership Boards and Public Service Boards which impact on a public body's functions.
- Medium to long term plans (for example, corporate plans, development plans, service delivery and improvement plans).
- Setting objectives (for example, well-being objectives, equality objectives, Welsh language strategy).
- Changes to and development of public services.
- Strategic financial planning.
- Major procurement and commissioning decisions.
- Strategic policy development.

4.31 When making decisions, and reviewing previous strategic decisions, the Council needs to do the following:

- Take account of evidence and potential impact.
- Through consultation and engagement, understand the views and needs of those impacted by the decision, particularly those who suffer socio-economic disadvantage.
- Welcome challenge and scrutiny.
- Drive a change in the way that decisions are made and the way that decision makers operate.

4.32 When making a decision or reviewing a previously made strategic decision made after the 31st March about how to exercise their functions, the Council must show that it has had 'due regard' (giving weight to a particular issue in proportion to its relevance) to the desirability of exercising them in a way that is designed to reduce

the inequalities of outcome which result from socio-economic disadvantage. Those subject to the duty includes government ministers and departments, local authorities, and NHS bodies.

- 4.33** This would, as appropriate, form part of the full Equality Impact Assessment developed as part of the consultation process.

5. Background Papers

- Individual objections to the statutory notice have been made available to Members via email.



DIRECTORATE OF LEARNING AND SKILLS

OBJECTION REPORT

ON THE PROPOSAL TO:

RECONFIGURE NURSERY PROVISION IN PENARTH FROM
SEPTEMBER 2022 BY:

- AMALGAMATING BUTE COTTAGE NURSERY SCHOOL AND EVENLODE PRIMARY SCHOOL; AND
- AMALGAMATING COGAN NURSERY SCHOOL AND COGAN PRIMARY SCHOOL.



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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1. BACKGROUND

The Council undertook a statutory consultation exercise on the proposal from 20th September 2021 to 5th November 2021. The aim of the consultation was to inform prescribed consultees about the school re-organisation proposal being put forward under section 2.1 and 2.3 of the School Organisation Code. Section 2.1 refers to the closing of a maintained school. Section 2.3 refers to Regulated Alterations of a school, which includes changing the age range of a school by a year or more. The proposals for the schools were as follows:

Proposal 1: To Amalgamate Bute Cottage Nursery School and Evenlode Primary School By:

- Changing the lowest age range of pupils at Evenlode Primary School from 4 to 3, to include 96 part time nursery places;
- Increasing the capacity of Evenlode Primary School to accommodate the 96-part time nursery places; and
- Discontinuing Bute Cottage Nursery School and transferring all staff and pupils of the nursery phase under the governance of Evenlode Primary School from September 2022.

Proposal 2: To Amalgamate Cogan Nursery School and Cogan Primary School By:

- Changing the lowest age range of pupils at Cogan Primary School from 4 to 3, to include 96 part time nursery places;
- Increasing the capacity of Cogan Primary School to accommodate the 96-part time nursery places; and
- Discontinuing Cogan Nursery School and transferring all staff and pupils of the nursery phase under the governance of Cogan Primary School from September 2022.

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 Vale of Glamorgan Council's Cabinet 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, 238 individual responses were received by the consultation closing date of 5th November 2021 which related to both proposals. In relation to Proposal 1; 48 responses were in favour; 169 responses were opposed, and 21 responses had no opinion. Regarding Proposal 2; 47 responses supported the proposal; 73 responses were opposed, and 118 responses had no opinion. A summary of the responses received were published in the consultation report and made publicly available on the Council's website.

1.1. CONSULTATION REPORT

A consultation report was published following the consultation exercise (<https://www.valeofglamorgan.gov.uk/en/living/schools/Consultations/Nursery-Provision-Penarth-Consultation.aspx> refers). The consultation report was considered by the Council's Cabinet on 10th January 2022 which can be viewed using the following link:

[https://www.valeofglamorgan.gov.uk/Documents/ Committee%20Reports/Cabinet/2022/22-01-10/Minutes.pdf](https://www.valeofglamorgan.gov.uk/Documents/Committee%20Reports/Cabinet/2022/22-01-10/Minutes.pdf) - Minute C786 refers

1.2. STATUTORY NOTICE

Following consideration of the consultation report on 10th January 2022, the Council's Cabinet decided to progress the proposal and approve the publication of a statutory notice.

The statutory notice on the proposal was published on 16th February 2022 for a period of 28 days to allow for objections. The statutory notice period expired on 16th March 2022.

The notice was published on the schools and Vale of Glamorgan Council's website which can be viewed using the following link:

<https://www.valeofglamorgan.gov.uk/en/living/schools/Consultations/Nursery-Provision-Penarth-Consultation.aspx>

A hardcopy of the notice was also displayed at the main entrances of the schools. Copies of the notice were distributed to parents, carers and guardians, governors, and staff members, as well as respondents who wished to be notified via email. 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.

2. OBJECTIONS TO THE PROPOSAL

The Council received 111 individual objections by the end of the objection period. 24 of these objections included the same letter submitted by multiple residents. The objections received are summarised below, along with the Council's response. A graphical summary of the number of responses to each objection theme is available in Annex 1.

The objections received have been considered and grouped under different overarching themes. The number of objections received under each theme has been provided and a brief summary of the issues covered by the theme. The Council's response to the theme is then provided which outlines the Council's position.

All objections received during the objection period have been made available to the members of the Vale of Glamorgan Council's Cabinet for consideration alongside this report.

The closing date for the consultation was the 16th March 2022. The Council received 4 late representations from members of the public.

Unfortunately, as the representations were received after the closing date of the consultation, they have not been considered further within the Report. In summary the late representations raised the following objections:

- Loss of nursery school identities,
- Loss of tailored nursery school provision,
- Majority of consultees oppose proposal,
- Insufficient resources to maintain quality of education,
- Consultation process inadequate.

Although the above representations have not been considered directly in this report, the objections raised have been identified in other responses which were submitted during the objection period.

It should be noted that a petition on behalf of Bute Cottage Nursery School stakeholders was launched 16th September 2021. This has been maintained during the objection period and has received a further 20 signatories since drafting the Consultation Report in December 2021. The total number of signatories at the time of writing is 1,158 (March 2022). The petition can be viewed using the following link:

www.change.org/p/vale-of-glamorgan-council-save-bute-cottage-nursery-school?utm_source=share_petition&utm_medium=custom_url&recruited_by_id=ebf3c900-17d8-11ec-a8c6-f3fa967fb711

Only objections received in writing or via email have been considered as part of the objection report. However, it is considered the reasons set out in the petition have been covered by valid objections submitted to the Council.

2.1. LOCAL MEMBER OBJECTIONS

Objections to the proposal were also received from local members of the Council. One local member responded as part of the objection period in their capacity as the Leader of the Conservative Group within the Vale of Glamorgan Council. Councillor George Carroll submitted an objection to the proposal on 15th March 2022 which stated the following:

“Dear Paula

Re: Consultation on the proposals to reconfigure nursery provision in Penarth from September 2022

I am writing to you in relation to the above consultation, in my capacity as Leader of the Conservative Group on the Vale of Glamorgan Council.

As group, we are strongly opposed to both proposals, which I do not believe serve pupils’ interests. In my view, it is imperative that the existing provision at Bute Cottage Nursery and Cogan Nursery is maintained.

As you will be aware, the Council held an initial consultation on the proposals in autumn last year. A clear majority of respondents who expressed an opinion in regard to both proposals opposed the plans to merge. In relation to Bute Cottage, 71% of the 238 respondents made their opposition clear. It is of deep regret that this decisive response has been ignored.

We believe that the present leadership structures serve pupils’ needs well. Early years education plays a vital role in a child’s development, at an extremely crucial phase. As such, it is of considerable benefit to have nursery schools whose leadership are focused solely on the needs of children of nursery age. If the proposed mergers go ahead, it will be to the detriment of the development of our children. This view is shared by parents, governors and teachers.

We therefore urge the Council to drop these proposals and maintain existing nursery provision at both Bute Cottage and Cogan.

Thank you for taking the time to consider our concerns, and we look forward to hearing from you.”

COUNCIL’S RESPONSE

In response to the issues raised in the objection submitted by the Local Member, the Council provides the following response:

Majority of consultation respondents object to proposals

It is acknowledged that a high proportion of the consultees from the statutory consultation held on 20th September 2022 to 5th November 2022 objected to the proposal. However, the statutory consultation is not a referendum requiring decision makers to undertake the decision with the greatest amount of support. The consultation process is an opportunity for the decision maker to make their proposals known publicly and invite comments on the proposal to ensure the decision maker can make an informed decision. This is in accordance with the School Standards and Organisation (Wales) Act 2013 and guidance contained within the School Organisation Code (2018).

The consultation process raised several themes which respondents were concerned about, which the Council provided a detailed response to as part of the Consultation Response Report. Following the publication of the Consultation Response Report, the Cabinet who is the decision maker for the proposal, determined to progress with the proposal to the next stage and a Statutory Notice was issued. The objection period for the statutory notice resulted in 111 objectors to the proposal which is a reduction from the 238 respondents (169 objections to Proposal 1 and 73 objections to Proposal 2) received as part of the consultation process.

It is acknowledged that there is still a high number of objections to the proposal, however, this report outlines the response to those objections to allow the Council's Cabinet to make an informed decision as to progress or withdraw the proposal. Although the objections have been summarised for the purposes of this report Councillors were supplied with objections in full prior to the Cabinet meeting to ensure objections have been fully considered.

Proposals are detrimental to educational development

The proposed 3-11 model of education proposed is not considered to inherently result in poor educational outcomes. It is considered an efficient model of education, providing equality of provision across the Vale of Glamorgan. Whilst the Council understands that there are benefits associated with the standalone nursery school model, this could not be provided across the Vale of Glamorgan due to the increased costs to manage the provision. In terms of the model of education there is various research which supports different models. However, the longitudinal studies "Effective Provision of Pre-school Education" (EPPE) and the "Researching Effective Pedagogy in the Early Years" (REPEY) funded by the UK Government's Department for Education and Skills researched 3000 children aged 3 plus in 141 pre-schools in England. This detailed study covered a significant sample and time frame and has been used to inform educational policies in the UK. The research included different types of pre-school provision including nursery classes (provision within Primary Schools) and LEA nursery schools (dedicated

LEA managed nurseries. The study identified the key outcomes the different settings of pre-school education had on educational outcomes for pupils over their time in education and noted the practices which benefitted the pupils the most. The research has shown that the most effective pre-school settings (in terms of intellectual, social, and dispositional outcomes) achieve a balance between the opportunities provided for children to benefit from teacher-initiated group work, and in the provision of freely chosen yet potentially instructive play activities. The analysis also shows an association between curriculum differentiation and matching in terms of cognitive challenge, and 'sustained shared thinking'. The evidence suggests that the better a setting does on each of these dimensions of pedagogic practice the more effective it will be. The most effective settings also adopt social/behaviour policies that involve staff in supporting children in rationalizing and talking. The settings provided at pre-school level are not dictated by the type of nursery rather the working practices and the learning opportunities provided.

In terms of local evidence of the 3-11 model working well within the Vale of Glamorgan. All the LEA controlled primary schools within the Authority offer nursery provision except for Evenlode Primary School, Cogan Primary School and St Nicholas CiW Primary School. The majority of Estyn reports for the primary schools in the Authority offering nursery provision have scored a good or excellent ranking demonstrating the 3-11 model has not resulted in poorer learning outcomes for pupils attending this type of school. Additionally Estyn noted in response to the consultation that "the proposal is likely to maintain the current standards in terms of education, provision, and leadership and management."

The proposal aims to ensure that the existing good practice at the nursery schools will be maintained. If the proposals are approved, the Council would work closely with staff and governors to support the transition to the new model. The key focus of this transition would be to ensure the schools maintain and build on best practice and the pupils receive the best provision from both the nursery and primary phases.

It is noted that there would likely be changes to the overall ethos at the schools more widely as part of the transition to the new curriculum, but this would be an opportunity for both the nursery and primary schools to build upon successful approaches and learn from each other. Both Primary Schools have publicly stated in response to the consultation that the specialist nature of the nursery provision would be maintained and will actively seek to integrate this into the wider school stages. The Governing Bodies of both Primary Schools have stated they would seek to enhance the professional development of staff through deeper collaboration and the sharing of specialist expertise and knowledge of early years provision. This will enhance even further the early years provision, and opportunities for learning and development for the children in these communities.

2.2. OBJECTIONS RAISED IN RELATING TO BOTH PROPOSALS:

OBJECTION THEME 1

Loss of nursery school

81 Respondents raised concerns that Bute Cottage and Cogan nursery schools would lose their independent identities if amalgamated with the primary schools. There is a risk that disadvantages associated with the loss of dedicated headteachers, and staff has not been fully considered.

Council's response to the concerns raised

Over the years, the Council has been moving towards a 3-11 model for primary education. This is considered an efficient model of education, providing equality of provision across the Vale of Glamorgan. Whilst the Council understands that there are benefits associated with the standalone nursery school model, this could not be provided across the Vale of Glamorgan due to the increased costs to manage the provision. In terms of the model of education there is various research which supports different models. However, the longitudinal studies "Effective Provision of Pre-school Education" (EPPE) and the "Researching Effective Pedagogy in the Early Years" (REPEY) funded by the UK Governments Department for Education and Skills researched 3000 children aged 3 plus in 141 pre-schools in England. This detailed study covered a significant sample and time frame and has been used to inform educational policies in the UK. The research included different types of pre-school provision including nursery classes (provision within Primary Schools) and LEA nursery schools (dedicated LEA managed nurseries. The study identified the key outcomes the different settings of pre-school education had on educational outcomes for pupils over their time in education and noted the practices which benefitted the pupils the most. The research has shown that the most effective pre-school settings (in terms of intellectual, social, and dispositional outcomes) achieve a balance between the opportunities provided for children to benefit from teacher-initiated group work, and in the provision of freely chosen yet potentially instructive play activities. The analysis also shows an association between curriculum differentiation and matching in terms of cognitive challenge, and 'sustained shared thinking'. The evidence suggests that the better a setting does on each of these dimensions of pedagogic practice the more effective it will be. The most effective settings also adopt social/behaviour policies that involve staff in supporting children in rationalizing and talking. The settings provided at pre-school level are not dictated by the type of nursery rather the working practices and the learning opportunities provided.

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If this proposal goes ahead, the Governing Bodies would be supported to ensure that these benefits and good practice from the existing nurseries would transfer to the amalgamated schools. Transition measures would be put in place to support the amalgamation of the schools and mitigate any risks associated with the loss of a dedicated headteacher by ensuring a resilient and experienced senior leadership team with appropriate specialisms are reflected within it. The Council would work closely with staff and governors to develop a comprehensive transition plan to retain the good practice currently in place at both Bute Cottage Nursery School and Cogan Nursery School.

Amalgamation would enable the strengths present in the existing separate nursery and primary schools to be combined to deliver high quality provision operating across separate sites. Nursery provision would continue to be operated from the existing buildings which would provide a level of separation from the rest of the primary school.

Existing staff would transfer to the amalgamated schools, ensuring continuity in provision. The governing bodies of Evenlode Primary School and Cogan Primary School would need to reflect the inclusion of the nursery phase. This would include exploring opportunities to offer vacant positions to existing governors for Bute Cottage Nursery School and Cogan Nursery School. If approved, these proposals would ensure the schools are able to continue providing high quality education. The proposals facilitate a consistent education philosophy for children for up to 9 uninterrupted years of education, thereby minimising the potential for disruption during transition from nursery to primary.

A single leadership team and governing body across each school would result in the removal of duplication of management and governance functions. For example, the standalone nursery schools are currently inspected by Estyn and have to submit separate data returns to the Council, Central South Consortium and Welsh Government. The streamlining of management and administrative functions, as well as the ability to arrange joint contracts and service level agreements for buildings and other support services, would result in available funding being utilised more effectively. The amalgamated schools would make it easier to engage with parents particularly where they have children of both nursery and primary ages. Parents would only need to familiarise themselves with one set of policies and one set of communications.

There are also benefits associated with nursery provision being delivered as part of a 3-11 school. This includes a single vision, strategy and ethos across all phases which can support transition across phases of education. A single 3-11 school can also result in improved communication between parents and staff with a single point of contact throughout all phases of primary education.

OBJECTION THEME 2

Loss of tailored nursery school provision

103 Respondents emphasised the specialist support the nursery schools provide for young children and that this would be lost through amalgamation. There were concerns that education would be formalised too soon and that children would miss out on learning through play. Particularly concerns were raised on the loss of specialised staff at nursery level.

Council's response to the concerns raised

Both nursery schools are excellent in terms of standards and provision and the purpose of the proposals is not to address education standards. This proposal would have the advantage of reflecting on sharing and benefitting from the best practice in both the nursery and primary sectors. As outlined above, the Council has been moving towards a 3-11 model of primary education, providing equality in provision across the Vale of Glamorgan. This has also been the case across Wales. According to StatsWales, there are currently 9 maintained nursery schools across the 22 local authorities in Wales. In 2005/6 there were 32 maintained nursery schools representing a 72% reduction.

If the proposals are approved, the Council would work closely with staff and governors to support the transition to the new model. The key focus of this transition would be to ensure the schools maintain and build on best practice and the pupils receive the best provision from both the nursery and primary phases.

There would likely be changes to the overall ethos more widely as part of the transition to the new curriculum, but this would be an opportunity for both the nursery and primary schools to build upon successful approaches and learn from each other. Both Primary Schools have publicly stated in response to the consultation that the specialist nature of the nursery provision would be maintained and will actively seek to integrate this into the wider school stages. The Governing Bodies of both Primary Schools have stated they would seek to enhance the professional development of staff through deeper collaboration and the sharing of specialist expertise and knowledge of early years provision. This will enhance even further the early years provision, and opportunities for learning and development for the children in these communities.

Nearly all primary schools within the Vale of Glamorgan have their own nursery provision. Nursery educational or personal development outcomes have not been

raised as a concern in any inspections of other primary schools. There are also many independent nursery providers within the Vale of Glamorgan should parents wish their children to attend private provision exclusive of a primary school.

In terms of staff protection following the amalgamation subject to approval, non-teaching staff are protected from redundancies for 12 months following the implementation of the change and teaching staff are protected up to 3 years depending upon level. Any changes to the staff grades would need to be consulted upon between the headteacher, governing body, staff and the relevant unions prior to a change being implemented. It should be noted that staff can not be protected from dismissal or redundancy indefinitely, however, the proposal does not require any dismissals or redundancies to be implemented. The current headteachers are based on an acting-up arrangement which will be ended following the implementation of the proposal with staff returning to their original position. Consequently, it is considered that the proposal would not result in the loss of staff.

Regarding nursery teaching staff being required to teach different year groups, this is not the intention of the proposal. The proposal will maintain the nursery elements on the existing separate sites ensuring there will be a need for dedicated nursery staff at the nursery continuously. It is noted that staff management will be the responsibility of the Headteacher and Governing Body, however, the aim of the proposal is to maintain best practices within the schools utilising the expertise of existing staff at the relevant educational stages. The split site model being proposed will allow for a continued degree of independence from the primary school by virtue of its location while strengthening the transitional arrangements between nursery and primary school stages.

OBJECTION THEME 3

Cost savings insufficient to warrant proposal

19 Respondents were concerned that the proposals are motivated by a cost cutting exercise and that it would lead to staff shortages or that the nursery would lose out on funding.

Council's response to the concerns raised

The consultation document sets out the rationale behind the proposals and notes several drivers for the proposal including potential cost savings. However, the main driver for the proposals is to ensure equality and consistency across primary provision in the Vale of Glamorgan, furthering the move towards the 3-11 primary model.

This model has several benefits, including developing 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)

and minimise the potential for disruption during transition from nursery to primary school.

The introduction of consistent policies, strategies and pedagogy across all ages would result in clear expectations and a shared ethos which is understood by children, parents, and carers throughout all phases of primary education. The proposals would also support a coordinated approach to planning for the needs of vulnerable pupils across the foundation phase.

A single leadership team and governing body across each school would result in the removal of duplication of management and governance functions. For example, the standalone nursery schools are currently inspected by Estyn and have to submit separate data returns to the Council, Central South Consortium and Welsh Government.

Parents would only need to familiarise themselves with one set of policies and one set of communications.

The proposals are not motivated solely by a cost-cutting exercise; however, it is noted within the consultation document that the proposals would result in a saving of £140k. All schools in the Vale of Glamorgan receive a delegated budget which is determined by the school funding formula. The formula is broken down into two separate sections: pupil-led funding and lump sum (or overhead) payments. Pupil-led funding allocates a set amount per pupil on roll at a school which is applied consistently across all schools. Lump sum or overhead payments are set costs which can vary across schools, this includes allocations to fund the headteacher salary and repairs and maintenance. These proposals would result in a reduction of the lump sum costs as the nursery phase would no longer require a headteacher. This saving would be re-invested into the overall funding formula and would result in a fairer distribution of school funding.

Streamlining of management and administrative functions, as well as the ability to arrange joint contracts and service level agreements for buildings and other support services, could result in available funding being utilised more effectively.

Should the proposal be implemented, Evenlode Primary School and Cogan Primary School would each receive an individual budget including allocations for the nursery phase. As most of the school funding is based on the number of pupils on roll, the proposals would improve the overall budget position for Evenlode Primary School and Cogan Primary School. Budgets would be shared across the nursery and primary phases to enable all pupils within the schools to receive access to high quality education and resources.

Therefore, from a Vale wide educational perspective, more pupils would benefit from a fairer distribution of funding.

OBJECTION THEME 4

Current relationships between schools are appropriate and would not benefit from a change in structure

2 Respondents felt that the relationship between the primary schools and nurseries was already adequate and therefore they would not need to be amalgamated to improve in this area.

Council's response to the concerns raised

Whilst the Council agrees there are good working relationships between the primary and nursery schools, there would still be opportunities for greater collaboration and streamlining of communications between the schools and with parents. This will help improve a shared understanding between primary school staff and nursery staff on the needs of pupils and how to develop high quality learning during the transitional educational stages from nursery, reception and year 1 through improved collaboration due to overarching management structures. This can take the form of sharing professional expertise between the different year groups to ensure continuity throughout the nursery and primary school stages. It also reduces the number of transitions for primary school pupils, which helps to reduce disruption to pupils as they move from nursery to primary school ensuring that pupils are prepared for the move to primary school. This can be achieved through a stronger relationship between reception and year 1 staff attending end of year classes at the nursery stage to ensure pupils are familiar with new teachers. It should be noted that potential arrangements would be determined by the Governing Body for the school, but the aim to improve professional expertise and pupil experience has been highlighted in the existing primary school governing bodies' responses to the consultation. Additionally, due to the increase of pupil numbers at the primary school resulting from the nursery element being incorporated at the school, this will increase the governing body size accordingly with new positions being prioritised for the existing nursery school governing body. This will help ensure there is proportional representation within the new governing body based on pupil numbers between the primary and nursery elements.

If approved, these proposals would ensure the schools are able to continue providing high quality education. The proposals facilitate a consistent education philosophy for children for up to 9 uninterrupted years of education, thereby minimising the potential for disruption during transition from nursery to primary. Transitions between the different learning stages increase the likelihood for detrimental impacts upon educational outcomes for pupils. One clear way of reducing the number of transitions that children experience before the age of five is to remove the hurdle between nursery and primary school stages. It also allows for a greater opportunity for nursery staff to be involved in the ongoing education of pupils as they move through reception and year 1 phases of learning ensuring it is easier to maintain continuity of education between the different year groups.

The amalgamated schools would make it easier to engage with parents particularly where they have children of both nursery and primary ages. Parents would only need to familiarise themselves with one set of policies and one set of communications. There would also be greater professional development opportunities for staff by being part of a primary school teaching across all phases of primary education. The proposed amalgamation would allow for a sharing of pedagogical practices across staff in all age groups thus ensuring consistency.

OBJECTION THEME 5

Inappropriate setting for nursery pupils

10 Respondents raised concerns that nursery school pupils would be overwhelmed in a setting with primary school pupils and as part of a larger school.

Council's response to the concerns raised

Both Nursery School locations would remain on the existing sites and would not be relocated. The nursery sites would then be managed as part of the Primary Schools acting as off-site nursery classes to the primary school provision with stronger links to the relevant primary school due to changes in management structure and improvements to transitional arrangements.

There would be no increase in the overall places available as a result of these proposals (there would be 4 fewer part-time nursery places available at Cogan) and the nursery phase of the schools would remain on their current sites.

Therefore, the everyday experience within the schools would not change for either nursery or primary pupils as the physical settings will not change as a result of these proposals. One of the main benefits of amalgamation would be improved transition. Pupils could be introduced to the primary phase gradually throughout the year informally in discussion with parents/guardians taking into account the statutory age for compulsory education, which would reduce the impact of the September transfer.

OBJECTION THEME 6

Majority of consultees oppose proposals

31 Respondents raised an objection based upon the result of the consultation exercise where the majority of representations objected to the proposal. Respondents identified that the Council should determine the proposal based on the number of objections received.

Council's Response

It is acknowledged that a high proportion of the consultees from the statutory consultation held on 20th September 2022 to 5th November 2022 objected to the proposal. However, the statutory consultation is not a referendum requiring

decision makers to undertake the decision with the greatest amount of support. The consultation process is an opportunity for the decision maker to make their proposals known publicly and invite comments on the proposal to ensure the decision maker can make an informed decision. This is in accordance with the School Standards and Organisation (Wales) Act 2013 and guidance contained within the School Organisation Code (2018).

The consultation process raised several themes which respondents were concerned about, which the Council provided a detailed response to as part of the Consultation Response Report. Following the publication of the Consultation Response Report, the Cabinet who is the decision maker for the proposal, determined to progress with the proposal to the next stage and a Statutory Notice was issued. The objection period for the statutory notice resulted in 111 objectors to the proposal which is a reduction from the 238 respondents (169 objections to Proposal 1 and 73 objections to Proposal 2) received as part of the consultation process.

It is acknowledged that there is still a high number of objections to the proposal, however, this report outlines the response to those objections to allow the Council's Cabinet to make an informed decision as to progress or withdraw the proposal. Although the objections have been summarised for the purposes of this report Councillors were supplied with objections in full prior to the Cabinet meeting to ensure objections have been fully considered.

OBJECTION THEME 7

No clear rationale for proposal

14 respondents raised concerns that the rationale for the proposals and/or moving the nursery schools was unclear.

Council's response to the concerns raised

The rationale for the proposals is set out in the consultation document in line with the School Organisation Code 2018. However, the main driver for the proposal is to ensure equality and consistency across primary provision in the Vale of Glamorgan, furthering the move towards the 3-11 primary model. In terms of background, in 2021/22, Bute Cottage Nursery School received a budget totalling £286,292, which equates to £6,983 per pupil (FTE). Cogan Nursery School received a budget totalling £280,829 which equates to £7,590 per pupil (FTE). The amount of funding per pupil is significantly higher than the average funding per pupil across all primary schools which was £3,804 in 2021/22. Funding per pupil is generally higher in standalone nursery schools due to higher staffing and running costs. However, a higher budget does not equate to better educational outcomes as evidenced by the existing educational offer throughout the Vale of Glamorgan which mainly achieve good or excellent ratings from Estyn.

Bute Cottage Nursery School and Cogan Nursery School are the only two stand-alone nursery schools within the Vale; i.e. separate entities with their own governing bodies and a delegated budget. Both nursery schools are currently managed by a headteacher and governing body and receive a separate budget from the Council. The headteacher post at Bute Cottage Nursery School became vacant at the end of August 2019 and is currently being covered through a temporary acting-up arrangement. The headteacher post at Cogan Nursery School became vacant at the end of August 2021 and will be covered for one year through a temporary acting-up arrangement with St Andrews Major CIW Primary School. This provides the opportunity for the Council to reconfigure nursery provision whilst avoiding compulsory redundancies. The proposal would save approximately £140k per annum due to the removal of the acting-up arrangement at the nursery schools to cover which relates to the cost for the headteacher position (£70,000 per nursery school).

The 3-11 model is considered to better develop continuity and progression in children's learning from the age of three onwards. This would ensure there is a consistent approach to planning and delivery of the foundation phase (nursery to year two) and minimise the potential for disruption during transition from nursery to primary school. The introduction of consistent policies, strategies and pedagogy across all ages would result in clear expectations and a shared ethos which is understood by children, parents, and carers throughout all phases of primary education.

The proposal would also support a coordinated approach to planning for the needs of vulnerable pupils across the foundation phase. A single leadership team and governing body across each school would result in the removal of duplication of management and governance functions. For example, the standalone nursery schools are currently inspected by Estyn and have to submit separate data returns to the Council, Central South Consortium and Welsh Government. The streamlining of management and administrative functions, as well as the ability to arrange joint contracts and service level agreements for buildings and other support services, would result in available funding being utilised more effectively. The amalgamated schools would make it easier to engage with parents particularly where they have children of both nursery and primary ages. Parents would only need to familiarise themselves with one set of policies and one set of communications.

OBJECTION THEME 8

Insufficient resources to maintain quality of education

71 respondents objected to the proposal on the ground that there would be insufficient budget to continue to provide the high level of educational outcomes at nursery level. Respondents identified that a dedicated nursery budget was more

beneficial to nursery educational outcomes than having an overarching budget for an amalgamated school model.

Council Response

Should the proposal be implemented, Evenlode Primary School and Cogan Primary School would each receive an individual budget including allocations for the nursery phase. As the majority of school funding is based on the number of pupils on roll, the proposals would improve the overall budget position for Evenlode Primary School and Cogan Primary School. Evenlode Primary School currently receives the lowest level of funding per pupil across all Vale schools. This is partly due to the lack of nursery provision. The proposals would result in a more efficient use of financial resources across all schools. Larger schools are also generally able to secure better value for money through economies of scale.

There would also be cost savings relating to streamlining of management and administrative functions, as well as the ability to arrange joint contracts and service level agreements for buildings and other support services. This would result in available funding being utilised more effectively and potentially reducing costs overall. Additionally, as the nursery and primary school sites will be split, administrative and maintenance costs would be included in the funding formula, ensuring there is sufficient budget to maintain the schools across both sites.

While both stand-alone nurseries are acknowledged to be excellent in terms of standards and provision, there is no evidence to suggest that children who attend stand-alone nurseries achieve better outcomes at the various assessment points during their school education than children who attend nurseries within primary schools.

OBJECTION THEME 9

Consultation process inadequate

39 respondents objected to how the statutory process had been managed. Respondents identified that information was difficult to find and delays to the process were not adequately advertised to interested parties.

Council Response

The process is subject to the statutory requirements set out in the School Standards and Organisation (Wales) Act 2013 and the guidance provided within the School Organisation Code (2018). The Council must undertake the process in accordance with these documents to ensure it is valid.

The proposal was subject to a consultation in accordance with the School Organisation Code (2018) which ran from 20th September 2021 to 5th November 2021. Following the close of the consultation, the Council responded to the comments received through a Consultation Report. The Consultation Report

contained a summary of the key issues raised during the consultation, provided a response to these concerns, and reviewed the proposal to determine the likely impact on quality and standards in education, the local community and travel arrangements.

The Consultation Report was then presented to the Council's Cabinet on 10th January 2022 with a recommendation to move to the Statutory Notice stage of the proposal. A copy of the Cabinet Report can be viewed here - [https://www.valeofglamorgan.gov.uk/Documents/ Committee%20Reports/Cabinet/2022/22-01-10/Update-on-Nursery-Provision-Penarth-Consultation.pdf](https://www.valeofglamorgan.gov.uk/Documents/Committee%20Reports/Cabinet/2022/22-01-10/Update-on-Nursery-Provision-Penarth-Consultation.pdf)

Following the consideration of the Cabinet Report and its recommendations, the Cabinet resolved to publish the proposal in the form of a statutory notice (Minute ref. C786 refers, see link - [https://www.valeofglamorgan.gov.uk/Documents/ Committee%20Reports/Cabinet/2022/22-01-10/Minutes.pdf](https://www.valeofglamorgan.gov.uk/Documents/Committee%20Reports/Cabinet/2022/22-01-10/Minutes.pdf))

The Statutory Notice was planned to be issued on 25th January 2022. This was based upon the Consultation Report being formally published on 11th January 2022 and allowing the required 2 weeks for stakeholders to consider the document as required in the School Organisation Code (2018).

However, since the Cabinet resolution to publish the Statutory Notice on 10th January 2022, Councillors called-in the decision to be considered at the Learning and Culture Scrutiny Committee. This impacted upon the predicted timescales for the proposal.

The Statutory Notice could not be published until the outcome of the Scrutiny Committee. The Scrutiny Committee can do one of three things: it can accept the report as drafted; it could refer the matter back to the Cabinet for further consideration with recommendations; or, in certain circumstances, it can refer the matter to full council.

There are a number of implications for the proposal which are out of the control of the Council officers who run the statutory process. This does cause difficulty in giving certainty to stakeholders on when the different stages of the process will start. However, contact details were provided throughout the process to ensure concerned parties could be raise queries with officers on the process and the current timescales.

All relevant statutory stakeholders have been contacted as part of the proposal both as part of the statutory consultation and the objection period. Additionally all respondents to the consultation were also contacted once the Statutory Notice was issued, making them aware of the objection period. Information relating to proposals was made available on the Council's webpage which can be viewed here:

<https://www.valeofglamorgan.gov.uk/en/living/schools/Consultations/Nursery-Provision-Penarth-Consultation.aspx>

The webpage was updated to reflect the different stages of the statutory process. Additionally, all decision making meetings held by the Council can be viewed online via recordings such as the relevant Cabinet meetings (https://www.youtube.com/playlist?list=PLzt4i14pgqIEOa_6uH4po68_H6wGjYiaP refers) and Learning and Culture Scrutiny Committee Meetings (<https://www.youtube.com/playlist?list=PLzt4i14pgqIEhf6Nqf58QWzDmFZIS6XJ> refers) where the proposals were considered by Cabinet and Committee members. The meetings were also available to watch live to ensure members of the public are kept informed of the process. During the most recent Learning and Culture Scrutiny Committee meeting, 6 members of the public registered to speak to voice their concerns which were considered by Committee members and reported back to Cabinet.

Therefore it is considered due regard has been given to all responses to the consultation process by decision makers in accordance with the School Organisation Code (2018).

2.3. ISSUES RAISED IN RELATION TO PROPOSAL 1 (BUTE COTTAGE NURSERY SCHOOL AND EVENLODE PRIMARY SCHOOL AMALGAMATION):

OBJECTION THEME 10

Loss of outdoor space

10 Respondents raised concerns that there would be a loss of outdoor provision at the sites if the nurseries were to move location, this issue mainly centred around Bute Cottage nursery school and Evenlode primary school.

Council's response to the concerns raised

Neither of the affected nurseries would move site as a result of these proposals. Consequently, the outdoor space available at all the schools' sites subject to this proposal would remain the same.

OBJECTION THEME 11

Increased School Traffic

2 Respondents raised objections relating to potential increases in traffic and difficulties with parking arrangements at the existing school sites due to the proposal.

Council Response

Neither of the affected nurseries would move site as a result of these proposals. Additionally the size of the nursery and primary schools at each site would not increase in capacity (Cogan nursery would reduce in capacity by 2 places). Consequently, it is considered this would not result in a material increase in school traffic movements.

OBJECTION THEME 12

Changes to catchment area detrimental to local residents

1 Respondent raised an objection due to changes to the catchment areas of the nursery school. The objection considered a larger catchment area would result in changes to school related traffic attending the site.

Council Response

The catchment areas for the 3-11 model would mirror the existing catchment area for Evenlode Primary School for Bute Cottage Nursery School and Cogan Primary School for Cogan Nursery.

Bute Cottage currently prioritises pupils living in the Evenlode Primary School catchment area and Cogan Nursery School prioritises pupils living in the Cogan Primary School catchment area. Consequently, based on the existing arrangements at the nursery schools including them within the catchment areas of the existing primary schools would not have a material impact on pupil numbers.

OBJECTION THEME 13

Proposal would result in shared school site in long term

8 Respondents objected to the proposal based upon the potential that the proposal could result in a shared school site in the long term. Objections identified that there were conflicting statements in the consultation material on a potential site move which was causing confusion.

Council Response

No proposals have been presented to relocate either nursery school. Therefore, no rationale is set out within the consultation document as this relates to the proposals to amalgamate the primary and nursery schools and keep the nursery schools on their current sites.

The Council cannot give certainty that a future proposal would not seek to review the nursery provision in Penarth. However, any plans to move the nursery schools from their current sites would be subject to a review of the feasibility of such a proposal and a separate consultation would follow if this was considered appropriate as part of the planning process. However, it should be noted that if in

the future the nursery schools were moved to a different location within 1 mile of the existing location, this would not engage schedule 2 of the 2013 Act as regards to a regulated alteration relating to a transfer of any school to a new site (which applies to a maintained nursery). This means that there would not be a requirement to undertake a statutory education consultation on this aspect of a future proposal if it occurs. However, there would be separate consultations relating to the planning process which would consider the material planning considerations for a new development such as increased pressures on traffic and sufficient space to serve the proposed development.

The Council has allocated £1.362m as part of the Sustainable Communities for Learning Programme to support reconfiguration of nursery provision in Penarth. However, the Council's School Investment Programme Board determined the project would not be feasible. Consequently, the Council is seeking approval from Welsh Government to remove the project to reconfigure nursery provision in Penarth from the current Sustainable Communities for Learning Programme to allow funding to be focused on other ongoing projects in the programme.

2.4. ISSUES RAISED IN RELATION TO PROPOSAL 2 (COGAN NURSERY AND PRIMARY SCHOOL AMALGAMATION):

OBJECTION THEME 14

Transition arrangements between nursery and primary inappropriate

11 respondents objected on the grounds that the amalgamation would not result in better transition arrangements. Objections identified that there were insufficient spaces in Cogan Primary to accommodate the number of pupil places at the nursery.

Council's response to the concerns raised

The Council is the admission authority for the nursery and primary school. The nursery school does not have a catchment area however it does prioritise places based upon the catchment area of Cogan Primary. The admissions process allows parents the right to exercise parental preference for a school and as a result pupils may attend the school from outside of the school's catchment area. This is dependent upon the number of applications received and the admissions criteria pupils fit into. Consequently, pupils from Cardiff attend the school as a result of parents exercising parental preference for the school. However, it should be noted the Local Authority's responsibility is to provide places for pupils within its area excluding those which travel from other Authority areas.

The school capacity and admission number are the limiting factors on the number of children who are admitted to the school. The local authority would not normally

consider admitting beyond the school's admission number and school capacity overall. Where there are more applications than there are places available in the reception class, places would be allocated by applying the Council's oversubscription criteria which prioritises those resident within the catchment area, in this instance this would relate to the Cogan Primary School catchment area. Admissions to the reception class would be in line with the Council's published admission arrangements (<https://www.valeofglamorgan.gov.uk/en/living/schools/admissions/School-Admissions.aspx> refers).

If the school were to be oversubscribed, places would be allocated up to the school's admission number by applying the Council's oversubscription criteria in order of priority. Furthermore, based on other schools within the Vale of Glamorgan, it is not always the case for parents of a whole nursery class apply to attend the reception class of the main school. A number of pupils in attendance at a nursery may attend other schools in the vicinity depending on parent preference. However, it is likely that the majority of pupils at nursery would transition to the primary school stage. This is reflected in the latest data for the schools which shows over the past 3 year the majority of nursery pupils have transitioned to Cogan Primary School and has increased year on year as shown in the table below:

	September 2019	September 2020	September 2021
Cogan Nursery Pupils to Cogan Primary	23 (47.91%)	25 (52.08%)	25 (62.5%)

The split between other primary schools is considered relatively low and is reflective of previous years. Consequently, it is considered the proposal would represent a benefit to the transitional arrangements of the nursery pupils attending Cogan Primary School.

OBJECTION THEME 15

Cogan nursery takes in pupils from beyond the Cogan catchment area

10 Respondents raised concerns that nursery pupils from Cogan Nursery attended from outside of the catchment area. It is considered this results in nursery pupils not attending Cogan Primary but benefitting from the Nursery offer at Cogan Nursery before attending alternative primary education.

Council's response to the concerns raised

The Council prioritises the admission of pupils who reside within the catchment area of Cogan Primary School. Proposal 2 would result in 96 part time English-medium nursery places in Cogan Primary School. This is 4 fewer part time places than currently available at Cogan Nursery School. However, this is sufficient to meet demand within the local area (see table 2 in admissions section of

consultation document). Other than this minor change, the admission arrangements and oversubscription criteria in place for both nursery and primary admissions would not change as a result of this proposal. Although it is noted that not all nursery pupils go on to attend Cogan Primary School, in 2021 the majority of nursery pupils (62.5% or 25 pupils) went on to attend Cogan Primary School. This reflects a growing trend from 2019 where nursery pupils attending Cogan Primary was 47.91%. In 2021 the remaining pupils went on to attend the following schools:

- Albert Primary – 2.5%
- Dinas Powys – 5%
- Evenlode Primary – 2.5%
- Fairfield Primary – 5%
- Llandough Primary – 10%
- Out of County – 2.5%
- St Joseph's Primary – 2.5%
- Victoria Primary – 5%
- Ysgol Y Deri – 2.5%

The split between other primary schools is considered relatively low and is reflective of previous years. Consequently, although nursery pupils attend from outside of the catchment most pupils go on to attend Cogan Primary School.

3. FREQUENTLY ASKED QUESTIONS

This section provides frequently asked questions received throughout the statutory process in relation to both proposals.

If implemented, what would the proposals mean?

Bute Cottage Nursery School and Cogan Nursery School would be discontinued and all staff and pupils from the nursery phases would be transferred under the governance of Evenlode Primary School and Cogan Primary School respectively. However, nursery provision would continue to be provided from the existing buildings with both proposals.

What is the intended timescale of implementation?

It is intended that the proposals would be implemented by September 2022.

How would these proposals impact upon admissions arrangements?

The Vale of Glamorgan Council is the admission authority for the schools. All admissions arrangements within the Vale of Glamorgan are subject to annual review.

The capacity for the nursery phase of Evenlode Primary School and Cogan Primary School would be 96 part-time places. The admission number for the primary phase of Evenlode Primary School and Cogan Primary School would not be impacted by these proposals.

Children on roll in the nursery phase would not have an automatic right to continue education at the same school when moving up to a reception class. Parents would be required to apply for their chosen school. Where there are more applications than there are places available in the reception class, places would be allocated applying the Council's oversubscription criteria which prioritises residency within the catchment area.

How would these proposals impact upon the existing governing bodies?

Bute Cottage Nursery School and Cogan Nursery School staff would transfer under the management of the governing bodies of Evenlode Primary School and Cogan Primary School respectively.

Whilst the governing bodies of Bute Cottage Nursery School and Cogan Nursery School would be disbanded from September 2022, the Council would work with the governing bodies of Evenlode Primary School and Cogan Primary School to identify opportunities for governors to transfer to ensure continuity.

The governing bodies of Evenlode Primary School and Cogan Primary School would need to amend their terms of reference and structure to reflect the inclusion of the nursery phase.

Do I need to respond to both proposals?

You can respond to either or both proposals by filling out the relevant sections of the consultation response form (via the form or link below). You do not need to respond to both if you do not wish to.

Can the nursery offer full day places?

Children are eligible for a part time nursery place, usually five mornings or five afternoons, from the term after their third birthday. Other than a reduction of 4 places being available at Cogan, there is no change to the admission arrangements in place in terms of eligibility proposed as part of this consultation. Further information on nursery admissions can be found on the Council's [Nursery Admissions](#) Webpage.

Can community garden be opened up to wider schools / nurseries?

This would be a matter for the governing body and is not an aspect of this proposal.

How long will nursery provision be offered from the existing sites? Who will offer this? On what terms? For how long?

Bute Cottage Nursery School and Cogan Nursery School would remain within their current sites and buildings with no increase to their current capacity. There is no plan to change the location of the nurseries as part of this proposal.

Bute Cottage Nursery School is located 0.7miles from Evenlode Primary School. The existing buildings are classed as being in satisfactory condition and of good suitability. Should this proposal be implemented, nursery provision would continue to be provided from the existing building, with Evenlode Primary School being managed as a split-site school.

Cogan Nursery School is located 0.2miles from Cogan Primary School. The existing buildings are classed as being in satisfactory condition and of good suitability. Should this proposal be implemented, nursery provision would continue to be provided from the existing building, with Cogan Primary School being managed as a split-site school.

The Council has allocated £1.362m as part of the Sustainable Communities for Learning Programme to support reconfiguration of nursery provision in Penarth. However, the Council's School Investment Programme Board determined the project would not be feasible. Consequently, the Council is seeking approval from Welsh Government to remove the project to reconfigure nursery provision in Penarth from the current Sustainable Communities for Learning Programme to allow funding to be focused on other ongoing projects in the Band B programme.

The Council acting as the Local Education Authority will need to review Evenlode Primary School along with the other schools in the Vale of Glamorgan to determine if they need to be re-developed. As part of any redevelopment proposal consideration would need to be given to including nursery provision on a single site. As part of any scheme the Council would undertake a full feasibility assessment and any plans would be subject to a separate consultation exercise as part of the planning process. The Council has not yet determined which Schools will form the next iteration of the Sustainable Communities for Learning Programme beyond the current Band B projects. These will principally be informed by condition reports on existing schools (with those in the poorest condition prioritised) and existing and future demand for school places (with those with the highest demand prioritised).

However, it should be noted that if in the future the nursery schools were moved to a different location within 1 mile of the existing location, this would not engage schedule 2 of the 2013 Act as regards to a regulated alteration relating to a transfer

of any school to a new site (which applies to a maintained nursery). This means that there would not be a requirement to undertake a statutory consultation on this aspect of a future proposal if it occurs. There would still be a need to understand the implications of the proposal in planning terms which would be subject to a consultation based upon the material planning considerations such as loss of open space, traffic implications and other considerations.

4. CONCLUSION

The Council concludes that the proposal would have an overall positive impact on the existing and future pupils of Bute Cottage Nursery School, Cogan Nursery School, Evenlode Primary School and Cogan Primary School. The proposal would 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) and minimise the potential for disruption during transition from nursery to primary school.

The introduction of consistent policies, strategies and pedagogy across all ages would result in clear expectations and a shared ethos which is understood by children, parents, and carers throughout all phases of primary education. The proposal would also support a coordinated approach to planning for the needs of vulnerable pupils across the foundation phase. A single leadership team and governing body across each school would result in the removal of duplication of management and governance functions. The streamlining of management and administrative functions, as well as the ability to arrange joint contracts and service level agreements for buildings and other support services, would result in available funding being utilised more effectively. The amalgamated schools would make it easier to engage with parents particularly where they have children of both nursery and primary ages. Parents would only need to familiarise themselves with one set of policies and one set of communications. The proposals would result in a more efficient use of financial resources across all schools. Larger schools are also generally able to secure better value for money through economies of scale.

The Council notes the concerns raised by respondents and would ensure that the staff and governors of the individual schools are fully supported during the implementation of the proposals if it were determined to proceed, to ensure a smooth transition with minimal disruption to the status quo.

5. RECOMMENDATIONS

It is recommended:

1. That the Council's Cabinet consider the objection report along with the individual objections received during the objection period.
2. That the Council's Cabinet approve the publication of the objection report
3. That the Council's Cabinet approve the implementation of the following proposals:

Proposal 1: To Amalgamate Bute Cottage Nursery School and Evenlode Primary School By:

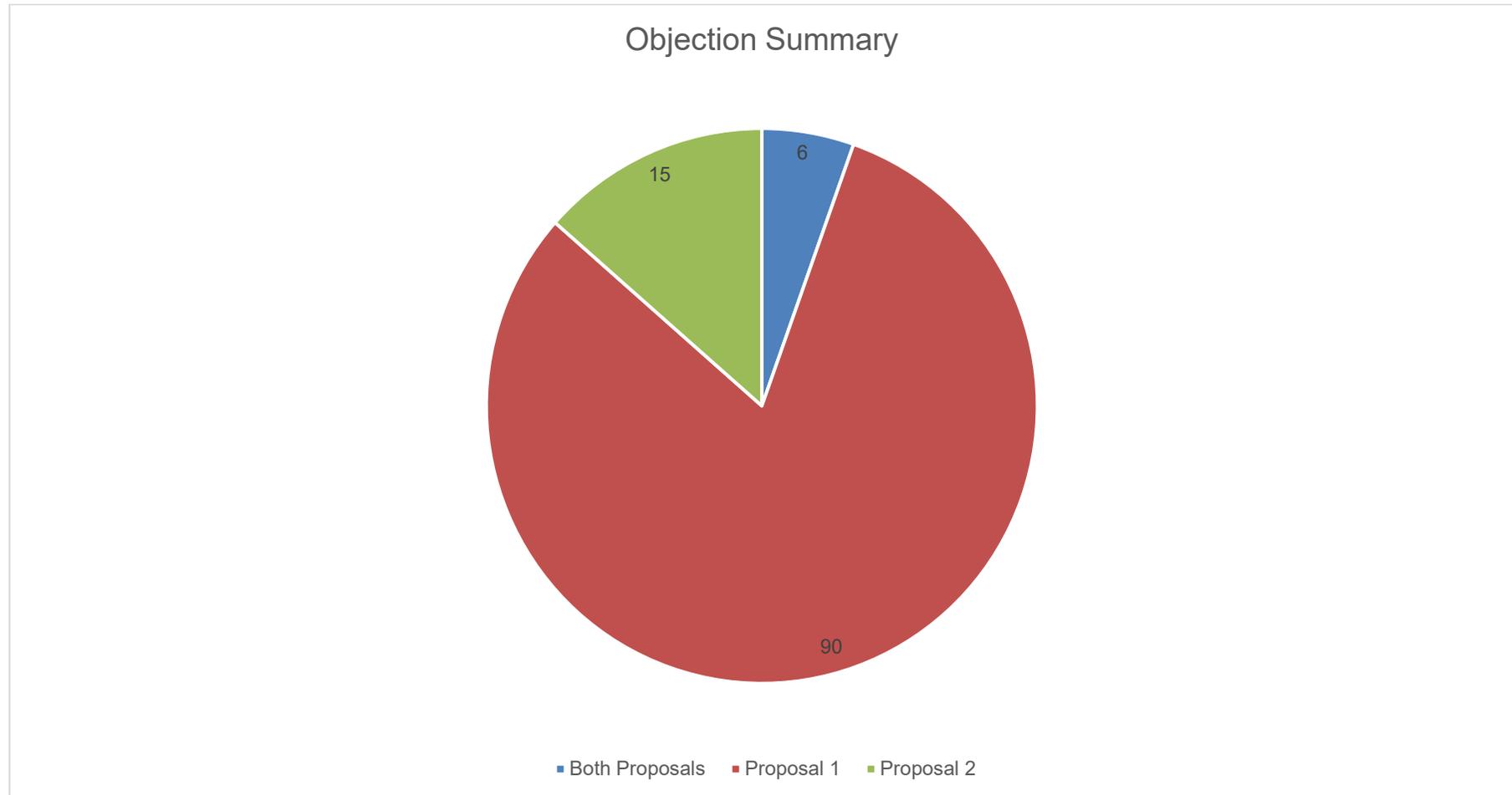
- Changing the lowest age range of pupils at Evenlode Primary School from 4 to 3, to include 96 part time nursery places:
- Increasing the capacity of Evenlode Primary School to accommodate the 96-part time nursery places; and
- Discontinuing Bute Cottage Nursery School and transferring all staff and pupils of the nursery phase under the governance of Evenlode Primary School from September 2022.

Proposal 2: To Amalgamate Cogan Nursery School and Cogan Primary School By:

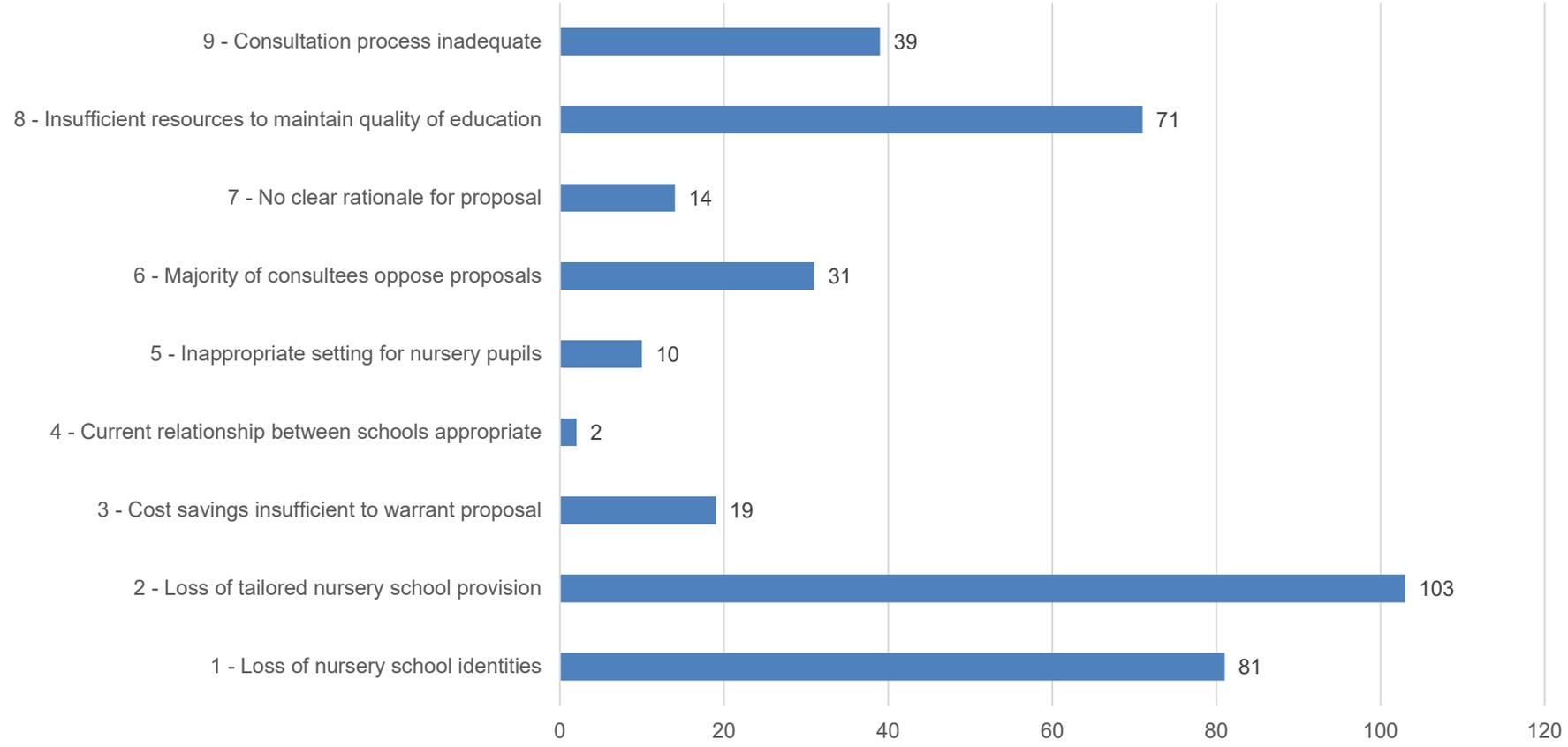
- Changing the lowest age range of pupils at Cogan Primary School from 4 to 3, to include 96 part time nursery places:
- Increasing the capacity of Cogan Primary School to accommodate the 96-part time nursery places; and
- Discontinuing Cogan Nursery School and transferring all staff and pupils of the nursery phase under the governance of Cogan Primary School from September 2022.

4. That the Council's Cabinet 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.

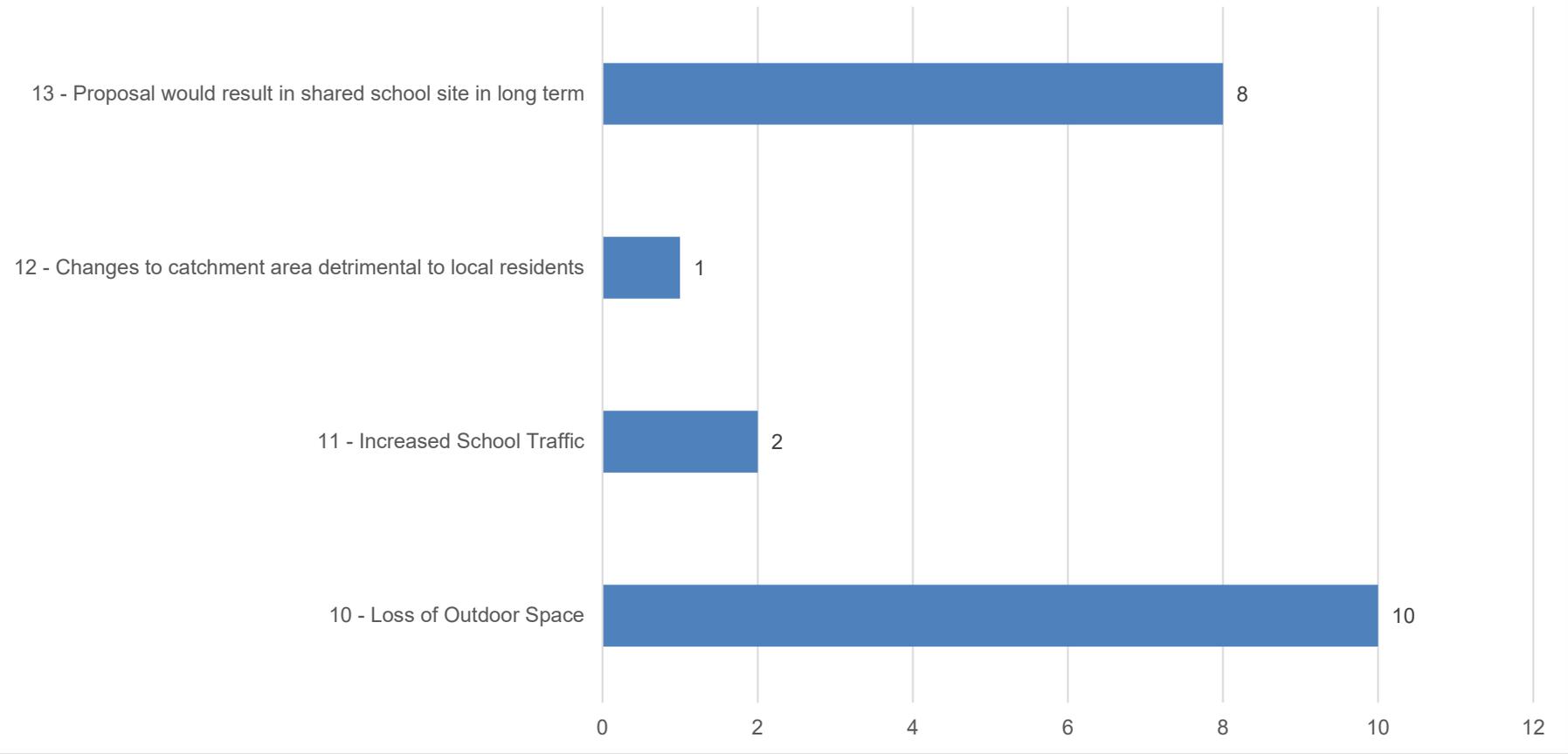
5. ANNEX 1 – SUMMARY OF OBJECTIONS



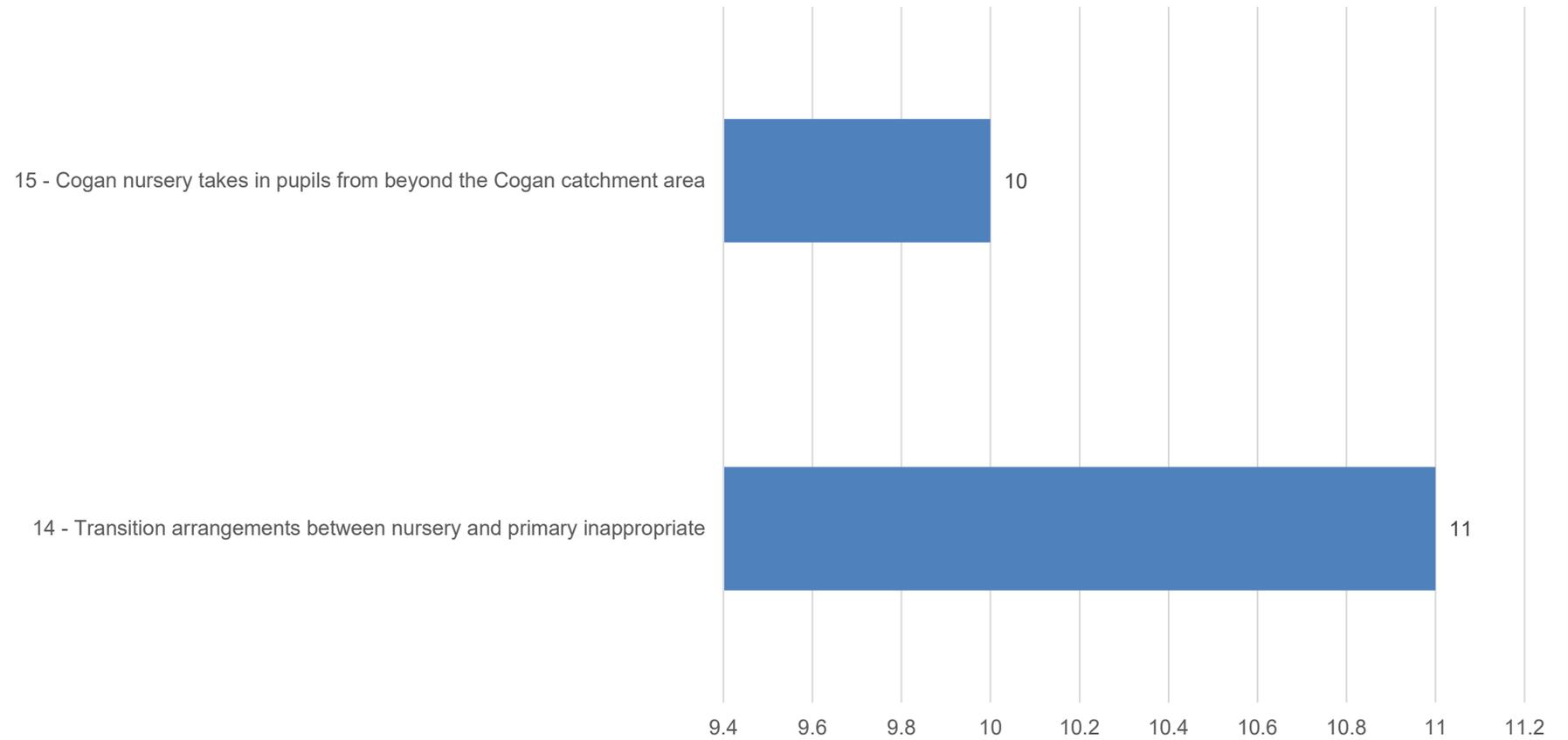
Objections relating to Both Proposals



Objections Specific to Proposal 1



Objections Specific to Proposal 2





**THE VALE OF GLAMORGAN COUNCIL,
CIVIC OFFICES, HOLTON ROAD,
BARRY CF63 4RU**

HYSBYSIAD STATUDOL I UNO YSGOL FEITHRIN COGAN AC YSGOL GYNRADD COGAN O FIS MEDI 2022.

RHODDIR HYSBYSIAD yn unol ag adrannau 42(1) Deddf Safonau a Threfniadaeth Ysgolion (Cymru) 2013, 'y Ddeddf', a Chod Trefniadaeth Ysgolion 2018, fod y corff llywodraethu, ar ôl ymgynghori â'r bobl ofynnol, yn cynnig gwneud addasiadau a reoleiddir i Ysgol Gynradd Cogan ac Ysgol Feithrin Cogan dirwyn i ben trwy:

- Newid ystod oedran isaf disgyblion yn Ysgol Gynradd Cogan o 4 i 3, i gynnwys 96 o leoedd meithrin rhan-amser;
- Cynyddu capasiti Ysgol Gynradd Cogan ar gyfer y 96 o leoedd meithrin rhan-amser; a
- Dirwyn Ysgol Feithrin Cogan i ben a throsglwyddo holl staff a disgyblion y cyfnod meithrin fel eu bod yn rhan o drefn lywodraethu Ysgol Gynradd Cogan o fis Medi 2022.

Mae'r cynigion hyn yn cael eu hystyried dan adran 2.1 a 2.3 o'r Cod Trefniadaeth Ysgolion (2018). Mae adran 2.1 yn cyfeirio at gau ysgol a gynhelir. Mae adran 2.3 yn cyfeirio at Newidiadau Rheoledig ysgol, sy'n cynnwys newid ystod oedran ysgol o flwyddyn neu ragor.

Crynodeb o'r cynnig:

Mae'r ysgol gynradd yn ysgol gymunedol cyfrwng Saesneg gydag ystod oedran o 4-11. Lleolir yr ysgol yn Stryd Pill, Penarth CF64 2JS. Mae'r ysgol feithrin yn ysgol gymunedol cyfrwng Saesneg gydag ystod oedran o 3-4 ac mae'r ysgol wedi'i lleoli yn Cawnpore St, Penarth CF64 2JU. Mae'r ddwy ysgol yn cael eu cynnal gan Gyngor Bro Morgannwg.

Bydd y cynnig yn arwain at ddirwyn Meithrinfa Cogan i ben a bydd holl staff Meithrinfa Cogan yn cael eu trosglwyddo o dan lywodraethu Ysgol Gynradd Cogan. Byddai darpariaeth feithrin yn parhau i gael ei darparu o'r adeilad meithrin presennol o dan y cynnig. Cynigir gweithredu'r cynnig ddydd Llun 5 Medi 2022.

Ym mis Ionawr 2022, roedd 47 o ddisgyblion ar gofrestr yr ysgol feithrin ac roedd 204 o ddisgyblion o oedran ysgol statudol ar gofrestr yr ysgol gynradd. Bydd y capasiti ysgol ar gyfer disgyblion o oedran ysgol statudol yn aros ar 210 o leoedd gyda 96 o leoedd meithrin rhan-amser yn cael eu hychwanegu at Ysgol Gynradd Cogan. Bydd y ddarpariaeth feithrin yn cael ei darparu yn y lleoliad meithrin presennol. Bydd yr ysgol yn rhan o ysgol gymunedol cyfrwng Saesneg ac yn parhau i dderbyn disgyblion o'r ddau ryw. Cyngor Bro Morgannwg fydd yr awdurdod derbyn a bydd yn parhau i gynnal yr ysgol.

Mae dyletswydd statudol ar y Cyngor i ddarparu cludiant am ddim i'r ysgol ar gyfer disgyblion yn yr oed ysgol statudol sy'n byw ymhellach na phellter cerdded oddi wrth yr ysgol briodol agosaf, yn unol â 'Mesur Teithio gan Ddysgwyr (Cymru) 2008'. Nid yw Cyngor Bro Morgannwg yn darparu cludiant ysgol am ddim ar gyfer plant oedran meithrin ac eithrio'r rheiny sydd â Datganiad o Anghenion Addysgol Arbennig (AAA). Dan y cynigion hyn, nid oes cynlluniau i newid polisi'r Cyngor ynghylch cludiant plant i'r ysgol nac o'r ysgol. Gan y byddai'r cyfnodau meithrin yn aros ar eu safleoedd presennol gyda'u capasiti cyfredol, ni ragwelir goblygiadau ar gyfer cludiant na threfniadau teithio dysgwyr.

Ymgynghoriad:

Ymgwymerodd Cyngor Bro Morgannwg â chyfnod o ymgynghori cyn penderfynu cyhoeddi'r cynnig hwn. Mae adroddiad ymgynghori yn cynnwys crynodeb o'r materion a godwyd gan ymgynghoreion, ynghyd ag ymatebion y cynigydd ar gael yn yr wefan Cyngor Bro Morgannwg yn y cyfeiriad canlynol:

<https://www.valeofglamorgan.gov.uk/en/living/schools/Consultations/Nursery-Provision-Penarth-Consultation.aspx>.

Cyflwyno gwrthwynebiadau:

Yn unol ag adran 49 y 'Ddeddf', gall unrhyw berson wrthwynebu'r cynnig cyn pen 28 diwrnod o ddyddiad cyhoeddi'r cynigion hynny yw erbyn diwedd y **Dydd Mercher 16 Mawrth 2022**.

Dylid anfon gwrthwynebiadau at:
Paula Ham, Cyfarwyddwr Dysgu a Sgiliau,
Cyngor Bro Morgannwg,
Swyddfa Ddinesig,
Heol Holltwn,
Y Barri
CF63 4RU

neu e-bostiwrch sustainablecommunitiesforlearning@valeofglamorgan.gov.uk

Bydd y Cyngor yn cyhoeddi crynodeb o unrhyw wrthwynebiadau o'r fath a wneir (ac nad ydynt wedi'u tynnu'n ôl yn ysgrifenedig) yn ystod y cyfnod gwrthwynebu, ynghyd â'i sylwadau ar y gwrthwynebiadau hynny, pan roddir gwybod i randdeiliaid am benderfyniad y cynnig.

Llofnod:



Paula Ham, Cyfarwyddwr Dysgu a Sgiliau
Ar gyfer Cyngor Bro Morgannwg
16 Chwefror 2022



**THE VALE OF GLAMORGAN COUNCIL,
CIVIC OFFICES, HOLTON ROAD,
BARRY CF63 4RU**

STATUTORY NOTICE TO AMALGAMATE COGAN NURSERY SCHOOL AND COGAN PRIMARY SCHOOL FROM SEPTEMBER 2022.

NOTICE IS GIVEN in accordance with sections 42(1) of the School Standards and Organisation (Wales) Act 2013, 'the Act', and the School Organisation Code 2018 that the Vale of Glamorgan Council, having consulted such persons as required, propose to make regulated alterations to Cogan Primary School and discontinue Cogan Nursery School by:

- Changing the lowest age range of pupils at Cogan Primary School from 4 to 3, to include 96 part time nursery places;
- Increasing the capacity of Cogan Primary School to accommodate the 96-part time nursery places; and
- Discontinuing Cogan Nursery School and transferring all staff and pupils of the nursery phase under the governance of Cogan Primary School from September 2022.

These proposals are considered under section 2.1 and 2.3 of the School Organisation Code (2018). Section 2.1 refers to the closing of a maintained school. Section 2.3 refers to Regulated Alterations of a school, which includes changing the age range of a school by a year or more.

Proposal summary:

The primary school is an English-medium community school with an age range of 4-11. The school is located at Pill St, Penarth CF64 2JS. The nursery school is an English-medium community school with an age range of 3-4 the school is located at Cawnpore St, Penarth CF64 2JU. Both schools are maintained by the Vale of Glamorgan Council.

The proposal will result in Cogan Nursery being discontinued and all staff from Cogan Nursery will be transferred under the governance of Cogan Primary School. Nursery provision would continue to be provided from the existing nursery building under the proposal. It is proposed to implement the proposal on Monday 5th September 2022.

As of January 2022, there were 47 pupils on roll at the nursery school and there were 204 pupils of statutory school age on roll at the primary school. The school capacity for pupils of statutory school age will remain at 210 places with 96 part-time nursery places added to Cogan Primary School. The nursery provision will be provided at the existing nursery location. The school will form part of an English-medium community school and will continue to admit pupils of both sexes. The Vale of Glamorgan Council will be the admission authority and continue to maintain the school.

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. In accordance with 'The Learner Travel (Wales) Measure 2008'. 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 the proposal there are no plans to change the Council's policy on the transport of children to and from schools. As the nursery phase would remain on the current site with their current capacity, there are no implications for transport and learner travel arrangements.

Consultation:

The Vale of Glamorgan Council 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 the Vale of Glamorgan Council website at the following address:

<https://www.valeofglamorgan.gov.uk/en/living/schools/Consultations/Nursery-Provision-Penarth-Consultation.aspx>.

Submitting objections:

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, by

Wednesday 16th March 2022.

Objections should be sent to:

Paula Ham, Director of Learning and Skills,
The Vale of Glamorgan Council,
Civic Offices,
Holton Road,
Barry
CF63 4RU

or e-mail sustainablecommunitiesforlearning@valeofglamorgan.gov.uk

The Council will publish a summary of any such objections made (and not withdrawn in writing) within the objection period, together with their observations thereon, at the time of notification to stakeholders of the determination of the proposal.

Signed:



Paula Ham, Director of Learning and Skills
For the Vale of Glamorgan Council
16th February 2022



**THE VALE OF GLAMORGAN COUNCIL,
CIVIC OFFICES, HOLTON ROAD,
BARRY CF63 4RU**

HYSBYSIAD STATUDOL I UNO YSGOL FEITHRIN BUTE COTTAGE AC YSGOL GYNRADD EVENLODE O FIS MEDI 2022.

RHODDIR HYSBYSIAD yn unol ag adrannau 42(1) Deddf Safonau a Threfniadaeth Ysgolion (Cymru) 2013, 'y Ddeddf', a Chod Trefniadaeth Ysgolion 2018, fod y corff llywodraethu, ar ôl ymgynghori â'r bobl ofynnol, yn cynnig gwneud addasiadau a reoleiddir i Ysgol Gynradd Evenlode ac Ysgol Feithrin Bute Cottage dirwyn I ben trwy:

- Newid ystod oedran isaf disgyblion yn Ysgol Gynradd Evenlode o 4 i 3, i gynnwys 96 o leoedd meithrin rhan-amser;
- Cynyddu capasiti Ysgol Gynradd Evenlode ar gyfer y 96 o leoedd meithrin rhan-amser
- Dirwyn Ysgol Feithrin Bute Cottage i ben a throsglwyddo holl staff a disgyblion y cyfnod meithrin fel eu bod yn rhan o drefn lywodraethu Ysgol Gynradd Evenlode o fis Medi 2022.

Mae'r cynigion hyn yn cael eu hystyried dan adran 2.1 a 2.3 o'r Cod Trefniadaeth Ysgolion (2018). Mae adran 2.1 yn cyfeirio at gau ysgol a gynhelir. Mae adran 2.3 yn cyfeirio at Newidiadau Rheoledig ysgol, sy'n cynnwys newid ystod oedran ysgol o flwyddyn neu ragor.

Crynodeb o'r cynnig:

Mae'r ysgol gynradd yn ysgol gymunedol cyfrwng Saesneg gydag ystod oedran o 4-11. Lleolir yr ysgol yn Evenlode Ave, Penarth CF64 3PD. Mae'r ysgol feithrin yn ysgol gymunedol cyfrwng Saesneg gydag ystod oedran o 3-4. Lleolir yr ysgol yn Bute Ln, Penarth CF64 2ET. Mae'r ddwy ysgol yn cael eu cynnal gan Gyngor Bro Morgannwg.

Bydd y cynnig yn arwain at ddirwyn Feithrin Bute Cottage i ben a bydd holl staff Feithrin Bute Cottage yn cael eu trosglwyddo o dan lywodraethu Ysgol Gynradd Evenlode. Byddai darpariaeth feithrin yn parhau i gael ei darparu o'r adeilad meithrin presennol o dan y cynnig. Cynigir gweithredu'r cynnig ddydd Llun 5 Medi 2022.

Ym mis Ionawr 2022, roedd 46 o ddisgyblion ar gofrestr yr ysgol feithrin ac roedd 417 o ddisgyblion o oedran ysgol statudol ar gofrestr yr ysgol gynradd. Bydd y capasiti ysgol ar gyfer disgyblion o oedran ysgol statudol yn parhau ar 420 o leoedd gyda 96 o leoedd meithrin rhan-amser yn cael eu hychwanegu at Ysgol Gynradd Evenlode. Bydd y ddarpariaeth feithrin yn cael ei darparu yn y lleoliad meithrin presennol. Bydd yr ysgol yn rhan o ysgol gymunedol cyfrwng Saesneg ac yn parhau i dderbyn disgyblion o'r ddau ryw. Cyngor Bro Morgannwg fydd yr awdurdod derbyn a bydd yn parhau i gynnal yr ysgol.

Mae dyletswydd statudol ar y Cyngor i ddarparu cludiant am ddim i'r ysgol ar gyfer disgyblion yn yr oed ysgol statudol sy'n byw ymhellach na phellter cerdded oddi wrth yr ysgol briodol agosaf, yn unol â 'Mesur Teithio gan Ddysgwyr (Cymru) 2008'. Nid yw Cyngor Bro Morgannwg yn darparu cludiant ysgol am ddim ar gyfer plant oedran meithrin ac eithrio'r rheiny sydd â Datganiad o Anghenion Addysgol Arbennig (AAA). Dan y cynigion hyn, nid oes cynlluniau i newid polisi'r Cyngor ynghylch cludiant plant i'r ysgol nac o'r ysgol. Gan y byddai'r cyfnodau meithrin yn aros ar eu safleoedd presennol gyda'u capasiti cyfredol, ni ragwelir goblygiadau ar gyfer cludiant na threfniadau teithio dysgwyr.

Ymgynghoriad:

Ymgwymerodd Cyngor Bro Morgannwg â chyfnod o ymgynghori cyn penderfynu cyhoeddi'r cynnig hwn. Mae adroddiad ymgynghori yn cynnwys crynodeb o'r materion a godwyd gan ymgynghoreion, ynghyd ag ymatebion y cynigydd ar gael yn yr wefan Cyngor Bro Morgannwg yn y cyfeiriad canlynol:

<https://www.valeofglamorgan.gov.uk/en/living/schools/Consultations/Nursery-Provision-Penarth-Consultation.aspx>.

Submitting objections:

Yn unol ag adran 49 y 'Ddeddf', gall unrhyw berson wrthwynebu'r cynnig cyn pen 28 diwrnod o ddyddiad cyhoeddi'r cynigion hynny yw erbyn diwedd y **Dydd Mercher 16 Mawrth 2022**.

Dylid anfon gwrthwynebiadau at:
Paula Ham, Cyfarwyddwr Dysgu a Sgiliau,
Cyngor Bro Morgannwg,
Swyddfa Ddinesig,
Heol Holltwn,
Y Barri
CF63 4RU

neu e-bostiwrch sustainablecommunitiesforlearning@valeofglamorgan.gov.uk

Bydd y Cyngor yn cyhoeddi crynodeb o unrhyw wrthwynebiadau o'r fath a wneir (ac nad ydynt wedi'u tynnu'n ôl yn ysgrifenedig) yn ystod y cyfnod gwrthwynebu, ynghyd â'i sylwadau ar y gwrthwynebiadau hynny, pan roddir gwybod i randdeiliaid am benderfyniad y cynnig.

Llofnod:



Paula Ham, Cyfarwyddwr Dysgu a Sgiliau
Ar gyfer Cyngor Bro Morgannwg
16 Chwefror 2022



**THE VALE OF GLAMORGAN COUNCIL,
CIVIC OFFICES, HOLTON ROAD,
BARRY CF63 4RU**

**STATUTORY NOTICE TO AMALGAMATE BUTE COTTAGE NURSERY SCHOOL AND
EVENLODE PRIMARY SCHOOL FROM SEPTEMBER 2022.**

NOTICE IS GIVEN in accordance with sections 42(1) of the School Standards and Organisation (Wales) Act 2013, 'the Act', and the School Organisation Code 2018 that the Vale of Glamorgan Council, having consulted such persons as required, propose to make regulated alterations to Evenlode Primary School and discontinue Bute Cottage Nursery School by:

- Changing the lowest age range of pupils at Evenlode Primary School from 4 to 3, to include 96 part time nursery places;
- Increasing the capacity of Evenlode Primary School to accommodate the 96-part time nursery places; and
- Discontinuing Bute Cottage Nursery School and transferring all staff and pupils of the nursery phase under the governance of Evenlode Primary School from September 2022.

These proposals are considered under section 2.1 and 2.3 of the School Organisation Code (2018). Section 2.1 refers to the closing of a maintained school. Section 2.3 refers to Regulated Alterations of a school, which includes changing the age range of a school by a year or more.

Proposal summary:

The primary school is an English-medium community school with an age range of 4-11. The school is located at Evenlode Ave, Penarth CF64 3PD. The nursery school is an English-medium community school with an age range of 3-4. The school is located at Bute Ln, Penarth CF64 2ET. Both schools are maintained by the Vale of Glamorgan Council.

The proposal will result in Bute Cottage Nursery being discontinued and all staff from Bute Cottage Nursery will be transferred under the governance of Evenlode Primary School. Nursery provision would continue to be provided from the existing nursery building under the proposal. It is proposed to implement the proposal on Monday 5th September 2022.

As of January 2022, there were 46 pupils on roll at the nursery school and there were 417 pupils of statutory school age on roll at the primary school. The school capacity for pupils of statutory school age will remain at 420 places with 96 part-time nursery places added to Evenlode Primary School. The nursery provision will be provided at the existing nursery location. The school will form part of an English-medium community school and will continue to admit pupils of both sexes. The Vale of Glamorgan Council will be the admission authority and continue to maintain the school.

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. In accordance with 'The Learner Travel (Wales) Measure 2008'. 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 the proposal there are no plans to change the Council's policy on the transport of children to and from schools. As the nursery phase would remain on the current site with their current capacity, there are no implications for transport and learner travel arrangements.

Consultation:

The Vale of Glamorgan Council 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 the Vale of Glamorgan Council website at the following address:

<https://www.valeofglamorgan.gov.uk/en/living/schools/Consultations/Nursery-Provision-Penarth-Consultation.aspx>.

Submitting objections:

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, by **Wednesday 16th March 2022**.

Objections should be sent to:
Paula Ham, Director of Learning and Skills,
The Vale of Glamorgan Council,
Civic Offices,
Holton Road,
Barry
CF63 4RU

or e-mail sustainablecommunitiesforlearning@valeofglamorgan.gov.uk

The Council will publish a summary of any such objections made (and not withdrawn in writing) within the objection period, together with their observations thereon, at the time of notification to stakeholders of the determination of the proposal.

Signed:



Paula Ham, Director of Learning and Skills
For the Vale of Glamorgan Council
16th February 2022

Estyn's response to the proposal by the Vale of Glamorgan Council to reconfigure nursery provision in Penarth from September 2022.

Introduction

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.

Summary/ Conclusion

The Vale of Glamorgan Council has provided a comprehensive proposal which explains clearly the reasoning behind:

- amalgamating Bute Cottage Nursery School and Evenlode Primary School
- amalgamating Cogan Nursery School and Cogan Primary School.

Estyn is of the opinion that the proposal is likely to maintain the current standards in terms of education, provision, and leadership and management.

Description and benefits

The proposer has provided a clear and coherent rationale for this proposal. It follows the Council's plan for providing a primary school education model for 3-11 years olds across the county. The proposal would see the closure of the last two standalone nursery schools within the Vale of Glamorgan, and provision for nursery age children provided in the last two primary schools that do not offer it currently. The amalgamations would not involve catchment area changes or compulsory redundancies. The Council has provided detailed descriptions of the proposals along with the projected timetable for statutory procedures and for implementation of the proposals.

The proposer has set out the potential benefits clearly. For example, a single governance and accountability regime with a single headteacher and governing body with responsibility for all phases of education at each primary school. They also envisage revenue savings associated with increased running costs for standalone nursery schools which would release additional funding into the overall schools' funding formula. This is in addition to opportunities for making efficiency savings through economies of scale. Other benefits include prospects for greater professional development opportunities by being part of a primary school teaching across all phases of primary education. They have identified a couple of possible disadvantages to the proposal that includes disruption as pupils and staff become accustomed to new policy arrangements, and the possibility of the loss of a small school ethos as capacity increases. In the case of the second of these, the proposer has not outlined well how they will deal with this.

The Council has identified three possible risks associated with the proposal, one of which is the possibility of friction between amalgamated schools. The proposer feels confident that this risk can be mitigated by ensuring robust transition arrangements are implemented at an early stage of the proposal. However, the proposer has not considered the risks and disadvantages associated with the loss of a dedicated headteacher whose focus is providing effective early year's education, and the impact this may have on the quality of education provision.

The Council considered four alternatives to the preferred proposal and has listed the reasoning behind discounting each one fairly. Each alternative proposal would result in higher costs and in one case, major disruption to pupils and staff. The proposer has considered the impact of the changes on learner travel arrangements, but as there is no change to buildings or catchment areas, it's reasonable to assume that there will be no implications for transport and learner travel arrangements or on the accessibility of provision.

The proposal details admission numbers for primary schools and nursery schools serving Penarth and the nearby area. It seems that these proposals are unlikely to have a significant impact on any other schools in the local area as no change to the existing catchment area is proposed. The proposal is unlikely to affect Welsh medium education in the area as the Welsh medium school serving Penarth has over 20% capacity. The proposal refers to the current provision for the Welsh language within the schools and nurseries affected by the proposal, but is not specific about how the proposal supports the targets in the Council's Welsh in Education Strategic Plan. The proposer has clearly outlined the financial case for the proposal and the savings associated with it.

Educational aspects of the proposal

The Council has considered the impact of the proposals on the quality and standards in education suitably, and considers that the proposals would provide a consistent approach to planning and delivery of the foundation phase and ease the transition process from nursery to primary school. The proposal considers the information from the most recent Estyn reports well for each school affected. However, the proposal does not provide the view of the local authority or regional consortium on the quality of leadership and management in each of the providers.

It is reasonable to assume that the provision for pupils with Additional Learning Needs would continue to be identified at an early age and that the proposal would support a coordinated approach to planning for the needs of vulnerable pupils across the foundation phase. The proposal notes that a single leadership team and governing body across each school would result in the removal of duplication of management and governance functions.

The proposal takes into consideration specific factors as laid out in the code regarding school closures and when adding a nursery class to a school. In respect of these, the council conducted a community impact assessment and concluded that the proposal would likely have a neutral impact on the local community. The proposal is also unlikely to affect institutions, including private and third sector providers.

Equality Impact Assessment

1. What are you assessing?

Proposal to reconfigure nursery provision in Penarth from September 2022.

Proposal 1: To amalgamate Bute Cottage Nursery School and Evenlode Primary School by:

- Changing the lowest age range of pupils at Evenlode Primary School from 4 to 3, to include 96 part time nursery places;
- Increasing the capacity of Evenlode Primary School to accommodate the 96 part time nursery places; and
- Discontinuing Bute Cottage Nursery School and transferring all staff and pupils of the nursery phase under the governance of Evenlode Primary School from September 2022.

Proposal 2: To amalgamate Cogan Nursery School and Cogan Primary School by:

- Changing the lowest age range of pupils at Cogan Primary School from 4 to 3, to include 96 part time nursery places;
- Increasing the capacity of Cogan Primary School to accommodate the 96 part time nursery places; and
- Discontinuing Cogan Nursery School and transferring all staff and pupils of the nursery phase under the governance of Cogan School from September 2022.

2. Who is responsible?

Name	Nathan Slater	Job Title	Project Manager
Team	21 st Century Schools	Directorate	Learning & Skills

3. When is the assessment being carried out?

Date of start of assessment	November 2021
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4. Describe the proposal?

What is the purpose of the proposal?

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 the local community and are equipped with the best possible learning environments.

Equality Impact Assessment

The Managing Director authorised the Director of Learning & Skills to undertake a consultation from **20 September 2021** to **5 November 2021**, on a proposal to reconfigure nursery provision in Penarth from September 2022.

Proposal 1: To amalgamate Bute Cottage Nursery School and Evenlode Primary School by:

- Changing the lowest age range of pupils at Evenlode Primary School from 4 to 3, to include 96 part time nursery places;
- Increasing the capacity of Evenlode Primary School to accommodate the 96 part time nursery places; and
- Discontinuing Bute Cottage Nursery School and transferring all staff and pupils of the nursery phase under the governance of Evenlode Primary School from September 2022.

Proposal 2: To amalgamate Cogan Nursery School and Cogan Primary School by:

- Changing the lowest age range of pupils at Cogan Primary School from 4 to 3, to include 96 part time nursery places;
- Increasing the capacity of Cogan Primary School to accommodate the 96 part time nursery places; and
- Discontinuing Cogan Nursery School and transferring all staff and pupils of the nursery phase under the governance of Cogan School from September 2022.

The proposals would mean that Bute Cottage Nursery School and Cogan Nursery School would be discontinued and all staff and pupils from the nursery phases would be transferred under the governance of Evenlode Primary School and Cogan Primary School respectively. However, nursery provision would continue to be provided from the existing buildings with both proposals.

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. A Community Impact Assessment has also been undertaken.

Why do you need to put it in place?

Over the past 10 years the Council has sought to move towards a primary school model for 3 to 11 years education.

Evenlode Primary School and Cogan Primary School are two of four primary schools that do not currently provide nursery provision. The other primary schools that do not have a nursery provision are subject to separate proposals which will involve creating nursery provision.

Bute Cottage Nursery School and Cogan Nursery School are the only two stand-alone nursery schools within the Vale; i.e. separate entities with their own governing bodies and a delegated budget.

Bute Cottage Nursery School prioritises pupils living in the Evenlode Primary School

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catchment area and Cogan Nursery School priorities pupils living in the Cogan Primary School catchment area.

It is proposed that Evenlode Primary School and Bute Cottage Nursery School are amalgamated, resulting in 96 part time nursery places being provided at Evenlode Primary School (on the existing Bute Cottage Nursery School site). It is also proposed that Cogan Primary School and Cogan Nursery School are amalgamated, resulting in 96 part time nursery places being provided at Cogan Primary School (on the existing Cogan Nursery School site). This would 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) and minimise the potential for disruption during transition from nursery to primary school.

The introduction of consistent policies, strategies and pedagogy across all ages would result in clear expectations and a shared ethos which is understood by children, parents and carers throughout all phases of primary education. The proposal would also support a coordinated approach to planning for the needs of vulnerable pupils across the foundation phase.

A single leadership team and governing body across each school would result in the removal of duplication of management and governance functions. Parents would only need to familiarise themselves with one set of policies and one set of communications.

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

Human Resources

The Vale of Glamorgan Council would fully support 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.

Bute Cottage Nursery School and Cogan Nursery School staff would transfer under the management of the governing bodies of Evenlode Primary School and Cogan Primary School respectively.

The governing bodies of Evenlode Primary School and Cogan Primary School would be responsible for amending their staffing structures to reflect the addition of the nursery phase. It is not anticipated that there would be any compulsory redundancies as a result of these proposals. However, any proposed changes to staffing would be subject to full consultation with staff and the relevant trade unions where necessary.

Officer time has been addressed via the creation of a 21st Century Schools Team.

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Capital Funding

There would be no capital implications as a result of the two proposals.

However, £1.362m is included within the Capital Programme as part of the 21st Century Schools Programme to support reconfiguration of nursery provision in Penarth. Should the proposals be approved, the Council would prioritise relocating nursery provision at Evenlode Primary School onto a single site. The Council would undertake a full feasibility assessment and any plans would be subject to a separate consultation exercise as part of the planning process.

Revenue Funding

The 2021/22 budget for Bute Cottage Nursery School is £286,292, which equates to £6,983 per pupil (FTE). Cogan Nursery School received a budget totalling £280,829 which equates to £7,590 per pupil (FTE). The amount of funding per pupil is significantly higher than the average funding per pupil across all primary schools which was £3,804 in 2021/22. Funding per pupil is generally higher in standalone nursery schools due to the costs of the headteacher and other fixed costs absorbed over a low number of pupils.

Evenlode Primary School currently receives the lowest level of funding per pupil across all Vale schools (£3,252 in 2021/22). This is partly due to the lack of nursery provision. In 2021/22 Cogan Primary School received £4,071 per pupil funding.

Should the proposals be implemented, Evenlode Primary School and Cogan Primary School would each receive an individual budget including allocations for the nursery phase. As the majority of school funding is based on the number of pupils on roll, the proposals would improve the overall budget position for Evenlode Primary School and Cogan Primary School.

The funding formula is driven by per pupil funding and a number of lump sum allocations per school. On that basis the formula saving from amalgamating Bute Cottage Nursery School and Evenlode Primary School would be £70,000 based on the removal of lump sum allowances. The 2021/22 Evenlode Primary School budget is £1,346,511 and the Bute Cottage Nursery School budget is £286,292 (totalling £1,632,803). The combined budget generated by amalgamating Bute Cottage Nursery School with Evenlode Primary School would be £1,562,803 at the 2021/22 funding rates.

The funding formula saving from amalgamating Cogan Nursery School and Cogan Primary School would be £70,000 based on the removal of lump sum allowances. The 2021/22 Cogan Primary School budget is £838,705 and the Cogan Nursery School budget is £280,829 (totalling £1,119,534). The combined budget generated by amalgamating Cogan Nursery School and Cogan Primary School would be £1,049,934 at the 2021/22 funding rates.

The proposals would result in a more efficient use of financial resources across all schools. Larger schools are also generally able to secure better value for money through economies of scale and a single budget may be easier to manage, e.g., accounting for

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spend on site maintenance which would benefit both nursery and primary phases compared with administering two different contracts.

What are the intended outcomes of the proposal?

- A single governance and accountability regime with a single headteacher and governing body with responsibility for all phases of education at each primary school.
- Opportunities for greater professional development opportunities by being part of a primary school teaching across all phases of primary education.
- A single set of policies across all year groups, incorporating areas of best practice from the individual schools.
- A single vision, strategy and ethos across all phases.
- Generates revenue savings associated with increased running costs for standalone nursery schools which would release additional funding into the overall schools' funding formula.
- Opportunities to make efficiency savings through economies of scale and joined up procurement.
- Streamlined communication between parents and staff with a single point of contact throughout all phases of primary education.

Who does the proposal affect?

Staff, pupils, parents of pupils, governors at Bute Cottage Nursery School, Evenlode Primary School, Cogan Nursery School, and Cogan Primary School.

Will the proposal affect how other organisations work?

The proposals are 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 Evenlode Primary School or Cogan Primary School. Children can access nursery provision at other nursery units of schools or at a registered provider.

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 for nursery places within the Vale.

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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 (data from the 2021 census has not yet been published)
<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 council's overall strategic outline programme for Band B of the 21st Century Schools Programme. The operation of the school will continue to be supported by many policies and procedures. The governing body will be required to continue to comply with all policies, including the Council and schools Equality Policies. All schools will 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.

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

The proposals being put forward are to reconfigure nursery provision within Penarth to provide the best educational outcomes.

Our 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 consultation period. All responses received as part of the consultation are reflected in the Consultation Report.

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.

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The Council consulted with the following groups:

List of groups consulted as part of the consultation process	
Staff (teaching and non-teaching) at Bute Cottage Nursery School, Evenlode Primary School, Cogan Nursery School and Cogan Primary School	Governing Body of Bute Cottage Nursery School, Evenlode Primary School, Cogan Nursery School and Cogan Primary School
Parents/Carers and Guardians of children at Bute Cottage Nursery School, Evenlode Primary School, Cogan Nursery School and Cogan Primary School	Diocesan Directors of Education
Penarth Town Council and Sully and Lavernock Community Council	Vale of Glamorgan Early Years Development Partnership (EYDCP)
Vale of Glamorgan Children and Young People's Programme Board	Local Councillors
Members of the Senedd (MS's) / Members of Parliament (MP's)	Welsh Language Commissioner
Rhieni dros Addysg Gymraeg (RHAG)	Primary schools in the Vale of Glamorgan
Estyn	Central South Consortium Joint Education Service
Welsh Government Ministers	Trade Unions
Local Police and Crime Commissioner	Directors of Education – All Neighbouring Authorities
Council's Transportation Department	

How will you achieve the proposed changes?

The consultation period for the proposals started on 20 September and ended on 5 November 2021.

Within 13 weeks of the closing date, 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 Council 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 December 2021 Cabinet will consider the consultation report and decide whether or not to proceed with the proposals.

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

The proposal would mean nursery provision in Penarth is reconfigured. Bute Cottage Nursery School would be discontinued and amalgamated with Evenlode Primary School. Cogan Nursery School would be discontinued and amalgamated with Cogan Primary School. Both Nursery Schools would remain on their current sites but under the management of the respective primary schools and their governing bodies.

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Who will deliver the proposal?

Subject to the approval of this proposal, the Council would manage the process and the governing body, staff, parents and pupils of the affected schools will be fully engaged in the development of the plans.

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

The Council would have determined the proposal and would have reconfigured nursery provision in Penarth.

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

5. What evidence are you using?

Engagement (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 Council 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 Vale of Glamorgan website the on the 20 September 2021.

The bilingual consultation documents were 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 website. Hard copies were available from the Council on request.

During the consultation period, the Council received 238 responses by the closing date of 5 November 2021. Consultees were asked to indicate whether they 'support', 'do not support' or have 'no opinion' on the three individual elements of the proposal.

- Proposal 1 - Amalgamating Bute Cottage Nursery School and Evenlode Primary School : Out of 238 individual responses, 48 consultees were in support of the proposal, 169 were opposed and 21 offered no opinion either way.
- Proposal 2 - Amalgamating Cogan Nursery School and Cogan Primary School: Out of 238 individual responses, 47 consultees were in support of the proposal, 73 were opposed and 118 offered no opinion either way.

Consultees were asked for their opinion on a key question to each proposal:

1) Do you support the proposal to amalgamate Bute Cottage Nursery School and Evenlode Primary School?

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2) Do you support the proposal to amalgamate Cogan Nursery School and Cogan Primary School?

Consultees were able to respond to either or both questions with Yes, No or No opinion either way.

Consultees were also offered the opportunity to comment further.

As the tables below show, most responses were **not** in favour of Proposal 1.

Breakdown of consultation responses (Proposal 1)						
Total (individual) responses:	Total support		Total not support		Total no opinion	
No.	No.	%	No.	%	No.	%
238	48	20%	169	71%	21	9%

Breakdown of consultation responses (Proposal 2)						
Total (individual) responses (A):	Total support		Total not support		Total no opinion	
No.	No.	%	No.	%	No.	%
238	47	20%	73	31%	118	50%

Respondents were provided with the option of answering equality monitoring questions. Respondents did not have to answer as the questions were optional and a prefer not to say option was provided. Results are summarised in the table below.

What is your gender?							
Male	42	Female	171	Non-binary	N/A	Prefer not to say	15
How old are you?*							
25-34	41	35-44	100	45-54	50	55-74	30
Are your day-to-day activities limited because of a physical or mental health condition, illness or disability?							
Yes – limited a lot	2	Yes – limited a bit	4	No	203	Prefer not to say	16
How would you describe your ethnic group?*							
White	194	Mixed	5	Asian	6	Prefer not to say	18
Which of the following options best describes how you think of yourself?*							
Heterosexual / straight	195	Gay or lesbian	0	Bisexual or pansexual	4	Prefer not to say	20
What is your legal marital status?*							

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Single	27	Married	161	Divorced or widowed	12	Prefer not to say	20
Are you currently pregnant or have you been pregnant within the last year?							
Yes	19	No	179			Prefer not to say	23

*table just displays options with responses, further options were available to select.

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 in as part of the process will be addressed and contained within a consultation report to be reported to Cabinet on the proposal. The Council has a statutory duty to publish a consultation report on the proposal.

The consultation processes gave a range of consultees and local people the opportunity to learn about the proposal and for the Council 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.

Consultation (with internal and external stakeholders)

Please see response above (engagement)

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/populationestimatesforukenglandandwalesandnorthireland/mid2017/ukmidyearestimates2017finalversion.xls>

Protected characteristic data from 2011 Census (data from the 2021 census has not yet been published)
<https://gov.wales/statistics-and-research/census-population/?lang=en>

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

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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.

The four educational settings affected by the proposals are within the area of Penarth. Penarth is a wealthy seaside town and retains extensive Victorian and Edwardian architecture in many traditional parts of the town.

Bute Cottage Nursery School was established in 1974 to provide for 40 full-time places. The school is situated near the centre of the town of Penarth and provides nursery provision for the Evenlode Primary School catchment area.

Evenlode Primary School was established in 1969 as the first open-plan Primary School in South East Wales.

Cogan Nursery School was established in the 1970s to provide for nursery education in the Penarth area.

Cogan Primary School was established in 1884 and is situated in Cogan.

A community impact assessment was undertaken in preparation for the consultation. This assessment included information about local population and material deprivation levels. All comments received relating to the community impact assessment have been included within the consultation response report.

The community impact assessment is available here:

www.valeofglamorgan.gov.uk/nurseryprovisionpenarth

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

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of the proposal will be positive in terms of managing the demand for nursery provision in Penarth.

What are the gaps?

There is limited information held within the Directorate of the protected characteristics of the staff and governing body / management committee of the affected schools, 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 governing body 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 governing body. As a result this is not included in this assessment.

The council would ensure that the governing bodies of the affected schools were supported to 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 governance structure.

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.

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Where will you publish monitoring data and reports?

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

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 has been no perceived negative impact on the protected characteristics identified.

The 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 2021 there were 84 part-time pupils on roll at Bute Cottage Nursery School, 62 part-time pupils on roll at Cogan Nursery School, 414 pupils on roll at Evenlode Primary School, and 206 pupils on roll at Cogan Primary School.

It is proposed that Evenlode Primary School and Bute Cottage Nursery School are amalgamated, resulting in 96 part time nursery places being provided at Evenlode Primary School (on the existing Bute Cottage Nursery School site). It is also proposed that Cogan Primary School and Cogan Nursery School are amalgamated, resulting in 96 part time nursery places being provided at Cogan Primary School (on the existing Cogan Nursery School site). This would 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) and minimise the potential for

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disruption during transition from nursery to primary school.

If approved, these proposals would ensure the schools are able to continue providing high quality education. Amalgamation would enable the strengths present in the existing separate nursery and primary schools to be combined to deliver high quality provision operating across separate sites. This would allow a shared vision and leadership fully embedding a consistent and coherent curriculum across the primary phase.

None of the respondents indicated that these proposals would have an adverse impact on their status in this regard.

For the reasons stated above, including shared policies and vision for early years education, the proposals would provide a **positive** impact for children.

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.

The following table provides information about the needs of pupils from January 2021 PLASC.

Outline of ALN needs for pupils at the schools and nurseries and comparison against regional (primary) and national level						
Type	Evenlode Primary School	Bute Cottage Nursery	Cogan Primary School	Cogan Nursery	Vale of Glamorgan (primary)	Wales (all*)
School Action	0%	0%	12%	3%	6%	12%
School Action Plus	3%	1%	8%	6%	5%	7.4%
Statemented	0%	0%	1%	2%	1%	2.8%

As the table above shows, Cogan Primary School has above the average of School Action and School Action Plus pupils on roll, Cogan Nursery School has above the Vale average of School Action Plus pupils on roll, and Bute Cottage Nursery School and Evenlode Primary School have below the average across all measures.

Bute Cottage Nursery School, Evenlode Primary School and Cogan Nursery School do not have an attached specialist resource base (SRB); specialist support is provided for children who have identified needs in an inclusive setting within the school.

Cogan Primary School provides additional support to pupils with hearing difficulties via a Hearing Resource Base. The team is made up of a specialist teacher and support staff who help children with moderate to profound deafness. The children have specialist support and are fully integrated into the daily routines of the school. As noted in their most recent Estyn inspection, *'Pupils from the resource base flourish alongside other pupils.*

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They make good and often excellent progress from their individual starting points. Specialist staff work highly effectively with their mainstream colleagues and with a range of specialist services to ensure exceptional provision for these pupils.'

The educational settings 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.

Current ALN provision would not be changed as a result of these proposals. However, needs could be identified at an earlier age and pupil needs monitored within a single data setting to ensure continuity.

None of the respondents indicated that these proposals would have an adverse impact on their status in this regard.

The proposals 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 continue to have access to specialist provision, and this would not be negatively impacted upon by either of these proposals.

Gender reassignment, including gender identity

There are no plans to change any policies relating to gender reassignment or identity based on these proposals.

None of the respondents indicated that this proposal would have an adverse impact on their gender identity.

Based on current evidence these proposals would have a **neutral** 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.

None of the respondents indicated that these proposals 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 either proposals, these proposals would have a **neutral** impact on this protected group.

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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 these proposals, these proposals would have a **neutral** impact on people in this protected group.

Race

The predominant ethnicity at the educational settings is currently White – Welsh/English/Scottish/Northern Irish British (see table). The percentage is lower in all the settings, apart from Bute Cottage Nursery, than the average (90% White British) across the wider Vale school population.

Schools	Total pupils	Total pupils identifying as White (Welsh/English/Scottish/Northern Irish British)		Total pupils identifying as Ethnic Minority	
Bute Cottage Nursery School	82	74	90.2%	8	9.7%
Evenlode Primary School	421	361	85.7%	60	14.2%
Cogan Nursery School	63	45	71.4%	18	28.5%
Cogan Primary School	209	168	80.3%	41	19.6%

It is unlikely that the proposals would change the ethnic profile of the schools as there are no changes to the catchment areas.

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.

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None of the respondents indicated that these proposals 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 proposals and the very small number of pupils in this category, these proposals 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 community school and the aspect of the curriculum relating to religion and belief would not change as a result of this proposal.

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 proposals, these proposals would have a **neutral** impact on people in this protected group.

Sex

The latest data containing pupil gender information is from My Local School, 2021 (see table below).

Schools	Total pupils	Total female pupils		Total male pupils	
Bute Cottage Nursery School	82	47	57.3%	35	42.6%
Evenlode Primary School	421	205	48.6%	216	51.3%
Cogan Nursery School	63	29	46%	34	54%
Cogan Primary School	209	111	53.1%	98	46.8%

Children of both sexes would be treated and taught equally in the schools. 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

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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 schools. This proposal would lead to an increase in employment opportunities at the schools as additional training would be required to meet the specialist needs of pupils. This may lead to more employment opportunities for people of either sex.

None of the respondents indicated that these proposals 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 proposals, these proposals 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.

None of the respondents indicated that these proposals 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 proposals, these proposals would have a **neutral** impact on people in this protected group.

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. It is in line with Welsh Government's

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National Cymraeg 2050 strategy and contributing to its ambitious target of 1 million Welsh speakers by 2050.

Ysgol Pen-Y-Garth serves as the Welsh medium primary provision for the Penarth area. The school has capacity for 420 primary pupils and 76 part-time nursery places.

Bute Cottage Nursery School is committed to helping pupils develop their Welsh language education from an early age. This includes through a Welsh mascot called Dewi Draig who helps the children to understand and use Welsh words and phrases. Dewi also helps pupils to learn about the Welsh culture and what it means to be a citizen of Wales. The nursery has Helpu'r Heddiw T-shirts that pupils are given to wear as a reward when they are heard using Welsh words in nursery. The nursery is working towards gaining the "Siarter Iaith" Welsh Charter Bronze Award.

Cogan Nursery School is committed to helping pupils develop their Welsh language education from an early age. Skills are developed through communicating in a range of enjoyable, practical planned activities and using a range of stimuli that build on and increase children's previous knowledge and experiences. Pupils listen to a range of stimuli, including audio visual material and ICT interactive software.

Although Evenlode Primary School and Cogan Primary School teach predominantly through the medium of English, the high standards achieved in Welsh language contribute to the Council's commitment to encouraging bilingual speakers.

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 schools.

None of the respondents indicated that these proposals would have an adverse impact on their status in this regard.

Based on current evidence, these proposals 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

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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.

The intended benefits of this proposal would provide:

- A single governance and accountability regime with a single headteacher and governing body with responsibility for all phases of education at each primary school.
- Opportunities for greater professional development opportunities by being part of a primary school teaching across all phases of primary education.
- A single set of policies across all year groups, incorporating areas of best practice from the individual schools.
- A single vision, strategy and ethos across all phases.
- Generates revenue savings associated with increased running costs for standalone nursery schools which would release additional funding into the overall schools' funding formula.
- Opportunities to make efficiency savings through economies of scale and joined up procurement.
- Streamlined communication between parents and staff with a single point of contact throughout all phases of primary education.

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

Socio-economic duty

The overall aim of the duty is to deliver better outcomes for those who experience socio-economic disadvantage. The duty, which applies to strategic decisions, commenced 31 March 2021. Socio-economic considerations have subsequently been assessed and the

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results are documented below. For the purposes of this assessment, socio-economic indicators include education, economic, employment, health and wellbeing, and accessible transport.

Education

It is determined that if implemented the proposals would have the following benefits related to improving educational outcomes:

- A single governance and accountability regime with a single headteacher and governing body with responsibility for all phases of education at each primary school.
- Opportunities for greater professional development opportunities by being part of a primary school teaching across all phases of primary education.
- A single set of policies across all year groups, incorporating areas of best practice from the individual schools.
- A single vision, strategy and ethos across all phases.
- Streamlined communication between parents and staff with a single point of contact throughout all phases of primary education.

The proposals are 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 Evenlode Primary School or Cogan Primary School. Children can access nursery provision at other nursery units of schools or at a registered provider.

Proposal 1 would result in 96 part time English-medium nursery places in Evenlode Primary School. This is the same as currently available at Bute Cottage Nursery School. Bute Cottage Nursery works with local private nurseries (St Aubin Nursery and Hazelhurst Nursery) to provide 'wrap-around-care'. This arrangement would not be impacted by this proposal.

Proposal 2 would result in 96 part time English-medium nursery places in Cogan Primary School. This is 4 fewer part time places than currently available at Cogan Nursery School. However, this is sufficient to meet demand within the local area (see table 2 in admissions section below).

Any local registered providers were able to respond to the consultation. This consultation document was made available to other childcare and early years institutions, including private and third sector providers. Any feedback was considered as part of the consultation report.

Economic

The four educational settings affected by the proposals are within the area of Penarth. Penarth is a wealthy seaside town and retains extensive Victorian and Edwardian architecture in many traditional parts of the town.

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Bute Cottage Nursery School is located within the St Augustine's 3 ward in Penarth. The overall St Augustine's ward has a population of 7,351 (Office of National Statistics, 2019).
6

Evenlode Primary School is located within the Plymouth 2 ward in Penarth. The overall Plymouth ward has a population of 5,786 (Office of National Statistics, 2019).

Cogan Nursery School and Cogan Primary School are located within the Cornerswell 2 ward in Penarth. The overall Cornerswell ward has a population of 5,366 (Office of National Statistics, 2019).

The wards have low levels of deprivation, overall they are within 50% least deprived wards within Wales.

The schools do take in pupils from wider areas with more varied socio-economic status, this would not change as a result of these proposals.

Employment

The Vale of Glamorgan Council would fully support 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.

Bute Cottage Nursery School and Cogan Nursery School staff would transfer under the management of the governing bodies of Evenlode Primary School and Cogan Primary School respectively.

The governing bodies of Evenlode Primary School and Cogan Primary School would be responsible for amending their staffing structures to reflect the addition of the nursery phase. It is not anticipated that there would be any compulsory redundancies as a result of these proposals. However, any proposed changes to staffing would be subject to full consultation with staff and the relevant trade unions where necessary.

Health and Wellbeing

The schools have a highly positive and inclusive ethos, which helps pupils to develop self-esteem and grow in confidence.

Accessible transport

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. In accordance with 'The Learner Travel (Wales) Measure 2008'. 24

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

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(SEN). Under these proposals there are no plans to change the Council's policy on the transport of children to and from schools. As the nursery phases would remain on their current sites with their current capacity, there are no envisaged implications for transport and learner travel arrangements.

None of the respondents indicated that these proposals would have an adverse impact on their socio-economic status in this regard. Based on current evidence noted above, these proposals would have a **neutral** impact on pupils from families which are socio-economically disadvantaged.

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 nursery pupils under a shared and consistent set of policies, the proposals would provide a **positive** impact on

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this criteria.

Disability

Current ALN provision would not be changed as a result of these proposals. However, needs could be identified at an earlier age and pupil needs monitored within a single data setting to ensure continuity. The proposals would provide a **positive** impact on this criteria.

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. Inclusivity and respect of others is an intrinsic element of the national curriculum.

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.

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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.

N/A – no negative impacts identified

Is there a need for more favourable treatment to achieve equal outcomes? (Disability only)

N/A

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 – Neutral

Marriage and civil partnership – Neutral

Pregnancy and Maternity – Neutral

Race – Neutral

Religion and belief – Neutral

Sex – Neutral

Sexual orientation – Neutral

(Welsh language – Neutral

Human rights – Positive

Socio-economic duty - Neutral)

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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 regulated alterations 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 cabinet approval, the school will 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 Central South Consortium and 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.

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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.

Bute Cottage Nursery was last inspected by Estyn in October 2013 (under the previous framework). The inspection report for Bute Cottage Nursery School can be found at: <https://www.estyn.gov.wales/provider/6731013>

Evenlode Primary was last inspected by Estyn in March 2015 (under the previous framework). The inspection report for Evenlode Primary School can be found at: <https://www.estyn.gov.wales/provider/6732148>

Cogan Nursery was last inspected by Estyn in November 2019. The inspection report for Cogan Nursery School can be found at: <https://www.estyn.gov.wales/provider/6731011>

Cogan Primary was last inspected by Estyn in May 2018. The inspection report for Cogan Primary School can be found at: <https://www.estyn.gov.wales/provider/6732114>

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

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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?

Vale of Glamorgan Website

In addition to anywhere you intend to publish your approved proposal and equality impact assessment, you must send a copy to Tim Greaves, Equality Co-ordinator, to publish on the equality pages of the Vale of Glamorgan website.

13. [Authorisation](#)

Approved by (name)	Paula Ham
Job Title (senior manager)	Director of Learning and Skills
Date of approval	
Date of review	