

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Children, Young People and Education Cabinet Board

5th January, 2017

Report of the Head of Transformation – Andrew Thomas

Matter for Decision

Wards Affected:

Margam, Taibach, Port Talbot, Bryn & Cwmafan, Pelenna

ESTABLISHMENT OF A TEMPORARY GOVERNING BODY FOR THE PROPOSED NEW ALL THROUGH SCHOOL REPLACING DYFFRYN COMPREHENSIVE SCHOOL AND GROES PRIMARY SCHOOL.

Purpose of the Report

1. To seek approval to establish a temporary governing body for the proposed new (3-16 age-range) 'all through' school replacing Dyffryn Comprehensive (Upper & Lower) and Groes Primary Schools. For administrative purposes the working title name of the school will be Ysgol Newydd Margam.

Background

2. Following a period of consultation, Cabinet at its meeting 4th January, 2017, will consider whether to proceed to the stage of publication of a

statutory notice to create a new (3-16 age range) school that would replace Dyffryn Comprehensive (Upper & Lower) and Groes Primary Schools. Members will be provided with a verbal update as to the decision of Cabinet at the meeting.

3. If approved by Cabinet, the new 'all through' school will become operational on 1st September 2018, on the site that is currently Dyffryn Comprehensive School (Upper), making use of the current school site. Both Dyffryn Comprehensive and Groes Primary Schools, as individual entities, will close as from that date.
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 concerning the current schools will remain the responsibility of the existing governing bodies for those schools until they close.
5. 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	1/0
Community Governor	5
Headteacher (following appointment)	1
Total:	20/19

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 to permit the governing bodies of the schools being discontinued to appoint/nominate the temporary teacher and parent governors.

c) Staff Governors

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 Governors

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

e) 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 encouraged 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

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

Equality Impact Assessment

7. 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

8. 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

9. 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

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

Consultation

11. 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 representing wards in the catchment area of the proposed school.

Recommendations

12. (a) That a temporary governing body for the proposed new 3-16 all through school replacing Groes Primary and Dyffryn Comprehensive (Upper and Lower) Schools 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 primary and comprehensive schools governing bodies, with a minimum of two from each of the existing schools.
- ii) One teacher governor appointed from each school and one staff governor appointed by Dyffryn Comprehensive School;
- iii) LA Governor Representatives. At the time of writing this report Members for the Wards representing the catchment area of the proposed new school were being canvassed as to whether they wish to be nominated as LA governor representatives. A verbal update as to those wishing to be LA Governor Representatives will be provided at the meeting.

Reasons for Proposed Decision

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

Implementation of Decision

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

Appendices

- 15. None.

List of Background Papers

- 16. Proposal consultation document
- 17. <https://www.npt.gov.uk/pdf/CONSULTATIONDOCUMENTMargam.pdf>

The New Maintained Schools (Wales) Regulations 2005:

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

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