

CYNGOR SIR POWYS COUNTY COUNCIL.

CABINET EXECUTIVE

9th February 2021

**REPORT AUTHOR: County Councillor Phyl Davies
Portfolio Holder for Education and Property**

REPORT TITLE: Llanbedr C. in W. School – Proposal Paper

REPORT FOR: Decision

1. Purpose

1.1. This paper requests Cabinet approval to commence the statutory process on the following proposal:

- To close Llanbedr C. in W. School from the 31st August 2022, with pupils to transfer to their nearest alternative schools

1.2. The report is supported by the following appendices:

- Appendix A – Options Appraisal
- Appendix B – Draft Community Impact Assessment
- Appendix C – Draft Integrated Impact Assessment
- Appendix D – Pre-consultation response from the Diocese of Swansea and Brecon
- Appendix E – Council response to the issues raised in Appendix D

2. Background

Strategy for Transforming Education in Powys

2.1. On the 14th April 2020, a new Strategy for Transforming Education in Powys was approved by the Leader via a delegated decision.

2.2. The Strategy was developed following extensive engagement with a range of stakeholders during two separate periods between October 2019 and March 2020.

2.3. The Strategy sets out a new vision for education in Powys, which is as follows:

‘All children and young people in Powys will experience a high quality, inspiring education to help develop the knowledge, skills and attributes that will enable them to become healthy, personally fulfilled,

economically productive, socially responsible and globally engaged citizens of 21st century Wales.'

2.3 The Strategy also sets out a number of guiding principles which will underpin the transformation of education in Powys. These are as follows:

- *A world class rural education system that has learner entitlement at its core*
- *Schools that are fully inclusive, with a culture of deep collaboration in order to improve learner outcomes and experience*
- *A broad choice and high quality of provision for 14 – 19 year old learners, that includes both academic and vocational provision, meeting the needs of all learners, communities and the Powys economy*
- *Welsh-medium provision that is accessible and provides a full curriculum in Welsh from Meithrin to age 19 and beyond*
- *Provision for learners with Special Educational Needs (SEN)/Additional Learning Needs (ALN) that is accessible as near to home as is practicably possible, with the appropriate specialist teaching, support and facilities that enables every learner to meet their potential*
- *A digitally-rich schools sector that enables all learners and staff to enhance their teaching and learning experience*
- *Community-focused schools that are the central point for multi-agency services to support children, young people, families and the community*
- *Early years provision that is designed to meet the needs of all children, mindful of their particular circumstances, language requirements or any special or additional learning needs*
- *Financially and environmentally sustainable schools*
- *The highest priority is given to staff wellbeing and professional development*

2.4. The new Strategy sets out a number of Strategic Aims and Objectives, to shape the Council's work to transform the Powys education system over the coming years. One of these Aims is to '*improve learner entitlement and experience*' and includes an objective to '*rationalise primary provision*'.

3. The Case for Change

3.1 WHY CHANGE IS NEEDED IN LLANBEDR

The following is a summary of the main challenges facing Llanbedr C. in W. School:

i) Low pupil numbers

Current pupil numbers¹ at Llanbedr C. in W. School are as follows:

	N1	N2	R	1	2	3	4	5	6	Total N-Yr 6	Total R-Yr 6
Llanbedr C in W. School	1	4	5	2	11	7	4	7	4	45	40

(As a Voluntary Aided School, Llanbedr C. in W. School is responsible for its own admissions arrangements and admits nursery aged pupils to the school, however these pupils are not funded by the Council. Information about nursery aged pupil numbers is provided here for information)

The Welsh Government defines a ‘small school’ as a school with less than 91 pupils. Pupil numbers are lower than this, and the latest projected pupil numbers suggest that pupil numbers are not expected to increase significantly over the coming years.

ii) High budget share per pupil

Based on the Council’s Section 52 Budget Statement for 2020-21, the school’s budget share per pupil during 2020-21 was £5,948. This is higher than the Powys average of £4,264. Llanbedr C. in W. School is ranked the 16th highest school in Powys by budget share per pupil².

iii) Combined age classes

The small pupil numbers at the school mean that pupils are taught in whole key stage classes, with Key Stage 2 in one class and Foundation Phase in another class. Because pupil numbers in each year group are small, it is more difficult to ensure all pupils are appropriately challenged.

iv) Leadership

Whilst there is permanent leadership in place in Llanbedr C. in W. School, the headteacher has a significant teaching commitment, which limits the time available to focus on leadership of the school.

4. Information about Llanbedr C. in W. School

¹ Finance NOR – 2020 Pupil Count Day (6th November 2020)

² Section 52 Budget Statement 2020/2021

The following is a summary of key data relating to Llanbedr C. in W. School:

Pupil Numbers

i) Current pupil numbers³

	N1	N2	R	1	2	3	4	5	6	Total N-Yr 6	Total R-Yr 6
Llanbedr C in W. School	1	4	5	2	11	7	4	7	4	45	40

(As a Voluntary Aided School, Llanbedr C. in W. School is responsible for its own admissions arrangements and admits nursery aged pupils to the school, however these pupils are not funded by the Council. Information about nursery aged pupil numbers is provided here for information)

ii) Historical pupil numbers⁴

	Jan. 2014	Jan. 2015	Jan. 2016	Jan. 2017	Jan. 2018	Jan. 2019	Jan. 2020
Llanbedr C. in W. School	39	41	40	39	43	42	46

iii) Projected pupil numbers (Birth rate)⁵

		Jan. 2021 ⁶	Jan. 2022	Jan. 2023	Jan. 2024	Jan. 2025
Llanbedr C. in W. School	N – Yr 6	42	42	39	38	36
	R – Yr 6	37	37	34	33	31

³ Finance NOR – 2020 Pupil Count Day (6th November 2020)

⁴ PLASC (R – Yr6)

⁵ Powys Schools Service Projections based on PLASC 2020 & Birth Rates

⁶ These are the projected figures based on PLASC 2020 information, therefore include a projection for January 2021. PLASC 2021 information and projected pupil numbers based on PLASC 2021 are not yet available.

(As a Voluntary Aided School, Llanbedr C. in W. School is responsible for its own admissions arrangements and admits nursery aged pupils to the school, however these pupils are not funded by the Council. Information about nursery aged pupil numbers is provided here for information)

iv) Projected pupil numbers (Finance projections)⁷

	Jan. 2021	Jan. 2022	Jan. 2023	Jan. 2024	Jan. 2025
Llanbedr C. in W. School (R – Yr6)	40	39	36	N/A	N/A

Building Capacity and Condition

i) Capacity

The following table provides information about the school’s current capacity:

		Current Capacity⁸	Currently Filled	Surplus Capacity
Llanbedr C. in W. School	N – Yr 6	57	45 (78.9%)	12 (21.1%)
	R – Yr 6		40 (70.2%)	17 (29.8%)

ii) Building condition⁹

In 2009, Welsh Government carried out condition and suitability assessments of the school.

⁷ Powys Finance Projections based on data provided by the school – February 2021 (R – Yr6)

⁸ Welsh Government School Places Return – August 2020

⁹ Premises Data Return to Welsh Government – 2020

	Condition	Suitability	Access to hall on site
Llanbedr C. in W. School	B Good	B/C	Yes

Standards of Education

i) Estyn

	Llanbedr C. in W. School
Date of Inspection	April 2014
Standards	Adequate
Wellbeing	Good
Learning experiences	Good
Teaching	Adequate
Care, support and guidance	Good
Learning environment	Good
Leadership	Good
Improving quality	Good
Partnership working	Good
Resource management	Adequate
Follow up activity	School will draw up an action plan to address the recommendations. Estyn will monitor progress. The school was removed from Estyn monitoring in July 2015.

ii) School Categorisation¹⁰

¹⁰ 2019. Categorisations were not carried out in 2020 due to Covid-19.

	Standards Group	Improvement Capacity	Support Capacity
Llanbedr C. in W. School	N/A	A	Green

Financial information

i) Cost per pupil¹¹ (Section 52 Budget Statement, 2020/2021)

	Budget share per school	Budget share per pupil	Notional SEN budget	Non ISB funds devolved to the school
Llanbedr C. in W. School	£232,000	£5,948	£14,000	£3,000
Powys average (Primary)	N/A	£4,264	N/A	N/A

5. Statutory Process for School Organisation Proposals

5.1 The process for school organisation proposals is set out by the Welsh Government in the School Organisation Code (2018). The process is summarised below:

i) Consultation

Consultation would be carried out with stakeholders as required by the Code. This includes consultation with the pupils at both schools, to ensure that their views are taken into account, in accordance with the United Nations Convention on the Rights of the Child.

Feedback from the consultation would be collated and summarised, and a report would be presented to the Cabinet. Cabinet will consider the report and the feedback received during the consultation period, and will decide whether to proceed with the proposal, to make changes to the proposal or to not proceed with the proposal.

¹¹ Section 52 Budget Statement 2020/2021

If Cabinet decides not to proceed, that will be the end of this proposal.

ii) Statutory Notice

If Cabinet decides to proceed, a Statutory Notice would be published, which would give a period of 28 days for people to submit written objections.

If there were objections, the authority would publish an objection report providing a summary of the objections and the authority's response to them. A further report would be presented to the Cabinet, which they would consider alongside the objection report, in order to decide whether or not to approve the proposal.

iii) Implementation

If Cabinet approves the proposal, it would be implemented in accordance with the date given in the Statutory Notice or any subsequently modified date.

6. Presumption against closure of Rural Schools

The School Organisation Code (2018) includes special arrangements in regard to schools identified in Appendix F of the Code as rural schools, which require proposers to follow a more detailed set of procedures and requirements in formulating a rural school closure proposal and in consulting on and reaching a decision as to whether to implement a rural school closure proposal.

As indicated in the Code:

'This does not mean that a rural school will never close but the case for closure must be strong and all viable alternatives to closure must have been conscientiously considered by the proposer, including federation.'

The School Organisation Code includes a number of steps required to be taken when formulating a rural school proposal which relate to the following headings:

- Formulating the proposal
- Identifying reasonable alternatives
- Preparing a proposal paper for the decision maker

As the School Organisation Code identifies Llanbedr C. in W. School as a rural school, the additional requirements for rural schools have been addressed when developing the proposal paper.

7. Process of identifying preferred option

7.1 Officers have carried out an options appraisal on identified reasonable options for Llanbedr C. in W. School, including the possibility of federation. This is attached to this report as Appendix A.

7.2 The options appraisal includes the following:

- Consideration of key data
- Identification of reasonable options
- SWOT analysis of each option
- Assessment of each option against a number of critical success factors
- Identification of an emerging preferred option
- Further consideration of the emerging preferred option against factors listed in the School Organisation Code (2018) as factors to be taken into account when developing school organisation proposals.

7.3 Based on the options appraisal carried out and further consideration against the factors outlined in the School Organisation Code, the preferred option is as follows:

Close Llanbedr C. in W. School, pupils to attend nearest alternative schools

7.4 The reasons for this are:

- Would address the issue of low pupil numbers at Llanbedr C. in W. School
- Would reduce the Council's overall surplus capacity in primary schools
- Revenue saving to the Council
- Pupils would attend larger schools, which would be better equipped to meet the requirements of the new curriculum
- Pupils would attend larger schools, which could provide a wider range of educational and extra-curricular opportunities
- Meets all of the Critical Success Factors

7.5 A draft Community Impact Assessment has been carried out on the preferred option, which considers the impact on the community. This has been developed with input from the school. This is attached as Appendix B.

7.6 The draft Community Impact Assessment includes the following conclusion:

'It is clear that a wide range of extra curricular activities are available to pupils at Llanbedr. Should there be no school in Llanbedr, pupils would

transfer to alternative schools. These would be larger schools, and the expectation is that at least a similar range of activities would be available for pupils. However, it is acknowledged that pupils would need to travel to the alternative schools, which could impact on their ability to access activities, particularly where these take place after school.

Should the proposal be implemented, this would mean that there would be no school provision in the village of Llanbedr. The information provided above indicates that there is currently extensive community use of the Llanbedr building, and extensive links between the school and the local community. As a Church in Wales School, the Llanbedr School building is owned by the Diocese, therefore the Diocese would need to determine the building's future use, and therefore whether or not facilities would remain in Llanbedr. There is a village hall located in Llanbedr, therefore should the school no longer be available, community events and activities could take place at the hall.

It is also acknowledged that implementation of the proposal would result in additional travel to school for pupils for whom Llanbedr is currently their closest school. Whilst free home to school transport would be provided to eligible pupils in accordance with the home to school transport policy which is in operation at that time, it is acknowledged that there could be an impact on some pupils' ability to access after school activities, and could impact on the ability of parents to take part in school events, meetings etc.'

- 7.7 As Llanbedr C. in W. School has a religious character, the School Organisation Code includes the following requirements:

'In the case of proposals to reorganise schools for which land and/or buildings are held on trust or which have a designated religious character, the proposer **must** conduct consultation with the trustees and/or appropriate religious body before the consultation document is published. The proposer **must** allow 28 days for the receipt of comments and **must** have due regard to those comments before any decision is made to proceed to general consultation.'

- 7.8 Consultation has been carried with the Diocese of Swansea and Brecon, the response received is provided in Appendix D. The Council's response to the issues raised is provide in Appendix E.

8. Advice

- 8.1 It is advised that Cabinet approves a recommendation to commence the statutory process on the following proposal:

- To close Llanbedr C. in W. School from the 31st August 2022, with pupils to transfer to their nearest alternative schools

- 8.2 The reasons for this are:

- Would address the issue of low pupil numbers at Llanbedr C. in W. School
- Would reduce the Council's overall surplus capacity in primary schools
- Revenue saving to the Council
- Pupils would attend larger schools, which would be better equipped to meet the requirements of the new curriculum
- Pupils would attend larger schools, which could provide a wider range of educational and extra-curricular opportunities
- Meets all of the Critical Success Factors

8.3 Should the recommendation to commence the statutory process be approved, it is anticipated that consultation would commence in February / March 2021.

8.4 It must also be noted that implementation of this proposal does not preclude that school from being a part of future reorganisation proposals.

9. Resource Implications

9.1 The amount of funding provided to schools is driven by the funding formula. Any change to the formula funding provided will impact on the Council's revenue budget. Based on the current formula, it is estimated that implementation of the proposal would result in annual revenue savings to the Council of around **£101,100**. This overall figure comprises a potential saving on Schools' delegated funding of over £153,500, estimated additional transport costs of £43,700, potential loss of funding for pupils that may move out of county of £17,700 and savings on catering costs of around £9,000.

9.2 The school has a cumulative surplus balance of £5,673 and has submitted a budget plan that shows this reducing to £3,800 by the 31st March 2021.

9.3 The Scheme for Financing Schools also states the following in section 3.7.2:

'In order to ensure effective stewardship of the resources available to schools, the Authority may impose additional restrictions on a school scheduled to close, including but not limited to:

- Restriction of expenditure to agreed plans
- Removal of powers of virement'

The Council will consider the use of these powers of intervention where appropriate.

- 9.4 Implementation of the proposal would require involvement from a number of service areas, including staff from the Schools Service, Finance, HR and ICT. These service areas will be kept informed of the development of the proposal throughout the statutory process.
- 9.5 The Head of Finance (Section 151 Officer) notes the content of the report and can support the recommendation.

10. Legal implications

- 10.1 Legal : The recommendation can be supported from a legal point of view
- 10.2 The Head of Legal and Democratic Services (Monitoring Officer) has commented as follows: “ I note the legal comment and have nothing to add to the report”.

11. Comment from local member(s)

- 11.1 Cllr John Morris:

‘I am sure this excellent school will put forward a strong defence if you decide to proceed with this process.

However I wish to point out that in my opinion the decision to proceed at this stage is flawed.

- 1 This process is being carried out when we are in lockdown and will likely to be so for some considerable months. This does not allow public meetings in an area that has poor internet connectivity. This puts the school and community at a serious disadvantage when compared with previous school closure processes. There is no proposal in this report that allows for Covid restrictions and puts the council at risk of legal action.
- 2 The report does not provide adequate explanation or spaces for pupils who wish to attend church schools in the area. The response to the Diocese states that spaces are available at Llangattock CoW school however the school is almost full and could not accommodate the numbers from Llanbedr. This response is incorrect.
- 3 The schools transformation programme for the Crickhowell catchment area is not only not available but not even on the horizon at present. By proceeding with this process the council are prejudging the outcome of any future decisions on the catchment area. There is no whole cluster plan.
- 4 When the decision was taken to review catchment areas across Powys some years ago it was accepted at the time that if a school

became very small, around 20, then even if it was outside the clusters being considered it could be reviewed. Llanbedr School does not fit with this process as it has over 40 pupils and therefore it is premature to review the school at this time.

I therefore request that in light of the issues raised above the cabinet defer the decision to move the statutory process for Llanbedr Church in Wales Primary School at this time.'

12. Integrated Impact Assessment (draft)

12.1 An initial impact assessment in respect of the recommendation is attached as Appendix C. The impact assessment considers the proposal's impact on the Welsh Government's well-being goals, as outlined in the Well-being of Future Generations Act.

12.2 The summary of the impact assessment is as follows:

'The aim of the proposal is to improve the educational provision for learners. However, whilst this impact assessment has identified some positive aspects, in particular relating to learning and skills and ensuring the best strategic management of the Powys schools estate, the assessment has also identified some negative aspects. These primarily relate to the impact on the community of Llanbedr due to loss of educational provision from the village, and the associated additional travel requirements for pupils.'

12.3 Should Cabinet approve the commencement of the statutory process in respect of the recommendation, the impact assessment would be updated throughout the process, to take account of feedback received.

13. Recommendation

13.1 It is recommended that Cabinet approves commencing the statutory process on the following proposal:

- To close Llanbedr C. in W. School from the 31st August 2022, with pupils to transfer to their nearest alternative schools

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