

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Children, Young People and Education Cabinet Board

14 January, 2016

Report of the Head of Transformation – Andrew Thomas

Matter for Decision

Wards Affected:

All

ESTABLISHMENT OF A TEMPORARY GOVERNING BODY FOR THE NEW ALL-THROUGH WELSH- MEDIUM SCHOOL REPLACING YG YSTALYFERA AND YGG Y WERN SCHOOLS.

Purpose of the Report

1. To seek approval to establish a temporary governing body for the new all-through (3-18 age range) school replacing YG Ystalyfera and YGG Y Wern Schools. For administrative purposes the working title of the school will be Ysgol Newydd Gymunedol Gymraeg.

Background

2. Cabinet at its meeting of 9th July, 2015 determined to proceed to statutory notice on the proposals to establish an all-through (3-18 age-range) school that would replace YGG Ystalyfera and YGG Y

Wern Schools. The period of consultation ended on 6th October, 2015. Cabinet will determine whether to implement the proposal when it meets on 13th January, 2016. Subject to Cabinet's final determination, the outcome of which will be verbally reported to Members of CYPE at their meeting, it is proposed that the new school will become operational on 1st September 2017 on two sites, one in the north and one in the south of the County Borough. Both YG Ystalyfera and YGG Y Wern as individual entities will close as from that date.

3. Legislation provides for the Authority to establish a temporary governing body for the new school in anticipation of approval of the proposal. Should Cabinet determine not to implement the proposal or that subsequently it is withdrawn or becomes rejected then the temporary governing body will not come into existence.
4. The process of establishing a new school requires the Authority to make arrangements for the constitution of a temporary governing body to conduct the business for the new school prior to setting up the school's permanent governing body. The temporary governing body is only empowered to make decisions about the new school. All decisions about the current schools will remain the responsibility of the existing governing bodies for those schools until they close.
5. Given that the newly established school will have a north campus based at the existing YG Ystalyfera site and a south campus based at the existing Sandfields Comprehensive/Traethmelyn Primary school site, it is important that governance arrangements are representative of Welsh-medium education across the County Borough.
6. Establishing a Temporary Governing Body
 - i) Composition

Regulations prescribe the composition of a temporary governing body and, in the case of the new school the temporary governing body shall comprise the categories and numbers of governors set out in the table overleaf.

Category of Governor	No's.
Parent Governor	6
LA Governor Representative	5
Teacher Governor	2
Staff Governor	1 or 0*
Community Governor	4
Community Minor Authority	1
Headteacher (following appointment)	1
Total:	20 (19*)

(*In relation to a temporary governing body, the Authority has discretion as to whether or not to include a staff governor)

ii) Appointment of Temporary Governors

a) LA Governor Representatives

The Authority is responsible for appointing to the temporary governing body LA governor representatives. The agreed policy for appointment is to provide priority to elected members representing wards in the catchment area of the relevant school or pupil referral unit, or other elected members.

b) Parent and Teacher Governors

In circumstances where a temporary governing body is established for a new school as a result of the discontinuance of existing schools, Regulations provide for the LA to ask the governing body of the schools being discontinued to appoint/nominate some or all of the temporary teacher and parent governors. Members are recommended to agree permit the governing bodies of the schools being discontinued to appoint/nominate the temporary teacher and parent governors.

c) Staff Governor

The Authority has the discretion whether or not to include a staff governor to the temporary governing body. Members are recommended to agree to include a staff governor and permit the governing bodies of the schools being discontinued to appoint/nominate that person.

d) Community Governor

In accordance with Regulations, this will be for the temporary governing body to consider and appoint directly.

e) Community Minor Authority Governor

In accordance with Regulations, this will be for Ystalyfera Community Council to consider and appoint directly.

f) Headteacher

The Headteacher is an ex-officio governor.

Regulations provide that where two or more schools are to be discontinued and the registered pupils at those schools are to transfer to a new school, the Headteachers of the discontinued schools are entitled to attend any meetings of the temporary governing body until such time as the Headteacher for the new school is appointed. The temporary governing body will also be encourage to enlist other (non-governors) to the governing body to ensure a balanced representation of views is heard and informs their decision making.

Financial Impact

7. There is no financial impact associated with this proposal.

Equality Impact Assessment

8. Having considered the Council's screening assessment guidance produced to assist the Council in discharging its Public Sector Equality Duty under the Equality Act 2010 it has been determined that the proposal within this report does not require an equalities impact assessment.

Workforce Impacts

9. There are no direct workforce or staffing issues in relation to this proposal, however, the temporary governing body will have a vital role to play in appointing individuals to the new school and in this regard the Council will be expecting the temporary governing body to honour the employer's pledge.

Legal Impacts

10. The recommendations contained within this report are in accordance with the Council's obligations set out in The New Maintained Schools (Wales) Regulations 2005.

Risk Management

11. Should the recommendation to create the temporary governing body not be approved then the process of organising the business for the new school, including the appointment of a Headteacher, cannot commence.

Consultation

12. There is no requirement under the Constitution for external consultation on this item. Internal consultation regarding nominations of the LA Governor Representatives has though been undertaken with the respective Ward Members.

Recommendations

13. (a) That a temporary governing body for the proposed new 3-18 'all-through' community Welsh-medium school replacing YG Ystalyfera and YGG Y Wern be established in line with the table above, and that appointments to the temporary governing body include a staff governor.
- (b) That the following appointments/procedures to populate the temporary governing body are agreed:
 - i) Parent governors are appointed by the current governing bodies, four from YG Ystalyfera and two from YGG Y Wern;
 - ii) One teacher and one staff governor is appointed by YG Ystalyfera governing body and one teacher governor by YGG Y Wern governing body;
 - iii) Nominations for LA Governors are currently being sought from elected Members, therefore, upon receipt of any nominations received delegated authority to the Cabinet Member for Education to appoint 5 LA Governors is recommended.

Reasons for Proposed Decision

14. To comply with legislative requirements for the establishment of a new school.

Implementation of Decision

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

Appendices

16. None.

List of Background Papers

Cabinet Report 9th July, 2015:

<https://democracy.npt.gov.uk/documents/g5993/Public%20reports%20pack%2009th-Jul-2015%2014.00%20Cabinet.pdf?T=10>

The New Maintained Schools (Wales) Regulations 2005:

<http://www.legislation.gov.uk/wsi/2005/2912/contents/made>

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