

CYNGOR SIR POWYS COUNTY COUNCIL.

CABINET EXECUTIVE

8 February 2022

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

REPORT TITLE: Llanfihangel Rhydithon C.P. School

REPORT FOR: Decision

1. Purpose

- 1.1 Further to the decision made by Cabinet on the 28th September 2021, the Council published a Statutory Notice proposing to close Llanfihangel Rhydithon C.P. School from the 31st August 2022, with pupils to attend their nearest alternative schools.
- 1.2 The purpose of this report is to inform Cabinet members of the outcome of the statutory objection period and objections received.
- 1.3 The report includes a recommendation to proceed with implementation of the proposal to close Llanfihangel Rhydithon C.P. School from the 31st August 2022.
- 1.4 The report is supported by the following appendices:
- **Appendix A** – Statutory Notice
 - **Appendix B** – Objection Report
 - **Appendix C** – Updated Impact Assessments

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. The Strategy sets out a new vision education in Powys, 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 new 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 the Strategic Aims of the Strategy is to '*improve learner entitlement and experience.*' Within this aim, the Strategy sets out a Strategic Objective to '*rationalise primary provision.*'

2.5 On the 9th February 2021, the Council's Cabinet considered an options appraisal paper in respect of Llanfihangel Rhydithon C.P. School, and agreed to carry out consultation on the following:

- To close Llanfihangel Rhydithon C.P. School from the 31st August 2022, with pupils to attend their nearest alternative schools

The Consultation Period

- 2.7 Consultation on the proposal to close Llanfihangel Rhydithon C.P. School was carried out in accordance with the requirements of the School Organisation Code (2018) from the 14th April 2021 to the 2nd June 2021.
- 2.8 A Consultation Report listing the issues raised during the consultation and the Council's response to them was published. This was considered by Cabinet on the 28th September 2021.
- 2.9 At the meeting on the 28th September 2021, Cabinet agreed to proceed with the publication of a Statutory Notice in order to proceed with the process to close Llanfihangel Rhydithon C.P. School from the 31st August 2022, with pupils to attend their nearest alternative schools.

Statutory Notice

- 2.10 Further to the decision made by Cabinet on the 28th September 2021, the Council published a Statutory Notice proposing the following:

'i. To discontinue Llanfihangel Rhydithon Community Primary School, Dolau, Llandrindod Wells, Powys, LD1 5TW.'

It is proposed to implement the proposal on 31st August 2022.'

- 2.11 The Statutory Notice was published on the 21st October 2021 for a period of 28 days, in accordance with the guidance within the School Organisation Code (2018). A copy of the Statutory Notice is attached as Appendix A.
- 2.12 The objection period ended on the 18th November 2021.

Objections

- 2.13 284 objections were received during the statutory objection period.
- 2.14 Objections were received from the following:

- Parents and members of the community
- Llanfihangel Rhydithon C.P. School Governing Body
- Llanfihangel Rhydithon Community Council
- Llanbadarn Fawr Community Council
- Llanbdarn Fynydd Community Council
- Llanyre Community Council
- New Radnor Community Council
- Old Radnor Community Council
- Gladestry Community Council

- Llanddewi Ystradenni Community Council
- Nantmel Community Council
- Abbeycwmhir Community Council
- Llangynog Community Council
- Penybont and Llandegley Community Council
- Llangunllo and Bleddfa Community Council
- Pen-y-bont-fawr Community Council
- Llangynog Community Council
- Vale of Grwyney Community Council
- Jane Dodds MS
- Cllr Jake Berriman
- Cllr Hywel Lewis
- Cllr Kelvyn Curry
- Cllr Ange Williams

2.15 A summary of the objections received are included in Section 3 of the Objection Report (Appendix B), along with the Council's response to the issues raised in the Objections.

2.16 As outlined in the Objection Report, the main issues raised in the Objections are as follows:

1. Comments about Llanfihangel Rhydithon C.P. School
2. Impact on pupils
3. Travel implications
4. Impact on staff
5. Impact on the community
6. Comments about housing developments
7. Comments about the Curriculum for Wales
8. Comments about early years provision
9. Comments about small and rural schools
10. Comments about other schools pupils might transfer to
11. Impact on Llanelwedd C. in W. School
12. Financial impact
13. Comments about the process
14. Comments about meetings which have taken place as part of this process
15. Comments about documentation
16. Comments about other proposals
17. Comments about the Council's strategies
18. Criticism of the Council
19. Alternative options

3 Advice

3.1 Having considered the objections received, it is recommended that the Council proceeds with implementation of the proposal to close

Llanfihangel Rhydithon C.P. School from the 31st August 2022, as outlined in the Statutory Notice (Appendix A).

3.2 The reasons for this are as follows:

- To address the issue of low pupil numbers
- To reduce the Council's overall surplus capacity in primary schools
- To realise a financial saving to the Council
- To enable pupils to attend larger schools, which would be better equipped to meet the requirements of the new curriculum
- To enable pupils to attend larger schools, which could provide a wider range of educational and extra-curricular opportunities
- To enable pupils to attend schools with better quality accommodation
- The proposal meets all the Critical Success Factors

4. Resource Implications

4.1 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. A new funding formula for primary phase schools was agreed in December 2021 which changes the estimated savings previously provided.

4.2 Based on the current formula and the pupil numbers at the time of consultation on this proposal, it was estimated that implementation of the proposal would deliver annual revenue savings to the Council of around £59,000 per annum. The overall figure comprised a potential saving on Schools' delegated funding of over £52,000 and savings on catering costs of around £6,600.

Based on the newly agreed formula, the anticipated formula funding saving on this proposal is now estimated to be just under £70,000.

It continues to be anticipated that any additional transport requirements would be managed within the current arrangements and that the estimated savings on catering costs have not changed. The revised estimated saving, including catering is now approximately **£76,000**.

4.3 The school had a cumulative surplus balance of £40,972 as at the 31st March 2021. The budget approved by the Governing Body for the current year shows this decreasing to £38,999 by 31st March 2022.

4.4 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'

4.5 It is therefore proposed that:

- Spend at the school is restricted to that included in its approved budget plan and no virement of funds between budget headings is permitted unless approved by the Authority;
- Any staffing changes are subject to approval by the Authority;
- Any contracts awarded for the supply of goods or services are subject to approval by the Authority.

This will ensure that expenditure is limited to that which is absolutely necessary to protect Council resources.

4.6 Implementation of the proposal would require involvement from a number of service areas, including staff from the Schools Service, HR and Finance.

4.7 The Head of Finance (Section 151 Officer) notes the financial implications of the proposal and supports the proposals set out in section 4.5 above.

5. Legal implications

5.1 Legal: the recommendations can be accepted from a legal point of view.

5.2 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".

6. Comment from local member(s)

6.1 Cllr Hywel Lewis:

'As the Local Member for Llangunllo Ward which encompasses Dolau I am writing to **object** to the Notice of Proposal to Discontinue Llanfihangel Rhydithon CP School.

Being Local Member I was given the opportunity to present my concerns to Cabinet which I appreciate, however I come away from those Cabinet meetings feeling the whole process was merely a tick box exercise where the well-argued objections of consultees and my questions and comments were totally disregarded or merely brushed aside as of no consequence.

The Rural Schools Policy sets out a presumption against closure and requires that all viable alternatives have been conscientiously

considered and as Llanfihangel Rhydithon CP School is the only school in east Radnor with a Cylch Meithryn, further detailed investigation should take place into converting the school to a Welsh language facility over time as recommended by the Learning and Skills Scrutiny Committee.

Cabinet has only recently approved the Welsh in Education Strategic Plan, and as this viable option was not conscientiously and diligently considered it would seem the Council is undermining its own strategy. Paying lip service to a policy while dismissing opportunities to implement that policy, is unacceptable.

It is also unacceptable that whilst commenting on the likely impact of option 18.6 a) that the Education Department was unclear whether staff at the school had the appropriate language skills to deliver the curriculum through the medium of Welsh. Had the Welsh language option been conscientiously carried out it would have become clear that two teachers are fluent in the Welsh language, and three members of staff have gone through the Welsh Sabbatical Scheme.

Llanfihangel Rhydithon CP School and Llanelwedd Church in Wales School have had a shared arrangement which has worked to the benefit of both schools for the past six and a half years, this shared arrangement has delivered savings against budget for both schools. The Director of Education for the Diocese of Swansea has confirmed that communication with Powys County Council Education Department regarding Llanfihangel Rhydithon CP School becoming a Church in Wales School in order to facilitate Federation, have taken place, yet despite this, the Council are implying that it was unaware that the school was interested in becoming a Church in Wales School.

During the Cabinet meeting of 28th October, I asked for an explanation as to why there were discrepancies between the reported savings at different parts of the consultation documentation, no explanation was given.

I reiterate – why does 4.1 of the report give an annual saving of £59,000.00 while in the Draft Impact Assessment, page 3, profile of savings delivery the savings are quoted as: - 2022/23 = £34,416.67
2023/24 = £24,583.33 Total of savings over two years = £59,000.00.
WHY? No saving are indicated for 2024/25

I have previously challenged, and again have not received a detailed response as to the published cost per pupil quoted as £6304. When the Governing body challenged this with the Education Department, they were informed that the actual cost per pupil was £4939 which throws into question the validity of the above quoted savings.

A further aspect which casts doubt on the expected savings is that officers anticipate the current school bus service to transport 29 pupils

which would qualify for home to school transport, should the school close, without incurring extra costs, to possibly as many as 5 different destinations, whereas currently only 7 pupils receive home to school transport.

If satisfactory answers are not forthcoming, I can only conclude that the decision of Cabinet to proceed with the Notice of Proposal to Discontinue Llanfihangel Rhydithon CP School was based on inaccurate and misleading information.

The Council claims that the new School's Curriculum will be more challenging to deliver for small schools but has not produced any evidence in support of their claims. Prof. Donaldson, who created the programme said that the New Curriculum moving forward must be shaped to represent the community of the children and where they live and has not indicated that it cannot be delivered by a small school. The Education Minister was also quoted on a BBC Radio Wales programme (Country Focus 12th September) as saying that small schools are ideally placed to deliver the New Curriculum. Is the Council of the opinion that it knows better than Prof. Donaldson and the Education Minister?

It has been clearly evidenced by Parents and Governors that the extra-curricular activities currently enjoyed by pupils of Llanfihangel Rhydithon CP School are far superior to anything that would be available at any of the receiving schools. Accessing any of the activities at any school other than Llanfihangel Rhydithon would be further hampered due to transport.

The school building is fit for purpose being in good overall condition equalling other school buildings in the overall area. As projections of pupil numbers show an increase in future years another classroom could be easily and economically be brought into service. The Council's claims that the pupils would be taught in better quality accommodation do not therefore accurately reflect the position.

The Parents and Governors of Llanfihangel Rhydithon CP School have always shown their willingness to embrace new opportunities such as the shared headship with Llanelwedd and are now showing a preparedness to progress down the Welsh language continuum to deliver on the Council's Welsh in Education Strategy. This is transformation not wielding the axe as the Council is proposing, I do not agree that the Council adequately demonstrated that closure of this excellent rural school which is delivering an education to its pupils equalling the best in Powys can offer, and is at the heart of a vibrant community, is an appropriate response to its policy for Schools Transformation.'

7. Integrated Impact Assessment

- 7.1 An initial impact assessment was considered by Cabinet on the 9th February 2021.
- 7.2 In addition, a range of draft impact assessments were produced as part of the consultation documentation. These included an Integrated Impact Assessment, an Equalities Impact Assessment, and a Community Impact Assessment.
- 7.3 The draft impact assessments were updated to reflect issues raised during the consultation period and the updated impact assessments were considered by Cabinet on the 28th September 2021 when considering whether or not to proceed with the publication of a statutory notice.
- 7.4 These have been further updated following the objection period, and the updated versions are attached as Appendix C.

8. Recommendation

- To receive the Objection Report in respect of closing Llanfihangel Rhydithon C.P. School.
- To approve the proposal to close Llanfihangel Rhydithon C.P. School from the 31st August 2022, with pupils to attend their nearest alternative schools.
- In accordance with the Scheme for Financing Schools, to introduce the following restrictions on Llanfihangel Rhydithon C.P. School:
 - Spend at the school is restricted to that included in its approved budget plan and no virement of funds between budget headings is permitted unless approved by the Authority;
 - Any staffing changes are subject to approval by the Authority;
 - Any contracts awarded for the supply of goods or services are subject to approval by the Authority.

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