

# **NEATH PORT TALBOT COUNTY BOROUGH COUNCIL**

## **CABINET**

**20<sup>th</sup> June 2018**

### **DIRECTOR OF EDUCATION, LEISURE AND LIFELONG LEARNING**

**ALED EVANS**

#### **MATTER FOR DECISION**

**WARDS AFFECTED:** Cymmer, Glyncorrwg, Gwynfi, Margam, Taibach, Port Talbot, Bryn & Cwmafan, Pelenna

#### **STRATEGIC SCHOOL IMPROVEMENT PROGRAMME – FUTURE OF SECONDARY EDUCATION IN THE UPPER AFAN VALLEY**

##### **Purpose of report**

1. To obtain Cabinet approval to publish a proposal to make arrangements for pupils who would otherwise attend Cymer Afan Comprehensive school to receive their secondary education at a new build school in Margam, Ysgol Cwm Brombil, and to close Cymer Afan Comprehensive.
2. Publication of the proposal provides a 28<sup>th</sup> day period for the submission of objections. Following the period for submitting objections, Cabinet will need to meet to consider objections

received before taking a decision as to whether or not the proposal should be implemented.

3. This Cabinet report needs to be read in conjunction with the consultation report (appendix A), the consultation document (appendix B) and the Education, Skills and Culture Cabinet Board<sup>1</sup> report of November 2017 (appendix C).

### **Executive summary**

4. The Council is responsible for promoting high educational standards and for delivering efficient primary and secondary education. This will involve reviewing the number and type of schools the Council has in its area and assessing whether or not best use is being made of resources and facilities in order to ensure future provision is sustainable.
5. Secondary education in the upper Afan Valley is provided at Cymer Afan Comprehensive school as part of a federation of five schools, four primary and one secondary.
6. Cymer Afan Comprehensive is a small secondary school. A school with 600 pupils<sup>2</sup> or fewer is generally regarded as a small secondary school. Currently, Cymer Afan Comprehensive school has 229 pupils on roll. Pupil numbers are not forecasted to increase sufficiently to change its small secondary school status.
7. Cymer Afan Comprehensive school building has significant surplus places. It has capacity for approx. 640 pupils but with 229 pupils on roll<sup>3</sup> it is carrying over 64% surplus capacity.

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<sup>1</sup> Education, Skills and Culture Cabinet Board: for full report – see ‘List of background papers’

<sup>2</sup> Estyn 2013: ‘School Size and Education Effectiveness’

<sup>3</sup> School census – January 2018

8. In the current financial year<sup>4</sup>, Cymer Afan Comprehensive school receives a budget share equivalent to £6,822 per pupil compared to the average for the Council's secondary sector schools of £4,418, a difference of £2,404 per pupil and approx. 54% above the average. This compares to £7,111<sup>5</sup>, per pupil during the previous financial year, approx. 60% above the average.
9. Cymer Afan Comprehensive school has backlog maintenance and accessibility costs amounting to c.£3m. The site is assessed as overall condition C, with many of the building and mechanical elements are nearing the end of their life span and will require replacing within the next 2-4 years.
10. There is suitable, alternative English-medium provision available within the County Borough at Ysgol Cwm Brombil, which offers a new build 21<sup>st</sup> Century school, and at Cefn Saeson Comprehensive school. There is also suitable English-medium provision at Maesteg Comprehensive school.
11. The Council is proposing to make arrangements for pupils from the upper Afan Valley to receive their secondary education at Ysgol Cwm Brombil, Margam, a £30m investment by the Council in a new build school with 21<sup>st</sup> century school facilities. The business case for the establishment of this school is not dependent on the closure of Cymer Afan Comprehensive school.
12. At its meeting of 9<sup>th</sup> November 2017 the Council's Education, Skills and Culture Cabinet Board approved consultation on the future of secondary education in the upper Afan Valley

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<sup>4</sup> School budget share allocation: 2018/2019

<sup>5</sup> School budget share allocation: 2017/2018 as reported in the consultation document

13. The consultation document invited views and opinions to be submitted in respect of the proposal. The Welsh Government's School Organisation Code requires the Council to consult on its proposal and to publish a consultation report summarising any issues raised by consultees, the Council's response to those issues and Estyn's view of the overall merit of the proposal. This report was published on 15<sup>th</sup> May 2018.

## **Background**

14. The Council is responsible for promoting high educational standards and for delivering efficient primary and secondary education. Having the right schools in the right place and ensuring that they are fit for the 21<sup>st</sup> century learner is the challenge facing the Council. Achieving this will involve reviewing the number and type of schools the Council has in its area and assessing whether or not best use is being made of resources and facilities in order to ensure future provision is sustainable.
15. Implementing the Strategic School Improvement Programme (SSIP) involves reviewing existing provision and determining the number and type of schools needed to deliver education effectively and efficiently across the County Borough. It will most likely lead to substantial change involving opening new schools, closing existing schools, merging or amalgamating schools, federating schools and promoting new initiatives that support collaborative working between schools.
16. The Council has decided to review its provision on the basis of:
  - educational standards
  - the need for places and the accessibility of schools

- the quality and suitability of school accommodation
- effective financial management

## **The Proposal**

17. Consultation on the future of secondary education in the upper Afan Valley is being brought forward under a proposal to make arrangements for pupils who would otherwise attend Cymer Afan Comprehensive school, School Road, Cymmer, Port Talbot SA13 3EL to receive their secondary education at Ysgol Cwm Brombil, Bertha Road, Margam, Port Talbot, SA13 2AN and to discontinue Cymer Afan Comprehensive school.
18. If approved the proposal will take effect on the 1st September 2019 with Cymer Afan Comprehensive school closing on 31<sup>st</sup> August 2019.
19. Ysgol Cwm Brombil is a new 3-16 'all-through', middle school, opening on 1<sup>st</sup> September 2018 in a new build facility in Margam, Port Talbot. Ysgol Cwm Brombil replaces Dyffryn School and Groes Primary School which are both due to close on 31<sup>st</sup> August 2018.

## **Consultation**

20. This school organisation proposal is being brought forward under the Council's Strategic School Improvement Programme. Formal consultation is required in line with the Welsh Government's School Organisation Code, July 2013, which specifies the procedures to be followed, including the content of the consultation document, those to be consulted and timeframes.

21. Consultation on this proposal commenced on 11<sup>th</sup> December 2017 with comments invited until 14<sup>th</sup> February 2018. Consultees specified in the School Organisation code were e-mailed the consultation document. In line with current practice, the school managed distribution to parents of the federated schools and included the document on the respective websites.
22. As Ysgol Cwm Brombil, the receiving school, has yet to open - this is scheduled for September 2018, preparations for its opening are being managed by a temporary governing body set up for this specific purpose. The temporary governing body, which includes parent and community governors, has been consulted.
23. Although not a formal requirement, consultation meetings were held with:

Table 1

<b>Who</b>	<b>When</b>
School staff of the federated schools of the upper Afan Valley	17 <sup>th</sup> January 2018
Governing Body of the federated schools of the upper Afan Valley	17 <sup>th</sup> January 2018
Parents/carers of pupils of the federated schools of the upper Afan Valley	18 <sup>th</sup> January 2018
Pupils from years 5, 6, 7, 8,9, 10 and 11 of the federated schools of the upper Afan Valley	26 <sup>th</sup> January 2018

Temporary Governing Body of Ysgol Cwm Brombil	29 <sup>th</sup> January 2018
Communities of the upper Afan Valley	5 <sup>th</sup> February 2018

24. Pupil views were gathered in line with the guidance issued by Welsh Government on consultation with children and young people, taking into account the United Nations Convention on the Rights of the Child (UNCRC) in particular, Article 12: ‘Your right to say what you think should happen and be listened to’ and Article 13: ‘Your right to have information’.
25. The school selected representative groups of pupils (Y5 – Y11) from across the federation to express their views directly in face to face meetings with the Council, the notes of which are available in the consultation report (*appendix E*). A pupil consultation document was made available to the federated schools again, managed by the school staff in order to assist with explanation and understanding. The number of written pupil responses evidences a high level of pupil engagement.
26. The consultation requirements of the Code have been met with the turnout at meetings and the written responses to consultation further evidencing this.
27. 3137 written responses were received. Of these, a total of 943 pro forma comment forms were received; these are the standardised response forms provided with the consultation document. Table 2 below shows how the respondents using the pro forma identified themselves and the respective number of forms received. Many respondents submitted more than one comment form, some with different comments.

Table 2

Pupils	38	Residents	104
Parents/Carers	284	Past pupils	117
Staff	11	Others	103
Governors	6	Unspecified	59
Pupils' relatives	221		

28. In addition to the pro forma comment forms, 2194 letters were received.
29. 1916 of these comprised multiple copies of 8 standardised letters, with many respondents signing each of the 8 standardised letters.

Table 3

Standardised letter No.1	27	Standardised letter No.5	359
Standardised letter No.2	361	Standardised letter No.6	361
Standardised letter No.3	357	Standardised letter No.7	74
Standardised letter No.4	363	Standardised letter No.8	14

30. 278 comprised individual letters or emails. Table 4 and table 5 below shows how the respondents identified themselves and the respective number of hard copy letters/e-mails received.

Table 4

Pupils	93	Pupils' relatives	12
Parents/Carers	39	Residents	42
Staff	30	Past pupils	25
Governors	6	Unspecified	16

31. 15 of the individual letters received were from the following respondents.



Table 5

Estyn	Trade Unions x 3 (NASUWT, Unison, National Education Union Cymru)
Upper Afan Valley Federation of Schools Governing Body	Cllr Scott Jones ( x 2) and Cllr Ralph Thomas
Afan Federation Support and Action Group x3	Stephen Kinnock MP
Cymmer Afan Community Library	David Rees AM
Afan Valley Community Leisure	Bethan Jenkins AM

32. The Council is aware of an online petition against the closure of Cymer Afan Comprehensive school which has in excess of 1500 signatures.
33. Written responses to the consultation are available for Members to peruse at Port Talbot Civic Centre as from 14<sup>th</sup> June 2018.
34. For Members' consideration, the consultation report summarising the comments of consultees together with officer responses to the issues raised is attached (appendix A) and should be read in conjunction with this report.
35. Members are reminded that comments should be conscientiously considered in an open minded approach, alongside the case put forward for publication of the proposal. In this respect there is an expectation that Members will have read

and given due regard to the proposal as consulted upon and the comments received together with officer comments.

36. The consultation report has been made available to those required by the Code, including respondees who requested a copy with the latter being contacted either by e-mail or post advising of the link to the report on the Council's website. A summary consultation report has been made available for pupils.

### **Consultation - summary response**

37. Comments received relating to the proposal fell under the following broad headings:

- Education
- Federation
- Transport and travel
- 21<sup>st</sup> century build projects
- Building condition and size
- Wider community
- Consultation quality
- Finance
- Alternative school organisation

#### **– Education**

38. Many comments received related to standards attained at Cymer Afan Comprehensive and expressed concerns as to whether pupils who transfer to Ysgol Cwm Brombil under this proposal would make progress and achieve the same standards and outcomes.
39. Data gathered on both Cymer Afan Comprehensive and Dyffryn School, which is the school currently attended by secondary phase pupils who will transfer to Ysgol Cwm Brombil, reveals that at Dyffryn School pupils consistently attain good GCSE

results. In 2016 Dyffryn School was the highest performing school in Neath Port Talbot.

40. Dyffryn School also has a good track record of supporting pupils with additional learning needs (ALN) and offers a wide range of support and intervention to meet a variety of needs.
41. There is no evidence available to prove that smaller schools produce better results, that pupil wellbeing is higher, or that larger schools mean that all pupils will be taught in larger classes. There is also no reason why Cymer Afan Comprehensive pupils should experience bullying or victimisation if they move to Ysgol Cwm Brombil.
42. Ysgol Cwm Brombil will offer pupils many opportunities that would not be possible in a smaller school and have already planned for a student services hub which will ensure that, even in a larger school, individual pupils will be able to access support and guidance when needed.
43. It is the case that this proposal could cause disruption for some pupils, particularly those who in year 10 and 11 at the time of transfer and who may be preparing for external examinations. However should the proposal be approved then work will be undertaken between both schools and local authority officers to ensure that disruption is kept to a minimum and that pupils are fully supported through the transition period.
44. Additional commentary specific to education can be found on pages: 10, 11 & 23 – 32 of the consultation report (appendix A).

- **Federation**

45. Concern had been expressed that the closure of Cymer Afan Comprehensive would undermine the federation of schools in the upper Afan Valley which would lead to the closure of primary schools too. Currently, the Council has no plans to close any of the four primary schools which make up the federation of schools of the upper Afan valley and it is expected that the primary schools will still have much to gain from remaining in a federation.
46. Transition between key stages 2 and 3 is acknowledged to be a successful aspect of the upper Afan Valley federation. However, with thorough planning there is no reason to assume that transition should not take place as effectively as current arrangements, in the same way as it is successfully managed elsewhere where children live some distance away from their secondary school.
47. Additional commentary specific to federation can be found on pages: 11, 12 & 32 - 34 of the consultation report (appendix A).

- **Transport and Travel**

48. It is the case that under this proposal, pupils from the upper Afan Valley will have further to travel for their secondary education and that this will involve longer journey times. The Council will provide free transport for pupils living in the upper Afan Valley to Ysgol Cwm Brombil. The distance between the furthest community in the upper Afan Valley and Ysgol Cwm Brombil is approx.13 miles with a journey time, including stops, of approx. 45 minutes. Despite the misgivings of many respondents, the evidence overall does not suggest that this represents an unreasonable journey time for secondary aged pupils to travel. Initial assessments conclude that the route is suitable and prior

to a transport contract being awarded all necessary safety and safeguarding checks will be made.

49. It is the responsibility of parents/carers to make sure that their child catches the bus on time every day, and to attend school after medical appointments. Families would not be penalised for a pupil's late attendance at school where the delay has been caused by heavy traffic, unexpected road works, or other unforeseen circumstance which causes authorised home to school transport to be late.
50. Pupils from the upper Afan Valley will be given equal opportunity to take part in extracurricular activities and it will be the responsibility of the senior staff and Governing Body of Ysgol Cwm Brombil to manage this appropriately. This is the case in every secondary school in Neath Port Talbot, including those where distance between home and school involves a bus journey.
51. Additional commentary specific to transport and travel can be found on pages: 12, 13, 14 & 34 – 45 of the consultation report (appendix A).

**- 21<sup>st</sup> Century Build Projects**

52. There is a growing body of research available which emphasises that the impact of the learning environment on pupil progress can be significant, and that the benefits of a new build school with increased natural light, better acoustics, and greater natural outdoor spaces can greatly enhance the teaching and learning experience for pupils and staff.
53. Ysgol Cwm Brombil is intended to accommodate 210 primary age pupils (plus nursery) and 1200 secondary aged pupils.

There is sufficient space at the new build school to accommodate primary aged pupils from Groes Primary and secondary aged pupils from the existing catchment area of Dyffryn School, together with additional pupils from elsewhere. Should it be the case that pupils from the upper Afan Valley do not attend Ysgol Cwm Brombil, there are a number of alternative options for making use of the accommodation available, which will be subject to separate consultations should the need arise.

54. Funding for a new school via the Welsh government's 21<sup>st</sup> Century Schools Programme requires that 50% of the costs are met by the Council. With limited resources the Council is required to make best use of the funding it has available and to deal with the highest priority schemes first. It will also need to be mindful of getting value for money from its capital build expenditure. Supporting a new build, small secondary school could not be considered to represent good value based on the business case for a scheme with disproportionately high revenue and life-cycle costs.
55. Additional commentary specific to 21<sup>st</sup> Century School projects can be found on pages: 14 & 46 – 50 of the consultation report (appendix A).

– **Building Condition and Size**

56. The Council regularly surveys the condition of school buildings in order to ensure schools remain operational and that business continuity can be maintained. It identifies areas that need maintenance and repair together with any refurbishments that are required to keep the buildings operational, including access for people with disabilities. Across the Council's school estate, this work is then prioritised with the highest priority schemes being tackled first. The Council's surveys have been sampled

and independently checked by private sector consultants appointed by the Welsh Government.

57. There are many more schools in Neath Port Talbot in need of maintenance and repair than the Council's resources can deal with. Even after the £123m joint investment in NPT schools through its Strategic School Improvement Programme and Band A of the Welsh Government's 21<sup>st</sup> Century Schools Programme there will remain an estimated backlog of repair costs across the Council's school building portfolio of c.£75m despite also spending c.£1.2m annually on maintenance and repair. The costs at Cymer Afan Comprehensive school amount to c.£3m. Maintenance and repair keep a school operational; in brief, the work keeps the building safe, warm and watertight. Importantly, it does not provide a new facility that meets the standards expected at a new build school.
58. All schools will have access to their condition surveys and are supported by a multi-disciplinary team of technical staff to manage maintenance issues. A dedicated building surveyor is assigned to the school to monitor and respond to building maintenance matters. Cymer Afan Comprehensive school has had c.£370,000 of repair and maintenance works carried out since 2014.
59. Additional commentary specific to building condition and size can be found on pages: 14, 15 & 50 – 52 of the consultation report (appendix A).

- **Wider Community**

60. Prior to consultation, a Community Impact Assessment was completed in line with the requirements of the School

Organisation Code<sup>6</sup>. The assessment found that there are opportunities to relocate community based activities from the school to alternative locations in the upper Afan Valley. Further details can be found in the section in this report on community impact (paras: 108 – 110).

61. The effect of the proposal will be to transfer delivery of secondary education to Ysgol Cwm Brombil. It does not seek to remove education from the upper Afan Valley. The current four primary schools which, together with Cymer Afan Comprehensive, make up the existing federation are not under review and it is expected that these schools will remain federated and continue to provide pupils and staff with the benefits of federation within the communities where they are sited.
62. The Council's investment in education in the upper Afan Valley although modified, will continue. Similarly, the investment in secondary education continues with education provision being made for the pupils of the upper Afan Valley although delivered outside the upper Afan Valley.
63. The proposed Afan Valley Adventure Resort is at the very early stages of development and does not have any direct relation to this proposal. There are no plans to sell the school land to the developers for the scheme.
64. Cymer Afan Comprehensive is a large employer, although many of its employees live outside the upper Afan Valley. The Council has a good track record on redeployment and will be working hard to secure the future employment of staff at risk of redundancy.

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<sup>6</sup> School organisation Code - see 'List of background papers'



65. Additional commentary specific to the wider community can be found on pages: 15, 16 & 52 – 56 of the consultation report<sup>7</sup> (appendix A)

- **Consultation Quality**

66. Consultation on the future of secondary education in the upper Afan Valley has followed the procedures required under the Welsh Government's School Organisation Code. This specifies the type of school organisation activity on which the Council is required to consult and the process to be followed in conducting consultation, including who it is required to consult.
67. It has been suggested that the consultation process was flawed, that it is unlawful, that information has not been made readily available to interested parties and that Neath Port Talbot Council cannot be an impartial judge of the responses it receives from the consultation as it has a vested interest in the closure of Cymer Afan Comprehensive school in order to satisfy the requirements of the business plan for Ysgol Cwm Brombil.
68. The consultation process has resulted in over 3000 written responses and the turnout for all meetings has been high, suggesting that there was an appropriate level of stakeholder awareness and engagement.
69. In the case of Ysgol Cwm Brombil, funding for the new build school relies on a combination of Welsh Government 21<sup>st</sup> Century Schools capital grant support and match funding from the Council. The Council's match funding element for Ysgol Cwm Brombil is not dependent on the proposal currently being

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<sup>7</sup> Consultation report is available on the Council's website: <https://www.npt.gov.uk/1891>

consulted upon, i.e. the closure of Cymer Afan Comprehensive school. The current consultation on the future of secondary education in the upper Afan Valley is separate to the business case process and a decision on the outcome of that consultation does not impact on the establishment of Ysgol Cwm Brombil. In the opinion of officers the decision-making of elected Members is, therefore, not compromised.

70. Pupil consultations conducted as part of this consultation together with the supporting pupil consultation document followed the guidance issued by Welsh Government in the 'School organisation: consultation with children and young people' 2013 and the framework provided by the National Standards for Children and Young People's Participation in Wales. A separate consultation document for pupils is not a statutory requirement; however it is considered to be good practice and is an established part of the process in Neath Port Talbot. A pupil consultation document was made available for this proposal for the schools to use with their pupils as was felt appropriate.

71. Additional commentary specific to consultation quality can be found on pages: 16, 17, 18 & 56 – 62 of the consultation report<sup>8</sup> (appendix A).

**- Finance**

72. Schools are funded for their 'day to day' running mainly from money allocated directly by the Council and by means of targeted support from Welsh Government grants as they become available from time to time. Federating the schools in the upper Afan Valley and operating them under the management of one governing body has allowed the budgets for

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<sup>8</sup> Consultation report is available on the Council's website: <https://www.npt.gov.uk/1891>

the five individual schools to be 'pooled' and the money to be used where needed most. Federation has meant more of the combined schools' resources can be allocated for teaching and learning as all five schools are funded as though there was a head teacher employed at each school. With only the cost of a single head teacher to meet, the remaining money is available to be used elsewhere in the schools.

73. Funding the five schools by way of a federation is an investment by the Council in keeping education in the upper Afan Valley. Added to which the schools also benefit from small school funding supplement and protection. The level of funding per pupil is generous compared to other schools in the County Borough. Despite a view held by some consultees, the Council's proposal is not about cost saving as the money will be reinvested within education. The efficiencies from educating secondary age pupils from the upper Afan Valley at Ysgol Cwm Brombil will be ring fenced for reinvestment within education. As such, there is no reduction in education expenditure overall. Cost is not more important than quality but delivering education has a cost and this needs to be managed more equitably across schools in the County Borough. The levels of need experienced in the upper Afan Valley are similarly present in other areas of NPT.

74. Additional commentary specific to finance can be found on pages: 18, 19 & 62 – 65 of the consultation report (appendix A).

**- Alternative school organisation**

75. Consultees have requested that consideration be given to a range of options for alternative school organisation in the upper Afan Valley. These consisted of options that involved new school builds, transfer of other secondary schools to the upper

Afan Valley, the remodelling of existing premises and combinations of all, together with proposals for a 'hub' of community services. Each option has been individually assessed and the evaluations are set out in detail in the consultation report.

76. The evidence from the options assessed shows that the existing site areas of upper Afan Valley schools are insufficient in size to accommodate the requirements of most of the proposed school configurations. This has a direct impact on any plans to create a 'hub' of services, particularly where additional accommodation onsite is sought.
77. Given the constraints identified in the alternative options that were considered, a 'hub' based on a primary school only model presents greater opportunity in relation to meeting space and traffic requirements, and cost effectiveness and efficiency.
78. None of the options presents as a viable school organisation arrangement that would maintain delivery of secondary education in the upper Afan Valley. As such, no alternative option is recommended to Members for consideration.
79. Additional commentary specific to alternative school organisation can be found on pages: 19 & 65 – 89 of the consultation report (appendix A).

### **Estyn Response**

80. It is Estyn's view that overall the proposal is likely to at least maintain the standards of education and provision in the area. In addition, Estyn comments that the proposal asserts reasonably that Cymer Afan Comprehensive school is a small

school and is one of only five established mainstream secondary schools in Wales with fewer than 300 pupils.

81. Estyn considers that appropriate reference is made to the outcomes of the school's most recent Estyn inspection in April 2015 in which it is identified that both the current performance and the prospects for improvement were judged to be adequate and that in November 2016 the school was judged to have made good progress in respect of the key issues for action.
82. The full response is included as appendix D.

### **Consideration of the proposal**

83. The proposal consulted upon seeks to make arrangements for pupils who would otherwise attend Cymer Afan Comprehensive school to receive their secondary education at a new build school in Margam, Ysgol Cwm Brombil, and to close Cymer Afan Comprehensive.
84. Although the case for maintaining Cymer Afan Comprehensive in the upper Afan Valley has been clearly voiced by those opposed to the proposal it is the opinion of officers that alternative options presented to the Council for consideration do not represent acceptable alternative models.
85. In addition, comments opposing the proposal do not, on balance, present a convincing argument suggesting its modification or abandonment.
86. As such, the case for the proposal remains strong and it is recommended that the proposal be progressed to the next stage without amendment.

## Formal procedures

87. To progress to the next stage, publication of the proposal in the form of a statutory notice is required, allowing 28 days for objections to be submitted.
88. This period will provide a further opportunity to give consideration to and endeavour to resolve concerns that might otherwise give rise to objections.
89. Objections submitted during the four week statutory period will be reported to Cabinet to inform determination on the proposal.

Table 6

What	When
Decision to publish proposal	20 <sup>th</sup> June 2018
Publication of Statutory Notice	26 <sup>th</sup> June 2019
Period for submitting objections	26 <sup>th</sup> June 2018 – 23 <sup>rd</sup> July 2018
Proposed implementation date	1 <sup>st</sup> September 2019

## Pupil numbers and school accommodation capacity

### – *Cymer Afan Comprehensive school*

90. There has been a 35% (122) fall in pupil numbers<sup>9</sup> over the past ten years with a 2016 low of 210. Pupil numbers for this period are shown in table 7 below.

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<sup>9</sup> Pupil numbers updated to reflect the school census return - January 2018

Table 7

Cymer Afan Comp.										
	Annual census - January									
Year	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Pupil Nos.	351	326	302	288	266	244	216	210	213	229

91. Forecasts based on January annual census returns suggest a potential increase of 42 pupils by 2024 (table 8). However, even then Cymer Afan Comprehensive will still be a small secondary school with numbers returning only to 2012/2013 equivalent levels.

– **Surplus capacity impact**

92. With the physical capacity to accommodate 641 pupils the school has a significant surplus capacity of c.64% (412 places). The forecasted pupil numbers at 2024 would still leave the school with c.58% surplus capacity and, notionally over half empty. This level of surplus capacity has revenue and capital costs associated with maintaining the school.

– **Ysgol Cwm Brombil**

93. Ysgol Cwm Brombil is a new, 21<sup>st</sup> century build, 3-16, 'all-through' middle school with capacity to provide for 1200 secondary age pupils. (It will also provide for 210 full-time primary age pupils, 45 nursery age pupils specifically from the catchment area currently served by Groes Primary school.) It is an English-medium community school which has room to accommodate pupils from the upper Afan Valley (table 8 below).

94. A new build school provides the opportunity to deliver a stimulating teaching and learning environment in state of the art, 21<sup>st</sup> century facilities that will impact positively on the self-

esteem and well-being of pupils and will aim to improve the learning outcomes for all children across the ability range.

Table 8

<i>The new school at Margam (secondary school capacity = 1200).</i>							
	<i>Annual census January</i>	<i>January forecasts</i>					
Year	2018	2019	2020	2021	2022	2023	2024
Est. pupil numbers	783 (Dyffryn School)	835	865	845	845	854	845
Cymer Afan Comp.	n/a	n/a	268	273	264	262	271
Total:	n/a	835	1,133	1,118	1,109	1,116	1,116

## Financial impact

95. The cost of the £30m new build investment at Ysgol Cwm Brombil is not dependent on this proposal.
96. Revenue funding for schools is distributed on an annual basis by means of an approved formula. This ensures school budget shares are allocated on a simple, objective and measurable basis, and that recurring revenue costs are both predictable and clearly expressed. The funding formulas for the primary and secondary sectors were revised in 2018 & 2011 respectively.
97. Revenue costs associated with maintaining a small secondary school are significantly higher than for those schools with greater pupil numbers. This is reflected in the high 'per pupil' funding at Cymer Afan Comprehensive school which is significantly higher than the average for the Council's schools (table 9). At Cymer



Afan Comprehensive school this cost exceeds the average for the Council's secondary sector schools by nearly 55%.

Table 9

	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19
Cymer Afan Comp.	£6,054	£6,325	£6,344	£6,861	£7,156	£7,156	£7,111	£6,822
Local Authority Average (inc. Cymer Afan Comp.)	£4,240	£4,384	£4,441	£4,438	£4,480	£4,484	£4,476	£4,418

98. The 'per pupil' costs at Ysgol Cwm Brombil, scheduled to open in 2018, will be at or below the Council's secondary sector average. Based on the average per pupil costs for 2018/2019 this proposal will deliver a potential 'per pupil' revenue saving of £2,404. With 229 pupils currently on roll, this is equivalent to c.£551k.
99. Ysgol Cwm Brombil will be funded according to the Council agreed formula for allocating school budget shares which will reflect the number of pupils on roll including additional pupils as a result of this proposal.
100. Revenue savings for reinvestment into the education budget will be as a result of efficiencies in terms of cost of delivery through economies of scale; Ysgol Cwm Brombil will be a large school. In this regard, the proposal supports the Council's effective management of its education budget and promotes the more equitable distribution of funding across local secondary sector schools.

101. There will be an additional recurring revenue cost of c.£76k associated with the provision of home to school travel. This figure has been estimated on the basis of all pupils transferring from Cymer Afan Comprehensive to Ysgol Cwm Brombil and provision at current transport prices.
102. Costs associated with compulsory redundancy will not be known until all redeployment opportunities have been fully explored. The Council is committed to supporting staff at risk of compulsory redundancy and has secured the support and goodwill of the teacher associations/trade unions and governing bodies across the Council via an employers' pledge. The Council has a proven track record for supporting staff in such situations. However, in the highly unlikely event of the compulsory redundancy of all teaching and support staff currently employed at Cymer Afan Comprehensive school then, based on the current staff structure, the estimated total redundancy cost amounts to c.£458k. Redundancy costs incurred as a result of the closure of Cymer Afan Comprehensive school are 'one-off' payments and are not annually recurring charges.
103. Plans for a vacated Cymer Afan Comprehensive school site have not yet been developed. The school site is owned by the Council and any future use will be considered within the context of the Council's corporate asset management process. If the site or part of the site is sold the monies raised will be reinvested into the general education budget.
104. Additional commentary specific to finance can be found on pages: 18, 19 & 62 – 65 of the consultation report (appendix A).

## Equality impact assessment

105. An Equality Impact Assessment (EIA) 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, and the Well-being of Future Generations (Wales) Act 2015 the Environment (Wales) Act 2016).
106. The current EIA is attached as appendix E. It is important that Members read the EIA for the purposes of this meeting. Members should note that work on the EIA is an ongoing process and the current EIA will be revisited as it becomes further informed by the objection period, should that be approved. A fully completed EIA will be put before Members prior to any final decision being taken on whether or not the proposal is to be implemented. The impact on different protected groups, together with the three equality needs to which Members must have regard are set out in the EIA.
107. In response to the Well-being of Future Generations (Wales) Act 2015 the Council has set three strategic objectives which contribute to the seven national well-being goals that the Welsh Government requires all public bodies in Wales to contribute to, in order to achieve 'the Wales we want'.
108. The Council's well-being objectives and the supporting improvement priorities are set out in the Council's Corporate Plan. This proposal directly contributes to Well-being Objective 1 – 'To improve the well-being of children and young people', as it seeks to increase the

opportunities for young people from the upper Afan Valley through delivering a 21<sup>st</sup> century learning environment, an environment that will provide pupils with a wider range of facilities and contribute to raising aspirations. It aims to ensure that pupils are equipped with the skills, the behaviours and the support they need to make progress and to contribute socially and economically to the national well-being goal of a prosperous Wales.

109. The proposal seeks to reduce inequality of educational provision for pupils in the upper Afan Valley, ensuring that learning experiences are improved and that they are able to access the resources and facilities that would otherwise not be available to them. An example of this would be through the technological investment planned for Ysgol Cwm Brombil which they will be part of should this proposal be approved.
110. Should a disproportionate impact on a particular protected group be identified, there is no real risk of indirect discrimination as the Council is pursuing a legitimate aim (improving the quality and efficiency of education in the Council's area) and the decision to publish the proposals to discontinue Cymer Afan Comprehensive school is a proportionate means of achieving that aim

## **Workforce impacts**

### **– School staff**

111. There are 23.6 full-time teaching staff and 39 support staff with contracts attached to Cymer Afan Comprehensive school. Pupil teacher ratio is higher than the average for the Council's secondary sector schools (table 10) but this needs to be

interpreted in the context of the arrangements across the federation.

112. Should a decision be taken to close school, staff with contracts attached to Cymer Afan Comprehensive school will be declared redundant. Employees identified at risk of redundancy will be supported by the Council's policies and HR staff.
113. Employment for some may continue within the federation whilst there is also the potential for employment opportunities at the receiving school because of increased numbers.
114. The governing bodies of schools in Neath Port Talbot have pledged to employ redundant staff where possible.

Table 10

	2017
School	9.0
Local Authority	16.6
Wales	16.5

– **Centrally employed staff**

115. Centrally employed staff will be managed via the Council's staff employment processes.

– **Staff support**

116. As part of the process all school based staff will be supported by the relevant school policies and procedures which will include full consultation. Previous experience has shown that as a result of school reorganisation some staff take the opportunity to undertake new challenges elsewhere. Employees identified at risk of redundancy will be given access to the Council's prior consideration register. The Council is committed to supporting

staff at risk of compulsory redundancy and has secured the support and goodwill of the teacher associations/trade unions and governing bodies across the Council, via an employers' pledge. The Council has a proven track record for supporting staff in such situations.

## **Legal impacts**

117. Members are referred to Appendix J which sets out in detail the relevant legislation and legal implications relating to a decision on this proposal. It is the view of officers that this report complies with the legislative requirements.
118. The proposal requires the discontinuation of a school. The School Standards & Organisation (Wales) Act 2013 (the Act) provides the legislative framework by which the Council may implement the proposal.
119. The Welsh Government's School Organisation Code imposes on the Council requirements and guidelines on matters relating to school organisation, including consultation.
120. Pupil travel arrangements will be in line with the requirements of the Learner Travel (Wales) Measure 2008; the Learner Travel Statutory Provision and Operational Guidance 2014; and the Council's Home to School Travel Policy 2017.
121. Revenue funding will be in line with the requirements of the School Funding (Wales) Regulations 2010; and the Council's approved formula for funding schools.
122. The management of staff affected by the proposal will follow the relevant school policy and procedure requirements.

## **Risk management**

123. A risk assessment has been carried out under the Council's Risk Management Policy 2015.
124. The potential risks associated with the proposal comprise the Council's reputation, educational standards, financial management, staff employment and service delivery.
125. Potential risk areas in implementing the proposal include:
- resistance to change leading to lack of pupil, parent and staff support
  - educational standards not maintained
  - loss of community facilities
  - increased home to school travel time impacting on attendance and performance
  - staff anxiety about job security
  - negative impact on existing federation
126. Failing to implement the proposal will result in the following teaching/learning and financial benefits not being fully realised, particularly in relation to:
- providing a stimulating and innovative teaching and learning environment that will impact positively on the self-esteem and well-being of all pupils
  - access to a wider range of staff expertise
  - opportunities for wider peer group interaction
  - a more efficient and effective use of resources, and savings from economies of scale
  - greater protection against the impact of a schools funding formula review

- reduction in the number of surplus pupil places

127. The benefits of implementing the proposal will mitigate the effects of identified risks. A new school provides greater prospects for improving educational attainment for pupils.

128. The full risk assessment is attached to this report as appendix F.

### **Community impact assessment**

129. The community impact assessment has been carried out in line with the requirements of the School Organisation Code. This is an assessment of the impact on community usage of those facilities and services currently available at Cymer Afan Comprehensive school. The assessment recognises the importance of Cymer Afan Comprehensive school and the part it plays in the wider community. Community provision and activities that have been developed over an extended period at the school site will be displaced under this proposal; however opportunities exist to relocate activity from the school to alternative locations. The assessment reports that these locations can be enhanced as appropriate with no loss of amenity to the wider community and recommends that plans are put in place to mitigate any loss.

130. Whereas the need to understand and mitigate the impact of a school reorganisation proposal on a community is a right and proper consideration, the deciding factor in determining school organisation proposals should be one of securing the best educational offer for pupils.



131. Should this proposal be implemented then Ysgol Cwm Brombil will serve the upper Afan Valley and its facilities will be available for use by all the communities in its extended catchment area.
132. The community impact assessment is attached to his report as appendix G. It can also be viewed on the Council's website using the following electronic link: <https://www.npt.gov.uk/1891>

### **Welsh language impact assessment**

133. Cymer Afan comprehensive school is an English-medium school as will be Ysgol Cwm Brombil. At English-medium schools Welsh is taught as a second language.
134. Officers are satisfied that provision for Welsh language will be at least comparable with the provision currently offered at Cymer Afan Comprehensive school and that implementing the proposal should result in a positive impact on Welsh language development.
135. At Cymer Afan Comprehensive school the Welsh dimension is strongly supported. There are many valuable opportunities provided to develop pupils' knowledge and understanding of the history, culture and industry of Wales. All pupils follow an appropriate course in Welsh in key stage 4, and a majority of pupils gain a qualification in Welsh at GCSE.
136. Whereas Ysgol Cwm Brombil has yet to open, the experience at Dyffryn School serves as a helpful benchmark as the new school would wish to build on the strengths of existing provision. At Dyffryn School almost all Year 10 pupils follow the full GCSE course in Welsh second language, with many pupils following the course at the higher level. This was reported by Estyn to be

strength of the school, who also noted that the school has been effective in promoting positive attitudes to the learning of Welsh.

137. The school is working towards improving pupils' Welsh language skills beyond formal Welsh lessons, and to encourage greater pupil self-confidence when using the language. Pupils' understanding of Welsh culture is developed appropriately through subject topics and activities such as residential trips and the two school eisteddfodau.
138. The full Welsh language assessment is attached to this report as appendix H.

## **Recommendation**

139. Having given due regard to the responses to consultation and the impact assessments in relation to equality, risk, community usage and Welsh language together with the legal implications, it is recommended that, in line with Section 48 of the School Standards and Organisation (Wales) Act 2013, Members approve the statutory publication of a proposal to make arrangements for pupils who would otherwise attend Cymer Afan Comprehensive school to receive their secondary education at Ysgol Cwm Brombil and to close Cymer Afan Comprehensive.
140. The proposed date of implementation to be 1<sup>st</sup> September 2019.
141. Notice of the proposal to be published on 26<sup>th</sup> June 2018, allowing 28 days for receipt of objections.

## **Reasons for proposed decision**

142. This decision is necessary to comply with the formal publication requirements of the School Organisation Code and associated legislation. A draft statutory notice is attached as appendix I. Implementation of the proposal will enable the Council to promote high educational standards and the fulfillment of every child's potential. It will also enable the Council to meet its duty to secure efficient education in its area.

## **Implementation of the decision**

143. The decision is proposed for implementation after the 3-day call-in period.

## **Appendices**

Appendix A: Consultation report

Appendix B: Consultation document

Appendix C: Education, Skills and Culture Cabinet Board report

Appendix D: Estyn response

Appendix E: Equality impact assessment

Appendix F: Risk assessment

Appendix G: Community impact assessment

Appendix H: Welsh language impact assessment

Appendix I: Draft statutory notice

Appendix J: Legal implications

## **List of background papers**

a) Education, Skills and Culture Cabinet Board Report: November 2017

<http://moderngov.neath-porttalbot.gov.uk/documents/s33454/Future%20of%20education%20in%20the%20upper%20Afan%20Valley%20202.pdf>

- b) Consultation document  
<https://www.npt.gov.uk/media/8363/future-of-secondary-education-in-the-upper-afan-valley-consultation-document.pdf>
- c) Strategic School Improvement Programme Principles Paper: September 2008  
[https://democracy.npt.gov.uk/Data/Cabinet/20080924/Agenda/\\$CAB-240908-REP-EL-KN.doc.pdf](https://democracy.npt.gov.uk/Data/Cabinet/20080924/Agenda/$CAB-240908-REP-EL-KN.doc.pdf)
- d) Welsh Government - School Organisation Code: July 2013  
<http://gov.wales/docs/dcells/publications/130719-school-organisation-codes-en.pdf>
- e) School Standards & Organisation (Wales) Act 2013  
[http://www.legislation.gov.uk/anaw/2013/1/pdfs/anaw\\_20130001\\_en.pdf](http://www.legislation.gov.uk/anaw/2013/1/pdfs/anaw_20130001_en.pdf)
- f) Learner Travel (Wales) Measure: 2008 & the Learner Travel Statutory Provision and Operational Guidance: 2014.  
[http://www.legislation.gov.uk/mwa/2008/2/pdfs/mwa\\_20080002\\_en.pdf](http://www.legislation.gov.uk/mwa/2008/2/pdfs/mwa_20080002_en.pdf)  
<http://gov.wales/docs/det/publications/140616-ltog-en.pdf>
- g) Home to School Travel Policy: 2017  
[https://www.npt.gov.uk/media/4231/npt\\_home\\_to\\_school\\_travel\\_policy\\_2017.pdf](https://www.npt.gov.uk/media/4231/npt_home_to_school_travel_policy_2017.pdf)
- h) Estyn  
<https://www.estyn.gov.wales/inspection/search>
- i) School Funding (Wales) Regulations 2010  
<http://www.legislation.gov.uk/wsi/2010/824/made>
- j) Council's funding formula  
<https://democracy.npt.gov.uk/documents/s34397/ESC%20Cab.Board%20report%20120118.pdf>
- k) Measuring the capacity of schools in Wales  
<https://gov.wales/docs/dcells/publications/111104measuringcapacityen.pdf>
- l) Council Corporate Plan 2018-2022  
<https://www.npt.gov.uk/media/8917/corporate-plan-2018-22-eng.pdf>  
[https://democracy.npt.gov.uk/Data/Cabinet/20111109/Agenda/\\$CAB-091111-REP-EL.doc.pdf](https://democracy.npt.gov.uk/Data/Cabinet/20111109/Agenda/$CAB-091111-REP-EL.doc.pdf)

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