

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

CABINET

6th September 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 implement 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. This Cabinet report needs to be read in conjunction with
 - Objection report (appendix A)
 - Consultation report (appendix B)
 - Consultation document (appendix C)
 - Cabinet report – June 2018 (appendix D)

- Education, Skills and Culture Cabinet Board report – November 2017 (appendix E)
 - Legal Implications (appendix F)
 - Statutory notice (appendix G)
 - Equality Impact Assessment (appendix H)
 - Risk Assessment (appendix I)
 - Community Impact Assessment (appendix J)
 - Welsh language impact assessment (appendix K)
3. Members should read the Cabinet report and appendices before taking a decision and must act in accordance with the legal provision set out in appendix F.

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 comprising four primary and one secondary.
6. Cymer Afan Comprehensive is a small secondary school. A school with 600 pupils¹ 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.

¹ Estyn 2013: 'School Size and Education Effectiveness'

7. Cymer Afan Comprehensive school building has significant surplus places. It has capacity for approx. 640 pupils but with 229 pupils on roll² it is carrying over 64% surplus capacity.
8. In the current financial year³, 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 £7,111⁴, 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, 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 21st 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 21st century school facilities. The business case for the establishment of this school is not dependent on the closure of Cymer Afan Comprehensive school.

² School census – January 2018

³ School budget share allocation: 2018/2019

⁴ School budget share allocation: 2017/2018 as reported in the consultation document

12. At its meeting of 9th November 2017 the Council's Education, Skills and Culture Cabinet Board approved consultation on the future of secondary education in the upper Afan Valley.
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 15th May 2018.
14. At its meeting of 20th June 2018 Cabinet received a report on the outcome of consultation and having given it due consideration Members determined to proceed with the proposal, approving its statutory publication, a process that provides for the submission of objections. The period for submitting objections has now ended.
15. In total 433 written objections were received during the objection period. The majority of the comments contained in the objection correspondence repeat points that have already been addressed in detail in the Consultation Report. However, the objections must be conscientiously considered alongside the arguments in favour of the proposals and in light of the factors set out in sections 1.3 and 1.14 of the Code (see summary included in appendix F to this report).
16. Comments opposing the proposal do not, on balance, present a convincing argument suggesting its modification or abandonment. As such, the case for the proposal remains strong. Officers recommend that Members determine to adopt the proposal, with an implementation date of 1st September 2019.

Background

17. 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 21st 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.
18. 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.
19. 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

20. It is proposed 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.

21. If approved the proposal will take effect on the 1st September 2019 with Cymer Afan Comprehensive school closing on 31st August 2019.
22. Ysgol Cwm Brombil is a new 3-16 'all-through', middle school, opening on 1st September 2018 in a new build facility in Margam, Port Talbot. Ysgol Cwm Brombil replaces the existing Dyffryn School and Groes Primary School which are both due to close on 31st August 2018.

Statutory Notice – decision to publish

23. At the Cabinet meeting of 20th June 2018 the outcome of consultation was considered. At that meeting, Members expressed concern for children with additional learning needs, but acknowledged that this was addressed in the circulated report. Officers highlighted that Dyffryn School (as proxy for Ysgol Cwm Brombil, yet to open) had a good record of supporting pupils with additional learning needs (ALN) and offered a wide range of support to pupils, the new Head Teacher at Ysgol Cwm Brombil also had a good understanding of pupil's well-being.
24. It was noted that a Community Impact Assessment (CIA) had been carried out prior to the consultation, this recognised that community based activities currently being carried out in Cymer Afan School, could be distributed to alternative locations across the upper Afan Valley.
25. Members highlighted that a new school outside the Afan Valley could open up new experiences and opportunities for children living

there, also specialist teaching may be available which pupils attending Cymer Afan may not have access to now.

26. Concerns were raised on the affect the closure of the school would have on the primary schools in the upper Afan Valley. Officers confirmed that currently there were no plans to close the any of the primary schools in the upper Afan Valley. Officers explained that if a visit was requested, there was an opportunity for parents to visit Ysgol Cwm Brombil.
27. Members explained that this was about educating children not about the building, the benefits of 21st century education was shown on para. 52, of the circulated report.
28. Members outlined there had been a long and extended consultation period lasting from 11 December 2017–14 February 2018.
29. Members highlighted that the work of the Neath Port Talbot Valleys' Task Force was a vision and was not funded, the Authority was unable to deliver all objectives with Welsh Government funding decreasing.
30. Members determined to proceed with the proposal and approved the statutory publication of the proposal. To this effect a statutory notice was published on 26th June 2018 allowing the 28 day period for submitting objections, which ran until 23rd July 2018.
31. The statutory notice is attached as appendix G

Objections to the proposal

32. In total 433 written objections were received during the objection period. These objections have been carefully considered by officers

and must be carefully considered by Members conscientiously and with an open mind, alongside the arguments in favour of the proposal and in light of the factors set out in section 1 of the School Organisation Code.

33. The objections can be categorised by type of objector as follows:

Table 1

Category	No.	Category	No.
Pupils	103	Residents/ Community	126
Parents/carers	86	Past pupils	23
Staff	15	Others/unspecified	20
Governors	2	Pupils' relatives	52

34. Objections were also received from:
- the upper Afan Valley federation of Schools Governing Body;
 - the Afan Valley Support and Action Group;
 - Cllr Scott Jones;
 - Cllr. Nicola Davies;
 - David Rees AM; and
 - Stephen Kinnock MP.
35. In addition a petition: ‘Opposing the closure of Cymer Afan Comprehensive School’ consisting of 2007 signatures has been received.
36. All written objections have been made available to Members as from Thursday, 16th August 2018 for perusal prior to the meeting of the Council’s Cabinet on 6th September 2018 at which the proposal will be determined. Members will have also received, prior to that meeting, the Objection Report.

37. Two written further written objections were received after the closing date, 23rd July 2018. For reference, these have been included in the objections made available to Members.

38. The full Objection Report is attached as appendix A

Summary of objections received

39. Objections received relate to the following themes

Table 2

Education	Wider community
Transport and travel	Consultation process
Federation	Finance
21 st century school projects	Alternative organisation arrangements

40. The majority of the issues raised in the objection correspondence have been addressed in detail in the Consultation Report which should be read alongside this report.

41. The key objections are summarised below along with officer responses.

– Education

42. Objections received focus on the risk that pupils transferring from Cymer Afan Comprehensive to Ysgol Cwm Brombil will not continue to receive high standards of teaching or attain high outcomes. Additionally objectors fear that pupils with additional learning needs (ALN) will not be supported appropriately and that a larger school cohort would mean less care and attention for individuals, which is more important for pupils who reside in the upper Afan Valley due to high levels of deprivation experienced.

43. Officers do not believe that this proposal would be detrimental to standards or outcomes, but rather that this will significantly improve educational opportunities for upper Afan Valley pupils. Pupils at Dyffryn School (proxy for Ysgol Cwm Brombil) have consistently attained high standards at the end of key stage 4, the school has a good track record at supporting vulnerable pupils, including those with ALN and has demonstrated that the school offers a broad and balanced curriculum. With the addition of a new build 21st century school building in 2018 pupils will have the added benefits that this can offer, further enhancing and improving educational opportunities, including a wider range of support services and greater access to specialist staff.
44. The full commentary relating to objections received on the matter of education can be found on pages 5 – 16 of the Objection Report (appendix A).

– ***Federation***

45. Objectors are concerned that the four primary schools of the upper Afan Valley federation will be at risk if the secondary school closes as proposed, and that the current quality of transition experienced by pupils transferring from year 6 to year 7 will not be possible.
46. There are no plans currently to close any of the four primary schools, and while it is recognised that removing the secondary school will significantly alter the character of the current federation it is the view of officers that there is much to be gained from continuing with a federated arrangement with the primary schools in the upper Afan Valley.

47. Officers do not believe that transition between the upper Afan Valley primary schools and Ysgol Cwm Brombil should be any less effective than it is currently, with careful planning and organisation by the schools involved. It is the case that all secondary schools in Neath Port Talbot successfully manage transition with primary schools some of which may be some distance away and there is nothing to suggest this wouldn't be the case in this instance.
48. The full commentary relating to objections received on the matter of federation can be found on pages 16– 19 of the Objection Report (appendix A).

– **Transport and Travel**

49. Objectors are concerned that the distance pupils will need to travel from the upper Afan Valley to Ysgol Cwm Brombil is too far, especially when weather conditions can be significantly different between the two areas. Concerns have also been raised relating to the possibility of pupils being able to access extra-curricular activities and being collected or brought to school after appointments or if taken ill at school.
50. There are no specified travel time or travel distance limits that determine the length of journey between home and school, and guidance issued in Wales relies on an assessment of reasonable journey time. The distance between Gwynfi, the furthest community in the upper Afan Valley from Margam, is approx. 13 miles with a journey time, including stops, of approx. 45 minutes. This journey distance and times are similar to other journeys undertaken by pupils across the county borough.
51. Arrangements for extra-curricular activities are not an uncommon challenge for schools that have pupils attending from outside the

immediate area of the school and schools ensure that all pupils have the opportunity to participate.

52. Concerns have been expressed about pupils missing the school bus. It is the responsibility of parents to ensure that pupils attend school, extra transport will not be provided for pupils who are late or who need to attend appointments made during the school day.
53. The full commentary relating to objections received on the matter of transport and travel can be found on pages 19 -25 of the Objection Report (appendix A).

– **21st Century School Projects**

54. Objections received have focussed on issues relating to the processes involved in establishing Ysgol Cwm Brombil and the perception that this proposal is necessary to address surplus places at the Margam school. Objectors have voiced the opinion that this proposal is predetermined as the Council needs to avoid 21st century funding clawback from Welsh Government and that if the process was fair and transparent then Cymer Afan Comprehensive school community would have been involved with the consultation for Ysgol Cwm Brombil from the outset.
55. It is the view of officers that the establishment of Ysgol Cwm Brombil does not have a direct impact on this proposal as Ysgol Cwm Brombil opens on 1st September 2018 and the new school building is nearing completion, regardless of the outcome of this proposal. Funding for this school is not dependent on the closure of Cymer Afan Comprehensive school and the transfer of pupils to Ysgol Cwm Brombil.
56. It is right and proper that the proposal on the future of secondary education should be considered in its own right, as should any

future proposals involving Ysgol Cwm Brombil. Should this proposal not be implemented then alternative proposals could be progressed, however it is the view of officers that this current proposal still presents the best available educational offer for upper Afan Valley pupils.

57. The full commentary relating to objections received on the matter of 21st century school projects can be found on pages 25 -31 of the Objection Report (appendix A).

– ***Wider Community***

58. Objections have been received which comment on the detrimental effect that this proposal will have on the wider community in the upper Afan Valley, and which raise concerns about the impact of losing education in such a deprived area. Objectors also state that the Community Impact Assessment (CIA) does not address wider issues of concern to the community.
59. This proposal relates to the secondary school and does not seek to remove education from the area as a whole. The four remaining schools are not currently under review and it is expected that they will remain federated and continue to benefit the communities where they are sited.
60. While children of secondary school age will be educated outside of the valley, under this proposal, it is still the case that they will return to their communities at the end of their school day and during holiday periods, and will be able to participate in community life in the same way as they do currently.
61. The CIA has been undertaken in the first instance for the purpose of providing information on the impact of the proposal on the local community's access to facilities and services currently at the school

and has been prepared in line with the requirements of the Welsh Governments School Organisation Code. It is not a standalone document and the impact on the community has been considered at each stage of the process along with other assessments, officer reports and the outcomes of consultation. It is the case that the assessment of the impact on the community is not just contained in the initial CIA document but is reflected in other reports and documents, in response to comments and objections received throughout the process.

62. The full commentary relating to objections received on the matter of the wider community can be found on pages 31 -38 of the Objection Report (appendix A).

– ***Consultation Process***

63. A number of objections received relate to dissatisfaction with the consultation process, including the view that the consultation period was too brief, and that the comments received were not given due consideration or were ignored by Councillors.
64. The consultation period for this proposal exceeded the time requirement that consultees should have at least 42 days to respond to the consultation document. It is the view of officers that the high number of respondents demonstrate that there was sufficient time available to gather a wide range of views and opinions, however it is the case that the objection period has given consultees a further opportunity to respond if needed. With no new significant information coming forward it would not appear necessary to further extend the consultation or to delay the determination of the proposal.

65. It is not the case that consultation responses have not been considered or ignored. The consultation report has set out in some detail the views expressed by consultees and the officer responses. The objection report provides a further opportunity for Councillors to consider the objections to the proposal before determining the proposal.
66. The full commentary relating to objections received on the matter of the consultation process can be found on pages 38-44 of the Objection Report (appendix A).

– ***Finance***

67. Objectors have expressed the view that the higher levels of need experienced by Cymmer Afan Comprehensive pupils justifies the higher costs of educating them and challenge whether this proposal will result in a more equitable allocation of funds.
68. It is the case that the high costs of delivering education in Cymer Afan Comprehensive are not related to the levels of deprivation but to the need to provide basic education offer which all pupils are entitled to and receive across Neath Port Talbot.
69. The savings made from school reorganisation proposals are ring fenced to the Council's budget for education.
70. The full commentary relating to objections received on the matter of finance can be found on pages 44-47 of the Objection Report (appendix A).

– ***Alternative School Organisation***

71. Objections have been received which present the view that the community hub option was not properly assessed and should be reviewed further.
72. It is the case that the Consultation report contained information on all 13 options that were explored, including the community hub option. A community hub arrangement has to supplement the provision of a school in the first instance and as such the provision of a school was given priority in the evaluations of alternative options. The evidence presented demonstrates that the existing site areas of the upper Afan Valley schools are insufficient in size to accommodate the requirements of most of the proposed school configurations and the inclusion of a hub of services would require additional accommodation on site.
73. The full commentary relating to objections received on the matter of alternative school reorganisation can be found on pages 47-49 of the Objection Report (appendix A).
74. The Objection Report will be published on the Strategic School Improvement Programme webpage of the local authority's website by 13th September 2018. Hard copies will be available on request. Before the 13th September 2018, parents, carers and guardians and staff members of Cymer Afan Comprehensive school and the partner primary schools will be advised by the school of the link to the local authority's website whilst other statutory consultees will be e-mailed the link.

Consideration of the proposal

75. The proposal consulted upon and subsequently published 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.
76. 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.
77. In addition, comments opposing the proposal do not, on balance, present a convincing argument suggesting its modification or abandonment.
78. As such, the case for the proposal remains strong. Officers recommend that members should determine to adopt the proposal, with an implementation date of 1st September 2019.

Pupil numbers and school accommodation capacity

– *Cymer Afan Comprehensive school*

79. There has been a 35% (122) fall in pupil numbers⁵ over the past ten years with a 2016 low of 210. Pupil numbers for this period are shown in table 3 below.

⁵ Pupil numbers updated to reflect the school census return - January 2018

Table 3

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

80. Forecasts based on January annual census returns suggest a potential increase of 42 pupils by 2024 (table 4). 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**
81. 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**
82. Ysgol Cwm Brombil is a new, 21st 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 4 below).
83. A new build school provides the opportunity to deliver a stimulating teaching and learning environment in state of the art, 21st 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 4

<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

84. The funding arrangements of the £30m new build investment at Ysgol Cwm Brombil is not dependent on this proposal.
85. 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.
86. 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 5). At Cymer Afan Comprehensive school this cost exceeds the average for the Council's secondary sector schools by nearly 55%.

Table 5

	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

87. 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.
88. 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.
89. 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.
90. 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.

91. 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.
92. 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.
93. Additional commentary specific to finance can be found on pages: 18, 19 & 62 – 65 of the Consultation Report (appendix B).

Equality impact assessment

94. An Equality Impact Assessment (EIA) has been undertaken to assist the Council in discharging its legislative duties under the Equality Act 2010,
95. The EIA is attached as appendix H. The impact on protected groups, together with the three equality needs to which

Members must have regard are set out in the EIA and in annex F – legal implications. Members are directed to these documents before taking a decision.

96. 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.
97. The outcomes of the EIA do not find direct discrimination of a protected characteristic as the Council's proposal does not treat a person less favourably than it treats others. Indirect discrimination against females has been identified as the proposal will impact on female members of staff to a greater extent than it will on male members of staff. However, in implementing its proposal to close Cymer Afan Comprehensive school, the Council is pursuing a legitimate aim in improving the quality of education for pupils and securing more efficient use of public resources. In this regard, the proposal is a proportionate means of achieving that aim. Implementing the proposal will provide the pupils of the upper Afan Valley with a 21st century learning environment and increased learning opportunities. It will also enable the Council to make more effective use of its resources for investment in education. The conclusion of this assessment is that the proposal could be continued.
98. Separately, 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’.

99. 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 21st 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.

Workforce impacts

– ***School staff***

100. 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 6) but this needs to be interpreted in the context of the arrangements across the federation.

Table 6

	2017
School	9.0
Local Authority	16.6
Wales	16.5

101. Should a decision be taken to close the 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.

102. 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.
103. The governing bodies of schools in Neath Port Talbot have pledged to employ redundant staff where possible.

– ***Centrally employed staff***

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

– ***Staff support***

105. 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 implications

106. Members are referred to Appendix F 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.

107. The proposal is that Cymer Afan Comprehensive School should be discontinued. This proposal must be determined in accordance with the School Standards & Organisation (Wales) Act 2013 (the Act) and the School Organisation Code.
108. The Welsh Government's School Organisation Code imposes on the Council requirements and guidelines on matters relating to school organisation, including consultation.
109. 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.
110. 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.
111. The management of staff affected by the proposal will follow the relevant school policy and procedure requirements.

Risk management

112. A risk assessment has been carried out under the Council's Risk Management Policy 2015.
113. The potential risks associated with the proposal comprise the Council's reputation, educational standards, financial management, staff employment and service delivery.
114. 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

115. 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

116. 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.

117. The full risk assessment is attached to this report as appendix I.

Community impact assessment

118. 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.
119. 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.
120. 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.
121. The community impact assessment document issued with the consultation document is attached to his report as appendix J. It should be noted, however, that the assessment of the proposal's impact on the community has been further informed by responses to consultation and during the objection period. Additional information arising from the consultation process (including statutory objections) is contained within the consultation report and the subsequent

Cabinet and Objection reports together with the respective appendices. As such, the community impact assessment document complements, and is complemented by, the reports and impact assessments to which this document has been attached/ electronically linked, including the objection report and associated Cabinet report and appendices. In this regard, that document needs to be read in conjunction with the accompany reports and impact assessments.

Welsh language impact assessment

122. 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.
123. 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.
124. 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.
125. 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.

126. 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.
127. Primary education through the medium of Welsh is available at Ysgol Gynradd Gymraeg Rhosafan, the Welsh-medium school serving the catchment area of the upper Afan Valley. Secondary Welsh-medium education will be available at Ysgol Gymraeg Ystalyfera –Bro Dur (Bro Dur campus) which opens in September 2018. Some pupils access Welsh-medium education at Ysgol Gynradd Gymraeg Cynwyd Sant and Ysgol Gyfun Gymraeg Llangynwyd in the neighbouring authority of Bridgend. Home to school transport is provided because of 'nearest suitable' provision criterion.
128. The full Welsh language assessment is attached to this report as appendix K.

Determining a proposal

129. In determining a proposal the Code sets out factors which should be taken into account. In this regards, Members are referred to paragraphs 15 -18 of the legal implications document (appendix F) and to the documentation accompanying this Cabinet report. Officers consider that the alternative provision at Ysgol Cwm Brombil will deliver outcomes and offer provision at least equivalent to that which is currently available at Cymer Afan Comprehensive school.

Detailed consideration of alternatives has been undertaken, none of which present as a viable option.

Recommendation

130. Having given due regard to the objections 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 53 of the School Standards and Organisation (Wales) Act 2013, Members determine to implement the 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.
131. The proposed date of implementation to be 1st September 2019.
132. The site and buildings be declared surplus to the operational requirements of the Education Leisure and Lifelong Learning Service.

Reasons for proposed decision

133. This decision is necessary to comply with the legislative requirements that provide for the implementation of the proposal.
134. A decision to implement the proposal will enable the Council to:
- promote high standards and the fulfilment of every child's potential; and
 - meet its duty to secure efficient education in its area.

Implementation of the decision

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

Appendices

Appendix A: Objection report

Appendix B: Consultation report

Appendix C: Consultation document

Appendix D: Cabinet report – June 2018

Appendix E: Education, Skills and Culture Cabinet Board report –
November 2017

Appendix F: Legal Implications

Appendix G: Statutory notice

Appendix H: Equality Impact Assessment

Appendix I: Risk Assessment

Appendix J: Community Impact Assessment

Appendix K: Welsh language impact assessment

List of background papers

a) Cabinet Report: June 2018

<https://democracy.npt.gov.uk/ieListDocuments.aspx?CId=158&MId=8497&Ver=4>

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

<https://democracy.npt.gov.uk/ieListDocuments.aspx?CId=315&MId=7692&Ver=4>

c) Cabinet Report: February 2017

<https://democracy.npt.gov.uk/ieListDocuments.aspx?CId=158&MId=6586&Ver=4>

d) Cabinet Report: January 2017

<https://democracy.npt.gov.uk/documents/s27087/YNM%20CABINET%20REPORT%20040117.pdf>

e) Cabinet Report: October 2016

<https://democracy.npt.gov.uk/documents/s24985/YNMargam%20Cabinet%20report%200261016.pdf>

- f) Cabinet Report: July 2015
<https://democracy.npt.gov.uk/documents/s16179/CAB.%20090715%20Band%20A%20reconfiguration.pdf>
- g) Consultation Report: December 2016 (Ysgol Cwm Brombil)
<https://democracy.npt.gov.uk/documents/s27088/App%20A%20Consultation%20Report.pdf>
- h) Determination statement
<https://www.npt.gov.uk/media/7098/decisionletterynmargam.pdf>
- i) 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/$CAB-240908-REP-EL-KN.doc.pdf)
- j) Welsh Government - School Organisation Code: July 2013
<http://gov.wales/docs/dcells/publications/130719-school-organisation-codes-en.pdf>
- k) School Standards & Organisation (Wales) Act 2013
http://www.legislation.gov.uk/anaw/2013/1/pdfs/anaw_20130001_en.pdf
- l) Learner Travel (Wales) Measure: 2008 & the Learner Travel Statutory Provision and Operational Guidance: 2014.
http://www.legislation.gov.uk/mwa/2008/2/pdfs/mwa_20080002_en.pdf
<http://gov.wales/docs/det/publications/140616-ltqg-en.pdf>
- m) Home to School Travel Policy: 2017
https://www.npt.gov.uk/media/4231/npt_home_to_school_travel_policy_2017.pdf
- n) Estyn
<https://www.estyn.gov.wales/inspection/search>
- o) School Funding (Wales) Regulations 2010
<http://www.legislation.gov.uk/wsi/2010/824/made>
- p) NPT CBC Funding Formula
<https://democracy.npt.gov.uk/documents/s34397/ESC%20Cab.Board%20report%20120118.pdf>
[https://democracy.npt.gov.uk/Data/Cabinet/20111109/Agenda/\\$CAB-091111-REP-EL.doc.pdf](https://democracy.npt.gov.uk/Data/Cabinet/20111109/Agenda/$CAB-091111-REP-EL.doc.pdf)
- q) Measuring the capacity of schools in Wales
<https://gov.wales/docs/dcells/publications/111104measuringcapacityen.pdf>
- r) Council Corporate Plan 2018-2022
<https://www.npt.gov.uk/media/8917/corporate-plan-2018-22-eng.pdf>

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