

# Report



## Cabinet Member for Education & Young People

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### Part 1

Date: 21 November 2016

Item No: 2

### Subject **Joint Proposal – Malpas Church in Wales Schools**

**Purpose** To approve ceasing the previous Cabinet Member proposal and to move to launch a joint proposal by formal consultation for the reorganisation of the Malpas Church in Wales Schools.

**Author** Amanda B Davies, Assistant Head of Education (Resources & Planning)

**Ward** Malpas

**Summary** This report details ceasing the previous proposal to launch a formal consultation, which was taken forward for the Cabinet Member for Education & Young People.

Following new guidance from Welsh Government, there must be a joint proposal put forward by the Governing Body of Malpas Church in Wales Junior School together with Newport City Council.

“The Governing Body of Malpas Church in Wales Junior School proposes to extend the age-range of Malpas Church in Wales Junior School from 7-11 years to 4-11 years with effect from 1st September 2017. To enable a new all-through 4-11 years primary school to be established on the site from September 2017. As a consequence, Newport City Council is proposing Malpas Church in Wales Infant School be discontinued on 31st August 2017.”

This report sets out the timeline for formal consultation

**Proposal** **To cease the previous proposal and to move to Formal Consultation under the following joint proposal:**

“The Governing Body of Malpas Church in Wales Junior School proposes to **extend the age-range of Malpas Church in Wales Junior School from 7-11 years to 4-11 years with effect from 1st September 2017**. To enable a new all-through 4-11 years primary school to be established on the site from September 2017. As a consequence, Newport City Council is proposing **Malpas Church in Wales Infant School be discontinued on 31<sup>st</sup> August 2017**.”

**Action by** Chief Education Officer

**Timetable** Immediate

This report was prepared after consultation with:

- Strategic Director – Place
- Strategic Director – People
- Director of Education, Monmouth Diocesan Trust
- Senior Human Resources Business Partner
- Senior Finance Business Partner
- Headteacher and Chair of Malpas Church in Wales Junior School
- Headteacher and Chair of Malpas Church in Wales Infant School
- Chair of the EYDCP

**Signed**

## **Background**

This proposal supports the Council's vision for a seamless pathway throughout the education of a child. It is the Council's policy to support the amalgamation of all separate Infant and Junior schools in Newport as and when the circumstances arise.

The same views are held by the Monmouth Diocesan Trust for all Church in Wales schools.

Those circumstances have now arisen as the Headteacher of the Infant School resigned from her post with effect from 31<sup>st</sup> December 2015 and the post is currently vacant. The substantive Deputy Headteacher is currently undertaking the role of Acting Headteacher.

There is a permanent Headteacher in place at the Junior School.

The way that schools are amalgamated can either be taken forward by closing all schools named in the proposal and opening one new Primary School, or by extending the age range of one school and closing all others named in the proposal.

## **Previous Decision to launch a Formal Consultation**

The Council had thought that the Cabinet Member for Education & Young People could take the decision to launch a formal consultation on a proposal for voluntary controlled schools, where the Council was the admission authority.

Recent Welsh Government advice is to the contrary, it is deemed more appropriate that the Church in Wales governors take forward a proposal jointly with Newport City Council. These steps and actions are now being put into place.

## **New Joint Proposal for School Reorganisation – Statutory Consultation Process**

The formal consultation stage of the new joint proposal will ensure that all stakeholders, in particular pupils and their families and carers are able to find out more details of the reorganisation proposal. They will be invited to make comments and provide feedback on the issues.

The whole process will be taken forward under a Statutory Code for School Reorganisation and the new school reorganisation proposal will be:

“The Governing Body of Malpas Church in Wales Junior School proposes to extend the age-range of Malpas Church in Wales Junior School from 7-11 to 4-11 with effect from 1st September 2017. To enable a new all-through 4-11 primary school to be established on the site from September 2017. As a consequence, Newport City Council is proposing Malpas Church in Wales Infant School be discontinued on 31st August 2017.”

It is planned that the formal consultation process will commence in November and will last for 42 days.

- Following consultation, the Governing Body of Malpas Church in Wales Junior School and Newport City Council's Cabinet Member for Education & Young People will both consider the views expressed and decide whether to proceed with the proposals. A joint consultation report will be produced, issued to stakeholders and posted on web sites. If the decision is taken to proceed, statutory notices will be published as appropriate. The statutory notice period will last for 28 days from the date of publication and enables people to express their views in the form of supporting or objecting to the proposals.
- If no objections are received following the publication of the statutory notice, the Governing Body of Malpas Church in Wales Junior School will take the final decision as to whether or not to proceed

with the age-range extension proposal, and Newport City Council's Cabinet Member for Education & Young People will make the final decision as to whether to proceed with the proposal to close Malpas Church in Wales Infant School. If there are any objections received in respect of either proposal, the final decisions will be referred to the Cabinet of Newport City Council.

- Whilst this proposal recommends the closure of Malpas Church in Wales Infant School, there will not be any adverse effect on the local community, as Foundation Phase education will continue to be provided from the same site at the new all-through primary school. An amalgamated primary school will benefit the local community in terms of continuity of provision and improved transition. The new school will have capacity for 378 pupils of statutory school age equating to a published admission number of 54.

### **Statutory Consultation Draft Timeline (provisional)**

- **November 2016 – January 2017** – Formal Consultation Period (42 days)
- **February 2017 – March 2017** – Publication of the Statutory Notice (28 days)
- **April 2017** – final decision during this month

### **Benefits of Amalgamation**

An amalgamated single phase primary school would offer the following benefits:

- Easier and more effective opportunities for curriculum planning across all the primary age groups – There would be more opportunities for long term planning to improve the educational experience of children across the infant and junior stages of primary education. Whole school policies could be developed for all areas of the curriculum from Nursery to Year 6 offering greater potential for improving levels of achievement;
- Effective use of resources – Amalgamation will bring benefits to children in terms of a more effective approach to resource management. Resources that currently exist in each school may be shared and used more regularly in an amalgamated school. This has particular benefits for specialist resources such as ICT equipment etc.;
- Easier transition for children from the Foundation Phase to Key Stage 2 – Children would not have to learn different routines or behavioural policies, as these would be common throughout a child's primary education;
- More opportunities for interaction between staff and children of all ages – This would help children, in particular those with Special Educational Needs. The children would be monitored and supported throughout their time at primary school by staff familiar to them. Common methods of monitoring progress would be available;
- Greater breadth of staff experience – Recent curriculum developments have led to an increase in the number and range of specialist tasks to be done in schools. The sharing of these tasks and the availability of a wider range of experience would help to enhance the education of the children;
- An increased opportunity for staff development – A wide range of teaching and learning expertise is needed in a primary school. The skills and knowledge of teaching staff would be extended. This would benefit the children and would also support the recruitment and induction of new staff and the retention of experienced colleagues;

- Budget and staffing flexibility – The Headteacher and Governing Body of the school would gain more flexibility in responding to the needs of the school through having a single budget and combined teaching and support staff. This would help to reduce the impact of fluctuations in pupil numbers across the whole age-range;
- Management and support structure – There would be a simplified school management and support structure covering the whole 4-11 age range;
- Better parental engagement – A single community or parent group should lead to greater engagement with the community as individuals, and local business would not have to make a choice over which school to support at a time of limited resources. Closer contact with parents over a longer period of time is beneficial for all. There are also practical advantages for parents, for example, aligned training days and school uniform and the same policies in relation to home links and behaviour;
- National Categorisation – The aim of amalgamation is fundamentally based around improving standards of education to benefit pupils. When two schools are brought together but have different National Categorisation support ratings, it is possible that the newly amalgamated school will require a higher level of support in the first instance. However after one academic year, it would be expected that the new primary school would have a strong upward trajectory and would require less support due to good teaching and learning, and leadership and management capacity.

## **What Will The Proposal Provide?**

The joint proposal is to create an all-through 4-11 primary school in place of the separate Infant and Junior schools that currently exist. The published admission number of the amalgamated primary school will be 54, therefore reducing the current overall school capacity, but enabling the two-form entry arrangements to continue. This will negate the current overcrowding issues in the junior building. No capital works are planned for the site as a result of this proposal, but it is the aspiration of the Council, the Monmouth Diocesan Trust and the two Governing Bodies to include nursery provision at the earliest possible opportunity.

## **Special Educational Needs Provision**

Pupils with special educational needs are currently supported in accessing mainstream education at both Malpas Church in Wales Infant School and Malpas Church in Wales Junior School, and appropriate arrangements are put in place following an assessment of the individual child. This proposal will not have any adverse effect on these arrangements.

## **When Will This Be Effective?**

It is proposed that the new amalgamated primary school will open in September 2017. Until this time, the existing management arrangements in place at Malpas Church in Wales Infants will continue.

## **Financial Summary**

There is no capital funding associated with this proposal. At the point of amalgamation, the financial balance of the Junior School will be transferred to the new Primary School. The balance of the Infant School will however be retained by the Local Authority. In addition, in advance of and during the first

year of opening, the Local Authority will fund any additional costs directly associated with the amalgamation up to the value of £35,000 from the revenue budget.

Longer term, there will however be revenue savings to the Council in terms of the lump sum payment that is made to each school within the annual formula funding arrangements. Whilst the amalgamated primary school would continue to receive this amount, this would no longer need to be paid to the Infant School and the Junior School. These savings will equate to approximately £47,000 per annum and will be retained within the overall Individual Schools Budget (ISB).

## Risks

Risk	Impact of Risk if it occurs* (H/M/L)	Probability of risk occurring (H/M/L)	What is the Council doing or what has it done to avoid the risk or reduce its effect	Who is responsible for dealing with the risk?
Not to move to a joint proposal for formal consultation	High	Low	WG guidance indicates this is the most appropriate way forward to secure a seamless vision for the Church in Wales schools in Malpas.	Chief Education Officer

\* Taking account of proposed mitigation measures

## Links to Council Policies and Priorities

Council Improvement Plan  
 Education Service Plan  
 21CS Strategic Outline Plan  
 National Implementation Plan for 3 – 16 Education  
 Wellbeing of Future Generations Wales Act, 2015

## Options Available

Option 1: To cease the previous proposal and to move to launch formal consultation on a joint proposal to amalgamate the Malpas Church in Wales Schools

Option 2: Not to cease the previous proposal and to retain the two separate Malpas Church in Wales Infant and Malpas Church in Wales Junior schools. This does not however support the Council's vision for a seamless learning pathway.

## Preferred Option and Why

Option 1 is the preferred option as it reflects the most appropriate course of action under joint proposal conditions. For the Monmouth Diocesan Trust to secure an all-through Church In Wales Primary School the proposal would need to be carried out jointly with Newport City Council.

## Comments of Chief Financial Officer

The proposal is for an amalgamation of the schools through an extension of the age range of the Junior school. There are financial efficiencies within the overall Schools budget through the amalgamation.

## Comments of Monitoring Officer

The proposed action is in accordance with the statutory school reorganisation procedures set out in the School Standards and Organisation (Wales) Act 2013 and the School Organisation Code. The proposal to extend the age range of the Malpas Church in Wales Junior Schools and, as a consequence, to close the Infant School is a regulated alteration and, therefore, has to be the subject of formal statutory consultation under the Code. The proposal to extend the age range of this voluntary Junior school can

be published by the School Governing Body and the consequent proposal to discontinue the Infant school can be determined by the Cabinet Member and published by the Council, as education authority. Both linked proposals will need to be formally published and subjected to formal consultation in accordance with the statutory procedure. A detailed joint consultation document will need to be prepared, setting out the reasons for the proposals, and meaningful consultation will need to be carried out with key stakeholders, including children and young people, who are likely to be affected by the changes. The consultation responses will then need to be reported back to the Governing Body and the Cabinet Member in due course for them to consider whether or not to proceed with the relevant statutory notices. Any decision by the Cabinet Member in due course to discontinue the existing Infants school would be in consequence of, and conditional upon, approval of the Governing Body proposals to increase the age range of the junior school.

### **Staffing Implications: Comments of Head of People and Business Change**

This proposal fits three of the five aspects of the sustainable development principle of the Well-being of Future Generations (Wales) Act by:

- Involvement - involving people with an interest at the appropriate stages of decision making
- Long Term - considering long term needs of children and families
- Integration - working with other public bodies in an integrated way when making decisions..

As required a Fairness and Equality Impact Assessments (FEIA) has been completed and is attached. This should be reviewed at the end of the formal consultation period to ensure consultation responses have been considered.

If a final decision is not reached until April 2017, there will be concerns about meeting statutory redundancy deadlines for contracts to be terminated on 31<sup>st</sup> August 2017. This is because if there are any redundancies, as the result of this proposal, notice would need to be issued for teachers by Wednesday 31<sup>st</sup> May 2017 and for support staff by Thursday 8<sup>th</sup> June 2017. The processes which would need to be undertaken prior to notice being issued would need to commence on Monday 3<sup>rd</sup> April 2017, at the latest, to meet statutory deadlines.

### **Local issues**

Invitations to comment were issued to Ward Members, none received:  
Malpas Ward Members

### **Scrutiny Committees**

### **Equalities Impact Assessment**

An FEIA has been developed and is attached at Appendix 1, and dependent upon the decision under this report, will be included within the proposal pack for Formal Consultation and will be updated for each decision stage and published on the Council web site.

### **Children and Families (Wales) Measure**

Children and Young People will be a key stakeholder group for formal consultation on the proposal detailed within this report.

### **Consultation**

### **Background Papers**

None

Dated: 21 November 2016

## Fairness and Equalities Impact Assessments F&EIAs (2015)

## APPENDIX 1

This form presents evidence that equalities, Welsh language and fairness have been considered when taking policy and service delivery decisions in Newport City Council.

Our Equalities focus is taken from the Equalities Act 2010: we consider the nine protected equalities characteristics- age, gender reassignment, disability, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex, sexual orientation.

Under the General Equality Duty we have a duty to:

- Eliminate unlawful discrimination, harassment and victimisation
- Advance equality of opportunity and
- Foster good relations

across the nine protected characteristics.

Under the Welsh Language Measure 2011 the Welsh language cannot be treated any less favourably than the English language

In Newport we focus on Fairness through the following themes: Health, Poverty, Skills and Work, Domestic Abuse and Tackling Area Based Deprivation.

<b>Service Area</b>	<b>Head of Service</b>	<b>Person responsible for the Assessment:</b>	<b>Date of Assessment</b>
Education	James Harris	Amanda B Davies	October 2016

1. What is the policy/ service being assessed?

To formally consult on a joint proposal put forward by the Governing Body of Malpas Church in Wales Juniors School together with Newport City Council.

The Governing Body of Malpas Church in Wales Junior School proposes to extend the age range of the Malpas Church in Wales Junior school from 7 - 11 to 4 – 11 with effect from the 1<sup>st</sup> September 2017. Alongside this, Newport City Council is proposing the closure of the Malpas Church in Wales Infant School on 31<sup>st</sup> August 2017. This joint proposal will enable a new all-through primary school for ages 4 – 11 to be established, with effect from September 2017.

2. What is the purpose of the policy/ service change?

To provide education within a seamless transition from 4 – 11 for pupils currently attending the current schools, on the same site.

3. Protected Characteristics

Protected Characteristic	Who are the customers/service users/ potential service users?	If we take this decision what is the potential impact?  The impact may be either positive or negative  Explain how people may be affected and give the evidence for this	Action Plan to address issues raised  What changes or practical measures would reduce adverse impact on particular groups.  What changes would increase positive impacts e.g. improve access or opportunity  May be revisited post consultation	Who is responsible?	Timeframe to review
Age	School aged children  Parents / Carers	The expected impact of the proposal is to provide education within a seamless transition for primary school within the current site basis.			
Gender reassignment					
Disability					
Marriage/Civil Partnership					
Pregnancy and	Prospective parents	The availability of places			

Maternity		at this all-through primary school will be positive for prospective parents.			
Race					
Religion/belief (or the absence of)					
Sex					
Sexual Orientation					
Welsh language	No – the proposal concerns English language provision	The decision will not affect Welsh-medium education provision; the Welsh language elements of the curriculum will apply to the new primary school for pupils in line with provision across the city		Chief Education Officer	

**4. Who has the service consulted regarding the proposed change? When should new consultation take place?**

NB: It is essential that service users and other interested parties are involved in the planning process at the earliest opportunity. Consultation at an initial stage should be along broad themes. It is appropriate to ask what services are valued, how services could be changed and or what could be done differently. This feedback should then inform your business case proposals and the F&EIA. When specific proposals have been drawn up, they too will need to be consulted upon. All stakeholders and their views need to be represented.

This is a joint proposal by the Governing Body of Malpas Church in Wales Junior School and the Cabinet Member for Education & Young People, Newport City Council.

Formal statutory Consultation with identified stakeholders including local and regional providers, pupils, parents, carers and staff in respect of the Special sector of education, Community councils, neighbouring Local Authorities, education professionals, Welsh Ministers and the Monmouth Diocesan Trust.

**5. What evidence/ data has been used to complete this F&EIA (This will include local and national guidance)**

Formal Consultation will be conducted in accordance with the School Standards and Organisation (Wales) Act 2013, and the Statutory Code, 2013.

**6. How will the relevant groups be advised of the changes and the F&EIA?**

Formal statutory consultation process and publication of statutory notices on the internet and at school gates.

**7 How will the policy/ practice make Newport more or less fair in relation to:**

- Health Inequalities
- Child Poverty
- Skills and Work
- Tackling Domestic Violence
- Alcohol and Substance misuse
- Homelessness
- Armed Forces Veterans

Improved equality of access – seamless transition through the school for ages 4 – 11

**8. How will the service / policy affect local areas of the city?**

Will it have a positive or negative impact in terms of fairness and addressing local area deprivation (you will need to use spatial data available through the Newport Profile and specific Ward Profiles to address this question)?

As an authority we aspire to delivering education for all Newport pupils within a single education journey from 4 – 11.

**9. In summary, how does the changed service /policy promote good community relations (cohesion)?**

The proposal will support access to a seamless education journey. This will help to build positive relationships in and around the school sites.

**10. In summary, how does the changed service /policy promote equality?**

The proposal will support delivery of a 4 – 11 school for pupils, albeit on a split site basis. Families will be able to access a seamless transition. The School Admission Policy will apply to this school and parental preference also applies.

**11. In summary, how does the changed service /policy eliminate discrimination?**

The proposal will provide equality of access to pupils to enjoy the same seamless transition for education services as other all-through community maintained schools in Newport and all other Monmouth Diocesan Trust schools.

**Completed by: Amanda B Davies: Assistant Head of Education (Resources & Planning)**

**Date: October 2016**



**Signed off by: James Harris: Chief Education Officer**

**Date: October 2016**

