

Report

Cabinet Member for Education & Skills

Part 1

Date: June 2020

Item No:

Subject **School Reorganisation Proposal – Establishment of a new Welsh-medium Primary School and the relocation of Pillgwenlly Primary School – Final Determination**

Purpose To seek final determination on the school reorganisation proposal “to establish a new two-form entry Welsh-medium primary school in Newport and as a result to relocate Pillgwenlly Primary School from its current site to the new school on the Whiteheads development”.

Author Service Manager - Education Planning & Resources

Ward All

Summary This school reorganisation proposal was undertaken in accordance with the statutory School Organisation Code and included a formal consultation period followed by the publication of a statutory notice for the required period of 28 days.

The consultation passed through the statutory notice stage without objection and therefore the Cabinet Member for Education & Skills can now take a final decision for implementation as follows:

- To open the new Welsh-medium primary school under a seedling model from September 2021;
- To relocate Pillgwenlly Primary to the new school on the Whiteheads development at the start of the Spring term 2023, and;
- To move the new Welsh-medium primary school to its permanent site in Pillgwenlly from September 2023.

Proposal **To approve the school reorganisation proposal “to establish a new two-form entry Welsh-medium primary school in Newport and as a result to relocate Pillgwenlly Primary School from its current site to the school on the Whiteheads development”.**

Action by Chief Education Officer

Timetable Immediate

This report was prepared after consultation with:

- Corporate Management Team
- Education Senior Management Team
- Senior HR Business Partner
- Senior Finance Business Partner
- Acting Headteacher and Chair of Governors, Pillgwenlly Primary School

Signed

Background

A school reorganisation proposal has been progressed to establish a new two-form entry Welsh-medium primary school in Newport and to relocate Pillgwenlly Primary School from its current site to the school on the Whiteheads development. Under this proposal, the new Welsh—medium school will be established under a seedling model at the currently vacant former Caerleon Lodge Hill Infant building for two years before moving to Pillgwenlly Primary School as the permanent location. This proposal included a period of formal consultation carried out between 4th July 2019 and 13th September 2019, following which a consultation report, containing a summary of any issues raised and the Council’s response was prepared and published on the Newport City Council website. The decisions to launch formal consultation and subsequently publish a statutory proposal were both approved by the Cabinet Member for Education and Skills via the Council’s agreed democratic processes and procedures.

Current position

The Council published a statutory proposal between 2nd March 2020 and 30th March 2020 to establish a new two-form entry Welsh-medium primary school in Newport and to relocate Pillgwenlly Primary School from its current site to the school on the Whiteheads development. The statutory proposal was published on the Newport City Council website and copies were displayed at all main entrances to Pillgwenlly Primary School, at the former Caerleon Lodge Hill Infants building and on the Whiteheads site. Publication of the notice was also shared with all stakeholders as outlined in the statutory School Organisation Code, including the pupils, staff and parents / carers of children currently attending Caerleon Lodge Hill Primary, Pillgwenlly Primary, Ysgol Gyfun Gwent Is Coed, Ysgol Gymraeg Bro Teyrnnon, Ysgol Gymraeg Casnewydd and Ysgol Gymraeg Ifor Hael. Parents / carers at Pillgwenlly Primary School also received a hard copy of the statutory proposal. The consultation passed through this statutory notice stage without objection and therefore the Cabinet Member for Education and Skills can now take a final decision on the proposal.

Financial Summary

Capital

The Council has successfully submitted a bid to Welsh Government for funding of £5.8million to undertake this project via the *Welsh Medium Capital Grant*. This capital funding will be used to make improvements to the seedling facility and to the existing Pillgwenlly Primary School buildings. The new school build on the Whiteheads development is one of the projects included within the Council’s 21st Century Schools Band B programme and as such is being funded jointly by Newport City Council and Welsh Government. Colleagues in Welsh Government have confirmed that this funding remains secure in light of the one-year deferment of this project.

Revenue

The revenue funding required for the operation of the primary school will need to be provided through the Council’s overall schools budget and the profiled budget requirements have been included within the Council’s medium term financial plan (MTFP) for consideration within future budget decisions. The MTFP has already been updated to reflect the one-year deferment of this project. The table that follows shows the financial impact of this decision over the current life of the Council’s Medium Term Financial Projections although it should be noted that costs for the new Welsh-medium School would continue to expand beyond 2022/23 as the seedling model increases year groups each year, and therefore costs, for about 6 years. Once established, the school will require appropriate funding from within the overall schools’ budget, whether or not the proposal for growth within the current MTFP is accepted. If increased funding is not available, it will dilute the current overall school’s budget across all existing Newport schools.

	Year 1 2020/21 £	Year 2 2021/22 £	Year 3 2022/23 £	Year 4 2023/24 £	Year 5 2024/25 £	Notes
Welsh Medium		259,000	486,000	688,000	1,049,000	School Opening September 2021
Pillgwenlly Expansion			71,000	285,000	285,000	Expansion January 2023 Costs based on AWPU and 10 place LRB only

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?
Failure to finally determine the proposal	L	L	This risk has been mitigated by carrying out a full consultation process in accordance with the statutory School Organisation Code and through the publication of a statutory notice that generated no objections.	Chief Education Officer
Failure to secure land on the Whiteheads development to support the relocation of Pillgwenlly Primary	H	L	This project has already been deferred for one academic year due to delays associated with the handover of land on the Whiteheads site. Whilst this land transfer is still outstanding, discussions are coming to an end and should be concluded shortly.	Chief Education Officer

* Taking account of proposed mitigation measures

Links to Council Policies and Priorities

Wellbeing of Future Generations (Wales) Act 2015

Corporate Plan

Council Improvement Plan (*Aspirational People* theme)

Education Service Plan

Options Available

Option 1: To determine to implement the proposal to establish a new two-form entry Welsh-medium primary school in Newport and as a result to relocate Pillgwenlly Primary School from its current site to the new school on the Whiteheads development.

Option 2: To decide to withdraw the proposal and either seek alternative options to expand Welsh-medium primary provision within the City or alternatively advise Welsh Government that the capital funding awarded to this project is no longer required.

Preferred Option and Why

The preferred option is Option 1. This supports the objectives outlined within the Council's Welsh in Education Strategic Plan (WESP) to increase Welsh-medium primary school provision across Newport, and contributes to Welsh Government's charter of achieving 1 million Welsh speakers across Wales by 2050. A capital grant of £5.8m is being provided by Welsh Government to support this project.

Comments of Chief Financial Officer

Opening the Welsh-medium primary school in September 2021 is estimated to cost £259,000 for the 7-month period ending 31 March 2022. Expanding Pillgwenlly Primary School from January 2023 would be an estimated cost of £71,000 for the 3 months to 31 March 2023. The estimated costs for both will be identified within the Council's MTRP and reflect the deferment for Welsh medium opening in September 2021. Cabinet will need to consider these cost increases in light of the overall increase in school budgets funding at these times.

There is increasing pressure within the school's sector with increasing schools utilising reserves and moving into deficit reserve balance positions. At the end of 2018/19, there were five schools in a deficit reserves position, of which one was a primary school and one a nursery. Schools are being challenged to find savings in order to deliver balanced budgets in future years.

In spite of the challenging position from the limited ISB funds, there is a requirement to expand school provision within the Authority due to increasing demand for school places from the growing population and the need to further develop Welsh medium provision in line with Newport's WG approved WESP.

In the above context, funding the costs of expanding and new schools is very important in light of the need to set realistic and robust budgets and in particular given the current position on school finances and reserves.

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 proposed provision of a new two-form entry Welsh medium primary school and the relocation of Pillgwenlly primary school to a new site on the Whiteheads development is a regulated alteration under the Code and, therefore, has to be the subject of formal statutory consultation. In accordance with the statutory procedures, a detailed consultation document was prepared; setting out the educational reasons for the proposals, and meaningful consultation has been carried out with key stakeholders, including children and young people, who are likely to be affected by the changes. Although some concerns were raised about the proposals, they largely related to operational matters concerning the re-location of the existing school and the changes to catchment areas, as opposed to any adverse impact on educational provision. The response from Estyn confirmed that this proposal would result in current educational standards being at least maintained and that it reflected the objectives in the Council's Welsh in Education Strategic Plan and Welsh Government objectives regarding Welsh-medium education. Therefore, in the light of those consultation responses, the Cabinet Member decided to proceed with the necessary statutory notices. The proposal has been published by way of formal statutory notice on the Council's website and by public notices, and a period of 28 days (including, at least, 15 school days) has been allowed for statutory objections. No objections were received during the statutory consultation period and, therefore, the Cabinet Member can now take the final decision to proceed with the proposal and it does not have to be referred to full Cabinet as the Local Determination Panel. Because of delays in securing the discharge of planning conditions in relation to the Whiteheads development, then the handover of the site and relocation of Pillgwenlly primary school will need to be deferred. Therefore, the proposed opening date for the new seedling school will need to be postponed until September 2021, with a phased relocation of the existing primary school between the Spring and Summer terms in 2023.

Comments of Head of People and Business Change

This report follows a statutory consultation process, which was supportive of the proposal to relocate Pillgwenlly Primary School and establish a new Welsh-medium Primary School on the former site. A fairness and equality impact assessment had been undertaken to inform this proposal. During the development phase of the new school, Newport City Council has employed a Welsh Language Promotion Officer who will be engaging with diverse and minority communities to better understand real or perceived barriers to Welsh medium education, working closely with the Gwent Ethnic Minority Support Service who currently offer EAL support in our English medium schools to explore potential support options, and identifying best practice in other areas of Wales that are faced with similar challenges. In support of this, the consultation process was multi-lingual in terms of both the drop-ins and the documentation and was supported by the Connected Communities Team. Languages included Hindi, Urdu, Punjabi, Arabic, Bengali, Czech, Polish, Slovak, Kurdish, Somali, and Welsh.

The preferred option will see an increase in numbers of staff, providing valuable job opportunities within the organisation and wider community. The new school will offer a range of standard roles requiring Welsh language skills helping to contribute to the Council's equality objectives and the People and Business Change Service Plan 2018-22 objectives including a workforce that will be representative of the population we serve, improving access to services in the medium of Welsh and promoting and increasing the use of Welsh in Newport. A temporary governing body of any new school will need to consider and agree the structure based on the staffing budget allocated. This new structure will contain posts that are established roles within the Council with agreed job descriptions and terms and conditions of employment. Any posts should be filled through standard recruitment processes including potential redeployment for relevant staff.

The relocation of Pillgwenlly Primary School will have no impact on the level or grading of staffing within the school.

Local issues

This is a City-wide proposal.

Scrutiny Committees

None

Equalities Impact Assessment

The Equality Act 2010 contains a Public Sector Equality Duty, which came into force on 06 April 2011. The Act identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership. The new single duty aims to integrate consideration of equality and good relations into the regular business of public authorities. Compliance with the duty is a legal obligation and is intended to result in better-informed decision-making and policy development and services that are more effective for users. In exercising its functions, the Council must have due regard to the need to: eliminate unlawful discrimination, harassment, victimisation and other conduct that is prohibited by the Act; advance equality of opportunity between persons who share a protected characteristic and those who do not; and foster good relations between persons who share a protected characteristic and those who do not. The Act is not overly prescriptive about the approach a public authority should take to ensure due regard, although it does set out that due regard to advancing equality involves: removing or minimising disadvantages suffered by people due to their protected characteristics; taking steps to meet the needs of people from protected groups where these differ from the need of other people; and encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low. A Fairness & Equality Impact Assessment (FEIA) has been developed and updated.

Children and Families (Wales) Measure

Pupils at the schools identified as being affected by this proposal were engaged as part of the formal consultation process. If this proposal is approved, children at Pillgwenlly Primary School will have the opportunity to be involved in the design plans for the new school.

Wellbeing of Future Generations (Wales) Act 2015

Report writers need to indicate how they have considered the five things public bodies need to think about to show they have applied the sustainable development principle put into place by the Act. You will need to demonstrate you have considered the following:

- Long term: the importance of balancing short- term needs with the need to safeguard the ability to also meet long – term needs. **The proposal to establish an additional Welsh-medium primary school will increase the availability of Welsh-medium primary school places by 50% across the City. This will address the commitments outlined in the WESP and supports Welsh Government's charter of achieving 1 million Welsh speakers across Wales by 2050. The proposal will also provide Welsh-medium LRB provision that will be the first Welsh-medium LRB in Newport serving short-term needs and providing enough space for future needs. The proposal to relocate Pillgwenlly Primary School will enable the school to grow to a 3-form entry arrangement as outlined in the Council's 21st Century Schools Band B programme. The school is currently oversubscribed, and in many cases, siblings are forced to attend different schools. Creating additional places in this school will ease this problem, and will have a positive impact on attendance, punctuality and parental engagement.**
- Prevention: How acting to prevent problems occurring or getting worse may help us meet our objectives. **The need for Welsh-medium education has grown significantly in recent years and there is currently no Welsh-medium education within the Caerleon or Pillgwenlly area. The proposal will therefore stimulate demand from pupils living in both of these areas, as children will have the opportunity to attend a Welsh-medium school local to their home address.**

The proposal will deliver 430 additional pupil places that will provide capacity for accelerated and long-term growth in Welsh-medium education over future years and potentially relieve pressure on other schools. Currently there is no Welsh-medium LRB provision in Newport; therefore, this proposal will prevent possible problems of no Welsh-medium provision being available if requested.

- **Integration: Consider how the proposals will impact on our wellbeing objectives, our wellbeing goals, other objectives or those of other public bodies. A formal statutory consultation process was carried out with key stakeholders, the outcome of which is described in detail in the consultation report. This proposal supports the “A prosperous Wales”, “A more equal Wales”, “A Wales of cohesive communities” and “A Wales of vibrant culture and thriving Welsh Language” Well-being Goals and has no adverse effect on any of the other Well-being Goals. In addition, this proposal supports the Newport City Council Well-being Objective “To improve skills, educational outcomes and employment opportunities”.**
- **Collaboration: have you considered how acting in collaboration with any other person or any other part of our organisation could help meet our wellbeing objectives. A formal statutory consultation process was carried out with key stakeholders, the outcome of which is described in detail in the consultation report. This is supported by an updated FEIA that considers in detail the impact of the proposal. The proposal has been developed in response to representations from a range of stakeholders including the Newport Welsh Education Forum and accords with the commitment outlined in the WESP.**
- **Involvement: The importance of involving people with an interest in achieving the wellbeing goals, and ensuring that those people reflect the diversity of the City we serve. A formal statutory consultation process was carried out with key stakeholders, the outcome of which is described in detail in the consultation report. This is supported by an updated FEIA that considers in detail the impact of the proposal. This period of formal consultation offered the opportunity for engagement with all stakeholders and included a series of drop-in events where people were able to find out more information about the proposal and how it might affect them. The subsequent statutory notice period offered an opportunity for stakeholders to lodge legal objections against the proposal. There were no legal objections launched in this case.**

Crime and Disorder Act 1998

Section 17(1) of the Crime and Disorder Act 1998 imposes a duty on the Local Authority to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.

Consultation

This proposal has been subject to a full programme of stakeholder engagement as required under the statutory School Organisation Code. The results of this consultation are outlined in detail in the consultation report.

Background Papers

Updated FEIA (attached)

Dated: June 2020