

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Children, Young People and Education Cabinet Board

2 March, 2016

Report of the Head of Transformation – Andrew Thomas

Matter for Decision

GOVERNANCE ARRANGEMENTS FOR THE NEW ALL- THROUGH WELSH MEDIUM SCHOOL REPLACING YG YSTALYFERA AND YGG Y WERN.

Wards Affected:

ALL

Purpose of the Report

1. To comply with Regulations surrounding the opening of a new school, Members are asked to formally agree:
 - i) The creation of an Instrument of Government which will establish a permanent Governing Body;
 - ii) To approve a permanent name for the new all-through school.

Background

2. Members will be aware that from 1st September, 2017 a new all-through school will come into existence replacing YG Ystalyfera and YGG Y Wern. The new all-through school will have a campus in the North of the County, making use of the existing site and

buildings of YG Ystalyfera, and a campus in the South of the County Borough (September 2018) which will make use of the currently disused site of the former Sandfields Comprehensive School.

3. Prior to the new school becoming operational Cabinet Members agreed in January, 2016 the creation of a temporary Governing Body to oversee the business of the new school.
4. Regulations state that a permanent Governing Body must be established and in place on a date agreed by the Local Authority, known as the “incorporation date”. This incorporation date is contained within the Instrument of Government and cannot be effected any later than the last day of the first term.
5. To allow time for the process of elections and appointment of governors during the early part of the autumn term, it is proposed the incorporation date will be Monday 6th November, 2017. Until this date, the temporary governing body will continue in its current form when their role and function will then come to an end.
6. It is a legal requirement that every school must have in place an Instrument of Government. In addition to recording the incorporation date, this document also 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.
7. Governors of the temporary Governing Body have proposed to the Authority that the name of the new school be “Ysgol Gymraeg Ystalyfera - Bro Dur”. Consultation regarding the name has taken place with the staff, parents and pupils of all Welsh Medium schools within the catchment area of the new school, and also with the Head of Planning and Senior Management Team of the Education Directorate where there have been no objections.
8. For day-to-day operational matters of the school with the two sites being a significant distance apart, the site in the North will be known as YG Ystalyfera whilst the site in the South will be known as YG Bro Dur.

Financial Impact

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

Equality Impact Assessment

10. 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

11. There are no workforce or staffing issues directly associated with this proposal.

Legal Impacts

12. 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

13. Should the recommendation to create the permanent governing body not be approved then the Council will be in breach of its statutory obligation. Should the recommendation to name the school not be approved then an alternative name will be sought and reported back to Members at a future meeting.

Consultation

14. There is no requirement under the Constitution for external consultation on either of the recommendations within this report, however, a consultation exercise has taken place with members of the temporary governing body regarding the name; likewise, internal consultation has taken place with the Head of Planning and Education Senior Management Team, along with staff, parents and pupils of respective Welsh Medium schools in the catchment area of the new school.

Recommendations

15. i) That the Instrument of Government (attached as Appendix A) be approved with the incorporation date of 6th November, 2017, creating a permanent Governing Body;

- ii) The name of the school will be Ysgol Gymraeg Ystalyfera - Bro Dur.

Reasons for Proposed Decision

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

Implementation of Decision

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

Appendices

- 18. Instrument of Government at Appendix A.

List of Background Papers

- 19. Cabinet Report 14th January, 2016:

<http://moderngov.neath-portalbot.gov.uk/documents/s19467/Cabinet%20Report%20Jan%2016%20WM%20School.pdf>

The New Maintained Schools (Wales) Regulations 2005:

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

Officer Contact

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Appendix A

INSTRUMENT OF GOVERNMENT - COMMUNITY SCHOOLS

1. The name of the school is:
Ysgol Gymraeg Ystalyfera - Bro Dur.
2. The school is a community school.
3. The name of the governing body is:
Ysgol Gymraeg Ystalyfera - Bro Dur.
4. The governing body shall consist of:
 - (a) Six parent governors;
 - (b) Five local authority governors;
 - (c) Two teacher governors;
 - (d) One staff governor;
 - (e) Four community governors;
 - (f) One community minor authority representative;
 - (g) Headteacher (except at any time when he/she has given written notice to the clerk to the governing body that he/she chooses not to be a governor).
5. Total number of governors: twenty (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 nineteen).
6. This instrument of government comes into effect on 6th November, 2017.
7. This instrument was made by order of Neath Port Talbot Local Authority on 2nd March, 2017.