



BWRDD ADDYSG, SGILIAU A DIWYLLIANT Y CABINET

1.30PM, DYDD IAU, 12 MEDI 2019

YSTAFELL BWYLLGOR 3 – CANOLFAN DDINESIG PORT TALBOT

1. Periodi cadeirydd
2. Datganiadau o fudd
3. Penodi Cynrychiolwyr Llywodraethwyr yr ALI a'u Diswyddo
(*Tudalennau 3 - 18*)
Adroddiad gan y Pennaeth Trawsnewid
4. Eitemau brys
Unrhyw eitemau brys (boed yn gyhoeddus neu wedi'u heithrio) yn ôl disgresiwn y Cadeirydd yn unol ag Offeryn Statudol 2001 Rhif 2290 (fel y'I diwygiwyd).

**S.Phillips
Prif Weithredwr**

**Canolfan Ddinesig,
Port Talbot**

5 Medi 2019

Aelodau'r Cabinet:

Cyngowyr: A.R.Lockyer a P A Rees

Nodiadau:

- (1) *Os nad yw unrhyw aelod o Fwrdd y Cabinet yn gallu bad yn bresennol, gall unrhyw aelod arall o'r Cabinet gyflenwi fel aelod etholiadol ar y pwyllgor. Gofynnir i'r aelodau wneud y trefniadau hyn yn uniongyrchol ac yna i hysbysu is adran y pwyllgor..*
- (2) *Ystyrir barn y Pwyllgor Craffu blaenorol wrth wneud penderfyniadau (proses craffu cyn penderfynu)*



Cyngor Castell-nedd Port Talbot
Neath Port Talbot Council

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Education, Skills and Culture Cabinet Board

12th September, 2019

Report of the Head of Transformation – Andrew Thomas

Matter for Decision

Appointment and Removal of LA Governor Representatives

Wards Affected:

Cymmer, Glyncorrgw and Gwynfi.

Purpose of the Report:

To ask Members to adopt a new Instrument of Government for the governing body of 'The Federated Primary Schools of the Upper Afan Valley'. The report also seeks to appoint and remove one LA Governor from the existing governing body.

Executive Summary:

As a result of the closure of Cymer Afan Comprehensive School there is a need to reduce the size of the Governing Body of 'The Federated Primary Schools of the Upper Afan Valley'. As a consequence of this the number of LA Governor Representatives will reduce by one. Members are asked to consider the appointment/removal to this one position.

Background:

Governing bodies are made up of various categories of governor under existing legislation of The Government of Maintained

Schools (Wales) Regulations 2005. One of those categories is LA governor representative. This Authority has determined that appointments and removals of LA governor representatives will be made by the Education, Skills and Culture (Special) Cabinet Board.

Instrument of Government

It is a legal requirement that every school must have in place an Instrument of Government. This document formally records the name of the school and the constitution of its governing body. The Instrument of Government must be formally created by the Local Authority.

As a result of the closure of Cymer Afan Comprehensive School on 31st August, 2019, it is necessary to amend the Instrument of Government and reduce the size of the Governing Body.

Criteria for appointing and removing LA Governor Representatives

The Cabinet Board shall apply the following criteria in the priority set out below when considering appointments:

- a) Elected members representing wards in the catchment area of the relevant school or pupil referral unit.
- b) Other elected members of the LA.
- c) Persons who, in the opinion of the panel, would contribute to the well-being of the school or pupil referral unit.

In each of the above categories, where there are more candidates than vacancies, LA governor representatives shall be appointed on the basis of who, in the opinion of the Cabinet Board, will make the most significant contribution to the management of the relevant school or pupil referral unit.

The Cabinet Board shall apply the following criteria when considering removals.

Where there is an oversubscription of LA governor representatives on the governing body of the relevant school, or pupil referral unit,

then the Board will replace one of the current LA governor representatives with the newly elected member.

Priority for replacement will be: any former elected member(s) having lost or resigned their ward seat; followed by the shortest time served LA governor representative on that particular governing body.

The Cabinet Board shall take the steps necessary to remove LA governor representatives where, in the opinion of Cabinet Board, there is good reason.

Financial Impacts:

No implications.

Integrated Impact Assessment:

A first stage impact assessment has been undertaken to assist the Council in discharging its legislative duties (under the Equality Act 2010, the Welsh Language Standards (no.1) Regulations 2015, the Well-being of Future Generations (Wales) Act 2015 and the Environment (Wales) Act 2016).

The first stage assessment has indicated that a more in-depth assessment is not required. A summary is included below.

This report focusses solely on the removal of one LA governor from the governing body of 'The Federated Primary Schools of the Upper Afan Valley' in order to comply with the amended constitution, along with the adoption of the Instrument of government (appendix 2) which amends the name of the governing body and reduces the constitution accordingly.

Valleys Communities Impacts:

No implications.

Workforce Impacts:

No implications.

Legal Impacts:

The contents of this report are in accordance with the Councils obligations set out in The Government of Maintained Schools (Wales) Regulations 2005.

Risk Management Impacts:

There are no risks associated with this report.

Consultation:

There is no requirement under the Constitution for external consultation on this item.

Recommendations:

- i) To adopt the Instrument of Government in Appendix 1 which amends the name of the Governing Body and reduced the constitution of the Governing Body accordingly.
- ii) That, in line with approved policy, Member consider the appointment/removal to the remaining seat on the Governing Body of The Federated Primary Schools of the Upper Afan Valley.

Reasons for Proposed Decision:

To enable the Authority to contribute to effective school governance through representation on school governing bodies.

Implementation of Decision:

The decision is proposed for implementation after the three day call in period'.

Appendices:

1. Instrument of government for The Federated Primary Schools of the Upper Afan Valley.
2. Details of LA governors currently sitting on the governing body for the Federated Primary Schools of the Upper Afan Valley.

List of Background Papers:

The Government of Maintained Schools (Wales) Regulations 2005:
<http://www.legislation.gov.uk/wsi/2005/2914/contents/made>

Impact Assessment – First Stage

Officer Contact:

Kathryn Gilbert, Principal Governance Officer, School & Family Support Team

Tel: 763598 Email: k.gilbert@npt.gov.uk

**INSTRUMENT OF GOVERNMENT
FEDERATED SCHOOLS**

1. The name of the federation is:
**THE FEDERATED PRIMARY SCHOOLS OF THE UPPER
AFAN VALLEY**
2. The Federated schools are:
**Cymer Afan Primary School, Croeserw Primary School,
Glyncorrwg Primary School and Pen Afan Primary School**
3. All schools are community schools.
4. The name of the governing body is
**The Governing Body of the Federated Primary Schools of
the Upper Afan Valley.**
5. The governing body shall consist of:
 - (a) Four parent governors (one from each school);
 - (b) Four local authority governors;
 - (c) One teacher governor;
 - (d) One staff governor;
 - (e) Four community governors;
 - (f) Headteacher (except at any time when he/she has given written notice to the clerk to the federated governing body that he/she chooses not to be a governor).
6. Total number of governors: Fifteen (except at any time when the Headteacher has given notice as above that he/she

chooses not to be a governor, when the total number of governors will be fourteen).

7. This instrument of government comes into immediate effect.
8. This instrument was made by order of Neath Port Talbot Local Authority on 12th September, 2019.



THE FEDERATED PRIMARY SCHOOLS OF THE UPPER AFAN VALLEY

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Current LA Representatives	Term of office ends	Recommendation
Cllr Nicola Davies	31/08/2021	N/A
Cllr Jane Jones	31/12/2022	N/A
Cllr Scott Jones	17/09/2021	N/A
<i>Mrs. Mairwen Goodridge</i>	<i>31/08/2021</i>	<i>Members to consider</i>
<i>Mrs. Barbara Trahar</i>	<i>31/08/2021</i>	<i>Members to consider</i>

Local Member	Ward	School 1	School 2
Cllr. Nicola Davies	Glyncorwg	Federated GB of the UAV	-
Cllr. Jane Jones	Gwynfi	Federated GB of the UAV	-
Cllr. Scott Jones	Cymmer	Federated GB of the UAV	-

Other Information

Given the reduction in the number of LA Governor Representative to four; Members are asked to consider the appointment/removal of Mrs. Mairwen Goodridge and Mrs. Barbara Trahar.

Impact Assessment - First Stage

It is essential that all initiatives undergo a first stage impact assessment to identify relevance to equalities and the Welsh language as well as an evaluation of how the proposal has taken into account the sustainable development principle (the five ways of working); an incorrect assessment could ultimately be open to legal challenge.

The first stage is to carry out a short assessment to help determine the need to undertake a more in-depth analysis (the second stage).

Relevance will depend not only on the number of people/service users affected, but also the significance of the effect on them.

When completing the first step you must have regard to the following:

- Does the initiative relate to an area where important equality issues have been, or are likely to be, raised? (For example, funding for services to assist people who are victims of rape/sexual violence or individuals with particular care need; disabled people's access to public transport; the gender pay gap; racist or homophobic bullying in schools)
- Is there a significant potential for reducing inequalities, or improving outcomes? (For example, increasing recruitment opportunities for disabled people).
- Does the initiative relate to instances where opportunities to use the Welsh language are likely to be affected or where the language is likely to be treated less favourably? (For example, increase the number of Welsh speakers moving from/to a certain area; closing specific Welsh language services or put those services at risk services;
- Does the initiative relate to the improvement of economic, social, environmental and cultural well-being? To what extent does the initiative prevent things getting worse? (For example, funding for services to assist in cultural well-being; changes in policies that promote independence and/or assist carers)

1. Provide a description and summary of the initiative.

Identify which service area and directorate has responsibility for the initiative.

2. Identify who will be affected by the initiative.

If you answer **Yes** to service users, staff or wider community continue with the first stage of the assessment

If you answer **No** to service users, staff or wider community or **Yes** to 'Internal administrative process only', go to **Question 5 – sustainable development principle**.

3. Using relevant and appropriate information and data that is available to you think about what impact there could be on people who share protected characteristics; whether they are service users, staff or the wider community.

Some things to consider include:

- transport issues
- accessibility
- customer service
- cultural sensitivity
- financial implications
- loss of jobs

Definitions of impacts (either positive or negative):

- High – likely to be highly affected by the initiative
- Medium - likely to be affected in some way
- Low - likely to be affected by the initiative in a small way
- Don't know - the potential impact is unknown

You **must** provide reasons, and indicate what evidence you used, in coming to your decision.

4. Using relevant and appropriate information and data that is available, think about what impact there could be on opportunities to use the Welsh language and in treating the language no less favourably than English.

Definitions of impacts are the same as in **Question 3**.

The classification 'Don't Know' should be categorised as 'High Impact' in both questions 3 & 4.

5. Consider how the initiative has embraced the sustainable development principle in accordance with the Section 7c of the Well-being of Future Generations Act 2015.

Give details of the initiative in relation to the 5 ways of working:

- **Long term** - how the initiative supports the long term well-being of people
- **Integration** - how the initiative impacts upon our wellbeing objectives
- **Involvement** - how people have been involved in developing the initiative
- **Collaboration** - how we have worked with other services/organisations to find shared sustainable solutions;
- **Prevention** - how the initiative will prevent problems occurring or getting worse

6. The most appropriate statement must be selected (and the relevant box ticked) based on the first stage of the assessment and an explanation of how you have arrived at this decision must be given.

In addition a summary of the how the initiative has embraced the sustainable development principle must also be included.

Where the first stage of the assessment indicates that a more in-depth analysis is required the second stage of the assessment will need to be completed and this will need to be started immediately.

A first stage assessment must be included as a background paper for all Cabinet/Cabinet Board/ Scrutiny Committee Reports.

Where the first stage assessment is completed by an accountable manager it must be signed off by a Head of Service/Director.

Impact Assessment - First Stage

1. Details of the initiative

Initiative description and summary: Appointment and removal of LA governor representatives and amendment to the Instrument of Government and change of name for the Upper Afan Valley Federation.

Service Area: School & Family Support Team

Directorate: Education, Leisure & Lifelong Learning

2. Does the initiative affect:

	Yes	No
Service users		No
Staff		No
Wider community		No
Internal administrative process only	Yes	

3. Does the initiative impact on people because of their:

	Yes	No	None/ Negligible	Don't Know	Impact H/M/L	Reasons for your decision (including evidence)/How might it impact?
Age						
Disability						
Gender Reassignment						
Marriage/Civil Partnership						
Pregnancy/Maternity						
Race						
Religion/Belief						
Sex						

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Sexual orientation						
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4. Does the initiative impact on:

	Yes	No	None/ Negligible	Don't know	Impact H/M/L	Reasons for your decision (including evidence used) / How might it impact?
People's opportunities to use the Welsh language						
Treating the Welsh language no less favourably than English						

5. Does the initiative impact on biodiversity:

	Yes	No	None/ Negligible	Don't know	Impact H/M/L	Reasons for your decision (including evidence) / How might it impact?
To maintain and enhance biodiversity		No				
To promote the resilience of ecosystems, i.e. supporting protection of the wider environment,		No				

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such as air quality, flood alleviation, etc.						
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6. Does the initiative embrace the sustainable development principle (5 ways of working):

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	Yes	No	Details
Long term - how the initiative supports the long term well-being of people		No	
Integration - how the initiative impacts upon our wellbeing objectives		No	
Involvement - how people have been involved in developing the initiative		No	
Collaboration - how we have worked with other services/organisations to find shared sustainable solutions		No	
Prevention - how the initiative will prevent problems occurring or getting worse		No	

7. Declaration - based on above assessment (tick as appropriate):

A full impact assessment (second stage) is not required	<input checked="" type="checkbox"/>
Reasons for this conclusion	
This report focusses solely on the appointment/removal of LA governor representatives and amending the Instrument of Government reducing the constitution of the governing body and an adjustment in name.	
A full impact assessment (second stage) is required	<input type="checkbox"/>
Reasons for this conclusion	

	Name	Position	Signature	Date
Completed by	Kathryn Gilbert	Principal Schools Governance Officer		4th September, 2019
Signed off by		Head of Service/Director		