

## CABINET

<b>Date of Meeting</b>	Tuesday, 26 September 2017
<b>Report Subject</b>	School Organisation
<b>Cabinet Member</b>	Cabinet Member for Education
<b>Report Author</b>	Chief Officer (Education and Youth)
<b>Type of Report</b>	Strategic

### EXECUTIVE SUMMARY

The Cabinet Secretary for Education has recently announced a new funding initiative to promote innovation and raise standards in small and rural schools. The report outlines the conditions attached to the funding by Welsh Government and an overview of the Council's bid for funding for small and rural schools in Flintshire.

The Cabinet Secretary has also issued proposals to consult Local Authorities in respect of proposed changes to the School Organisation Code which will emphasise the requirement for Councils to consider federation as part of the Legal Framework for organisational change.

The report also outlines some positive developments in the creation of new school federations within the Council's school network.

### **RECOMMENDATIONS**

1	That Cabinet acknowledges the WG intervention for small and rural schools and the proposed consultation to amend the School Organisation Code.
2	That Cabinet acknowledges the progress towards school federal arrangements.
3	That Cabinet underpins its previous decision to provide a mandate for officers to consult via statutory proposals for Lixwm & Brynford.
4	That Cabinet maintains its previous decision on Nercwys VA to allow more time for the Council, Diocesan Authority and the school's Governing Body to follow through strategic options for collaboration and sustainability of its school estate.

## REPORT DETAILS

<b>1.00</b>	<b>EXPLAINING THE NATIONAL STRATEGY ON SMALL AND RURAL SCHOOLS</b>
1.01	In her Oral Statement in Plenary the Cabinet Secretary for Education set out her plans for a national strategy for small and rural schools recognising that schools in different parts of Wales face different challenges. The National Strategy for Small and Rural Schools supports the Welsh Government's wider aim to strengthen and extend school to school relationships and prioritise education leadership in order to raise standards and tackle the attainment gap.
1.02	As part of the National Strategy the Cabinet Secretary announced new funding of £2.5m for 2017/18 to promote innovation and raise standards in small and rural schools in Wales.
1.03	<p>This funding is to be used to facilitate and encourage innovation and change which is beneficial to small and rural schools, their pupils and the communities they serve. The key purposes of the grant funding are:</p> <ol style="list-style-type: none"><li>1. To encourage innovation</li><li>2. To support greater school to school working</li><li>3. To provide additional administrative support in schools where the head teacher has a significant timetabled teaching commitment of at least 10% of the timetable</li><li>4. To increase the community use of school buildings whether for education or non-education purposes.</li></ol>
1.04	Local authorities will administer the grant on the Welsh Government's behalf. £2.5 million has been made available for the period 01 April 2017 to 31 March 2018.
1.05	<p>The Welsh Government have determined the distribution of grant to Councils using a formula incorporating factors for sparsity and school size as follows:</p> <ul style="list-style-type: none"><li>• 70% by reference to sparsity (based on the population in each local authority outside settlements above the thresholds of a specified population from the 1991 Population Census); and</li><li>• 30% by reference to the number of (primary), schools maintained by the local authority with fewer than 90 pupils;</li></ul> <p>On that basis up to £144,599 would be available to the Council.</p>
1.06	<p>WG requested that Council's submit their pro-forma outlining their planned expenditure of this grant, indicating:</p> <ul style="list-style-type: none"><li>• the basis of distribution and total funding allocated to schools;</li><li>• a brief description of specific projects supported and estimated</li></ul>

	<p>costs and</p> <ul style="list-style-type: none"> <li>• under which of the four purposes the funding falls for each project.</li> </ul>
1.07	The Council submitted its application for £144, 599 with 2017/18 and in August 2017 the WG approved the Council's submission. See detailed briefing document: Appendix 1.
1.08	There has not yet been official confirmation of this funding continuing next year but WG have inferred that they hope it will continue.
1.09	<p><b><u>Explaining Proposed Changes to the School Organisational Code</u></b></p> <p>The School Standards and Organisation (Wales) Act 2013 requires that the Welsh Ministers issue a School Organisation Code. The code imposes requirements on how relevant bodies (the Welsh Ministers, local authorities, governing bodies and other promoters) must act. It also includes practical guidance to which relevant bodies 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.</p>
1.10	The current School Organisation Code came into force on 1 October 2013. A recent review of the Code has resulted in a proposal to strengthen the Code in respect of a presumption against closure of rural schools.
1.11	WG require responses to the proposed changes in the School Organisation code by 30 <sup>th</sup> September 2017.
1.12	<p><b><u>Progress on School Federations</u></b></p> <p>School governors have had powers to federate by choice under provisions introduced in 2010. The Federation of Maintained Schools (Wales) Regulations 2014 gives Councils powers to federate schools.</p>
1.13	Until recently there has only been one example within Flintshire of governors using their powers to federate under the Act. A formal federation between Ysgol Mornant and Ysgol Maes Garmon was agreed during the process of statutory proposals to close Ysgol Mornant.
1.14	The Council will endeavour to support federation when there is mutual agreement between school governing bodies.
1.15	<p><b><u>Ysgol Treolgan &amp; Ysgol Gronant</u></b>  <b><u>Ysgol Gwernymynydd &amp; Ysgol y Waun (Gwernaffield)</u></b></p> <p>The Governing Bodies of Ysgol Gronant and Ysgol Trelogan and Ysgol Y Waun and Gwernymynydd CP agreed to carry out a consultation on a proposal to establish a Federation in their respective schools/areas.</p>

1.16	In the case of Ysgol Gronant/Ysgol Trelogan, the schools shared a Headteacher in an informal arrangement and felt it appropriate to formalise this arrangement through a federal arrangement due to the planned retirement of the Headteacher. Similarly for Ysgol Y Waun and Gwernymynydd CP, the Headteacher of Gwernymynydd CP had been offered another position, therefore governors having explored all options considered that federation was the best route to offer a sustainable solution for the area.
1.17	The consultation for the federations was completed in accordance with the Federation of Maintained Schools (Wales) Regulations (2014). For of Ysgol Gronant and Ysgol Trelogan this commenced 8 <sup>th</sup> May 2017 and closed on 12 <sup>th</sup> June 2017 and Ysgol Y Waun, Gwernaffield and Gwernymynydd CP this commenced 23 <sup>rd</sup> May 2017 and ended 10 <sup>th</sup> July 2017.
1.18	The Governors of the schools were assisted by officers from the Education and Youth Portfolio who provided administrative support and guidance in respect of the process. Consultation documents for each proposed federation were developed and made available to all parents/carers and key stakeholders. A version of the consultation document for each proposed federation was produced for children and young people who were likely to be affected by the proposal.
1.19	Consultation events were arranged with the respective School Councils at the four schools and consultation meetings for parents/carers were arranged at the four schools during the consultation period. Officers from Education and Youth attended to support the Governing Bodies.
1.20	A joint meeting of the governing bodies at Ysgol Gronant and Ysgol Trelogan was held 28 <sup>th</sup> June 2017. This was replicated by the governors of Ysgol Y Waun and Gwernymynydd CP on 17 <sup>th</sup> July 2017. At both meetings the responses received during the consultation period were considered before all governors unanimously agreeing to form a federation.
1.21	For Ysgol Gronant and Ysgol Trelogan, Federation will be officially be implemented on 8 <sup>th</sup> January 2018. For Ysgol Y Waun, Gwernaffield and Gwernymynydd CP Federation will be officially implemented on 8 <sup>th</sup> February 2018. Each Federation will be managed by one Executive Headteacher.
1.22	<p><b><u>Brynford CP and Lixwm CP</u></b></p> <p>In December 2016, Cabinet, having carefully reviewed the feedback received from the consultation, determined to commission consultation on statutory proposals for school organisation change for September 2017 based on Option B – Area school on two sites i.e. Ysgol Rhos Helyg, Rhosesmor remaining as it is and Brynford and Lixwm CP Schools amalgamated to form one school on a second site.</p> <p>However, if proposals for a federation between Brynford CP or Lixwm CP were to be submitted from both governing bodies prior to consultation on statutory proposals commencing in September 2017, this would be considered by Cabinet at that time.</p>

1.23	In response to the National Strategy for Small and Rural Schools, officers met with the Chair of Governors of both schools.
1.24	At this meeting officers confirmed that they would be willing to support the governors through the federation process and also bid for funding to WG in 18/19 via this grant (should it continue to be available) if there is mutual agreement between the governing bodies to pursue a formal federation.
1.25	The Governors of Lixwm were in favour of federation. However, the initial view of the Governors of Brynford was that they were not in favour of a federation. However, the governors of Brynford held two meetings with their parents and carers one before the end of term and the other in early September to gauge opinion before formalising their response to the Council. The Governors having carefully gauged the opinion of their community have not changed their opinion and have written in confirming that they do not wish to pursue a Federal arrangement with Lixwm CP. Attached governing bodies correspondence – Appendix 2
1.26	Although the Council has powers to consult on federation, it would not seek to pursue a federation where there is no mutual agreement.
1.27	Should there be no mutual agreement, officers will revert to the original Cabinet determination December 2016 and statutory consultation will commence in Autumn 2017. Should a viable federation emerge during this process then Cabinet can be given the opportunity to reconsider.
1.28	<b><u>Nercwys VA</u></b>  In October 2016, a report was presented to Cabinet highlighting the progress of discussions undertaken to date between the Council, Diocesan Authority and the school's Governing Body which requested a pause to the review on Nercwys VA and allow more time to follow through strategic options for collaboration and sustainability of its school estate. Cabinet resolved that that the request to pause the review and allow more time to follow through strategic options for collaboration and sustainability of its school estate be approved.
1.29	The Diocesan Authority and the Governors of Nercwys VA have held positive discussions around the potential to form a formal federation with a suitable partner and early discussions with another school have begun. Governors have agreed, in principal, to collaborate more closely with another school and to set up a joint sub-committee to foster closer collaborative working between the two schools. Following on from this, a joint governing body is to be held in the Autumn in which federation will be discussed. The recommendation would be to continue to support this collaboration and to support the development of a proposal progress the collaborative arrangements into consultation on federation.

<b>2.00</b>	<b>RESOURCE IMPLICATIONS</b>
2.01	There are no resource implications associated with this report.

<b>3.00</b>	<b>CONSULTATIONS REQUIRED / CARRIED OUT</b>
3.01	Consultation for the federations was completed in accordance with the Federation of Maintained Schools (Wales) Regulations (2014).
3.02	School Organisational Change models required formal Consultation within the Legal Framework of the School Organisational Code.

<b>4.00</b>	<b>RISK MANAGEMENT</b>
4.01	Consultation and progress on School federal arrangements are reported to the Education and Youth Programme Board.

<b>5.00</b>	<b>APPENDICES</b>
5.01	Appendix 1 – Small and Rural School funding briefing paper Appendix 2 – Letters from Lixwm C.P. and Brynford C.P. Governing Bodies.

<b>6.00</b>	<b>LIST OF ACCESSIBLE BACKGROUND DOCUMENTS</b>
6.01	None.  <b>Contact Officers:</b> Damian Hughes <b>Telephone:</b> 01352 704135 <b>E-mail:</b> <a href="mailto:damian.hughes@flintshire.gov.uk">damian.hughes@flintshire.gov.uk</a>

<b>7.00</b>	<b>GLOSSARY OF TERMS</b>
7.01	<p><b>Federation and Collaboration</b> - The federation of schools is a legal process which enables schools to work together through a formal structured process by sharing a governing body that will make decisions in the best interest of all the schools, staff and pupils in that federation.</p> <p>The term federation is often used to describe many forms of collaboration between schools. The Statutory process of Federation is often referred to as “Hard Federation” An informal, non-statutory arrangement between schools is often called “soft federation” or collaboration, where schools have made a commitment to work together through some form of joint governance.</p> <p><b>School Organisation Code</b> – The new School Standards and Organisation (Wales) Act 2013 makes Local Authorities responsible (rather than the Welsh Ministers prior to October 2013) for the determination of most statutory school organisation proposals that receive objections. Such</p>

provisions apply to any proposals published on or after 1<sup>st</sup> October 2013 that consider the establishment, discontinuance or otherwise significantly alter schools.

The Council does this in line with the Welsh Government's statutory School Organisation Code

<http://wales.gov.uk/docs/dcells/publications/130719-school-organisation-codes-en.pdf>