



Education, Leisure & Lifelong Learning Service  
Strategic School Improvement Programme

**FUTURE OF SECONDARY EDUCATION IN THE  
UPPER AFAN VALLEY**

**OBJECTION REPORT**

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# **Response to objections to the Council's proposal on the future of secondary education in the upper Afan Valley**

## ***1. Introduction***

This report addresses the principal issues raised in objection to the Council's proposal on the future of secondary education in the upper Afan Valley. It responds to the objections by means of clarification and commentary, with supporting reasons. The objection period commenced on 26<sup>th</sup> June 2018 and ended on 23<sup>rd</sup> July 2018. During this period a statutory notice was made available on the Council's website under the Strategic School Improvement Programme's webpage and displayed at the main entrance to the school. It was also made available to consultees listed in Appendix 1.

This report needs to be read alongside the associated consultation document<sup>1</sup>, and the Consultation Report<sup>2</sup>.

## ***2. Context***

The Council has consulted with interested parties on the future of secondary education in the upper Afan Valley. The Council proposes to close Cymer Afan Comprehensive school and 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.

At the Cabinet meeting of 20th June 2018 the outcome of consultation was considered. Members carefully considered the consultation responses, and decided to proceed to the next stage

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<sup>1</sup> Consultation document - <https://www.npt.gov.uk/1891>

<sup>2</sup> Consultation report - <https://www.npt.gov.uk/1891>

of publishing a statutory 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.

If implemented, this proposal would take effect on 1st September 2019 with Cymer Afan Comprehensive school closing on 31<sup>st</sup> August 2019.

### **3. Objections**

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, alongside the arguments in favour of the proposal and in light of the factors set out in section 1 of the School Organisation Code

The objections are categorised by type of objector as follows:

*Table 1*

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

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.

In addition, a petition - 'Oppose the closure of Cymer Afan Comprehensive School' consisting of 2007 signatures has been received.

Two further written objections were received after the closing date, 23<sup>rd</sup> July 2018.

Copies of all written objections have been made available to Members for perusal prior to the meeting of the Council's Cabinet on 6<sup>th</sup> September 2018 at which the proposal will be determined. Members will have also received and considered, prior to that meeting, this Objection Report.

#### **4. Summary of objections received**

Objections received relate to the following themes:

*Table 2*

Education	Wider community
Transport and travel	Consultation process
Federation	Finance
21 <sup>st</sup> century school projects	Alternative school organisation

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. The objections are summarised below along with officer responses

#### **5. Education**

- *Cymer Afan is consistently better than other schools in Neath Port Talbot and Wales so why should we send our children to an underperforming school elsewhere?*

- *Cymer Afan has superb educational outcomes and so it would be madness to close such a well performing school*
- *Cymer Afan is a caring school, a small school means our children get more attention and care*
- *ALN pupils would not be catered for in other schools, the POD is the only provision in NPT of its kind offering support and there will not be comparable support offered in Ysgol Cwm Brombil*
- *Cymer Afan pupils are the most vulnerable, most deprived pupils in NPT and should be treated more equitably*
- *Cymer Afan Comprehensive should not close as it serves a deprived community which needs education more than anywhere else, to educate and give children hope for the future*

***Officer response:***

References have been received to the position of Cymer Afan Comprehensive in the Wales Online ‘Real Schools Guide 2018’, stating that this guide indicates that the school is the highest performing school in Neath Port Talbot and that it would, therefore, be detrimental to pupils were it to close.

The Wales Online ‘Real Schools Guide 2018’, which is based on 2017 data, is a media produced guide created from information on schools which is publicly available. It is a journalist produced rating system based on 33 different measures, broken into four categories – attainment, teaching, attendance, and outcomes. Amongst the measures included are: the amount of funding that a school receives; the staff to pupil ratio; and the current exam results compared to 5 years previously. The guide also claims to measure: ‘whether a school is getting ‘top marks’ and ‘improving year on year’.

While the guide may provide interesting information, it is not recognised by Welsh Government or local authorities as being a reliable measure of pupil progress or of the performance of schools in Wales. In fact, there are a number of its measures which have little impact on the education provided by a school – for example the amount of reserves held by a school does not necessarily make any difference to pupil performance, similarly the number of teachers in a school is not a measure of the quality of teaching or of how teaching impacts on standards attained. GCSE results can be reported in a number of different ways and it isn't clear which measure the guide has used – for example it may have used the number of pupils who have achieved 5 A\* - C grades GCSEs or the number of pupils who have achieved A – G grades at GCSE.

The guide's methodology is not used by Welsh Government or local authorities for measuring either school performance or pupil progress. Instead, a wide range of reliable information is gathered from a variety of sources including local and national data from tests, examinations and teacher assessments together with reports from Estyn and other recognised educational organisations. Additionally, local authority and regional Challenge Advisors visit schools regularly and report on progress in a consistent and comparable way.

The evidence used by educationalists points to Cymer Afan Comprehensive as not being the best performing school in Neath Port Talbot and its pupils do not attain the highest GCSE results when compared to other Neath Port Talbot schools.

In 2017, 41.5% of pupils in Cymer Afan Comprehensive and 60.9% of pupils in Dyffryn School<sup>3</sup> attained 5 GCSE A\*to C grades

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<sup>3</sup> Dyffryn School – used as the proxy benchmark school for Ysgol Cwm Brombil

including English and Maths. The average for Neath Port Talbot was 51% and for all of Wales 55%. The highest performing school in Neath Port Talbot attained 63%.

While it is acknowledged that Cymer Afan Comprehensive has made progress in recent years in terms of pupil attainment, when compared to the performance of other schools in Neath Port Talbot it is consistently at the lower end of the ranking (when comparing the percentage of pupils attaining 5 GCSE A\* to C grades including English and Maths).

It has been noted that some correspondents believe that Cymer Afan Comprehensive should not be compared with the other secondary schools in Neath Port Talbot as the school has higher percentages of pupils eligible for free school meals (eFSM), and so pupils attending there have greater needs than those in other Neath Port Talbot schools. It would, therefore, appear to be more justifiable to compare the school using benchmark data which would mean comparisons would be made taking into account its free school meal percentages accordingly.

The table below (table 3) demonstrates that Cymer Afan Comprehensive has indeed the highest percentage of eFSM pupils at 31%, although this percentage represents a relatively small number -70 pupils. It can be argued that all of the Neath Port Talbot secondary schools have comparatively high levels of eFSM pupils with five of the nine secondary or middle schools placed in benchmark group 4 (over 20% and up to 30% eFSM) and benchmark group 5 (30% and above). The eFSM national average is 16.6%, and only three secondary or middle schools are below this percentage in Neath Port Talbot as shown in table 3.



Table 3

<b>NPT Schools</b>	<b>Number of eFSM pupils</b>	<b>Total Number Pupils on roll</b>	<b>% eFSM Pupils</b>	<b>Benchmark Group (3yr average)</b>
Cymer Afan Comp	70	229	31	5
Other	354	1207	29	5
Other	148	623	24	4
Other	163	736	22	4
Other	149	702	21	4
Other	150	783	19	3
Other	196	1271	15	3
Other	168	1117	15	3
Other	111	964	11	2

When Cymer Afan Comprehensive is compared to other Neath Port Talbot schools using benchmark data it is the lowest performing school with the average quartile place over the last 5 years being quartile 3. The highest performing school has an average quartile place of quartile 1, and all other schools average either quartile 1 or 2 over the last 5 years. In 2017 36% of pupils eligible for FSM (25 pupils) attained 5 GCSE A\* to C grades including English and Maths, 5<sup>th</sup> out of the 9 secondary or middle schools in Neath Port Talbot. Dyffryn School had the greatest percentage of pupils at 44% (66 pupils).

Pupils at Dyffryn School, who will be transferring to Ysgol Cwm Brombil in September 2018, consistently attain good GCSE results, and there is nothing to suggest that Cymer Afan Comprehensive school pupils would not achieve at least the same standards should they transfer to Ysgol Cwm Brombil.

Attendance at Cymer Afan at 93.10% (2016-2017) is below the County average and places the school 7<sup>th</sup> out of the nine secondary and middle schools in Neath Port Talbot, with the highest percentage being 94.86%. Data for 2017/18 indicates that attendance has dropped to 92% and that Cymer Afan is positioned 8<sup>th</sup> out of 9 schools.

Cymer Afan Comprehensive School is placed in the yellow category of support, which indicates an effective school with good learner outcomes. Five of the seven secondary schools in Neath Port Talbot were categorised as green schools this year, and one of the two middle schools was also categorised as green. The green category indicates that a school requires the least amount of support to be effective.

No secondary or middle school in Neath Port Talbot is deemed to be unsatisfactory or in need of significant improvement. Four secondary schools have been inspected by Estyn between 2014 and 2017 and, of those schools, two were placed into the category of Estyn monitoring (Cymer Afan Comprehensive school being one of these), while the other two were found to have a number of areas of excellence. A school which requires monitoring needs to improve areas of its performance and Estyn review progress the following year. If during the return visit inspectors consider that insufficient progress has been made, then the school may be judged to require significant improvement or special measures and be placed in one of these statutory categories. In the case of Cymer Afan Comprehensive, Estyn were satisfied that progress had been made when they returned and the school was removed from monitoring. The local authority continue to closely monitor and support schools which have been in Estyn monitoring to ensure good progress is maintained.

Cymer Afan Comprehensive school has been recognised as providing a caring and nurturing environment. This is not the only school in Neath Port Talbot that this is true of – for example in the Estyn reports for the three secondary schools inspected during the same period as Cymer Afan Comprehensive school, care, support and guidance were deemed to be ‘excellent’ in two of them and ‘good’ in the third.

In moving from a small secondary school to a larger secondary school, some objectors have contended that pupils from Cymer Afan Comprehensive will be transferring into larger classes and that this will be to their detriment. Larger schools do not necessarily mean that pupils will be taught in large classes. Some of the larger schools in Neath Port Talbot have similar class sizes to Cymer Afan Comprehensive. Small class sizes have the biggest impact on progress of very young pupils, and the effect of a low adult to pupil ratio has very little impact by the time a pupil progresses to key stage 3, other than for those pupils with ALN. In secondary schools, greater pupil numbers can be a benefit as it can lead to broader and more balanced curriculum provision, and more opportunity for pupils to share the learning experiences with a larger peer group.

Attending a larger school does not mean that pupils are likely to have their needs unmet, or that they will receive less care and attention from staff. It is the case that larger schools create their own systems for ensuring that all pupils have a voice and are able to ask and receive support should it be required. In fact, larger schools are more often able to provide a wider range of support, achieved through economies of scale made possible due to greater pupil numbers.

Objectors to the proposal have expressed concerns over potential bullying in larger schools and the impact this will have on upper Afan Valley pupils who are presented as being 'different' to those living in more urban areas. These concerns were raised during the consultation and addressed in the Consultation Report (see section 8 of the Consultation Report). Given that research<sup>4</sup> indicates that bullying is a concern for children of all ages it is appropriate that the response in the Consultation Report is repeated here. There are fears that Cymer Afan Comprehensive school pupils will be more likely to become victims of bullying in a school outside of the upper Afan Valley. In this regard it is important to restate that bullying is not tolerated in schools and school staff work hard to ensure that incidents of bullying are dealt with when it occurs, and that victims are properly supported. Respect and tolerance of diversity are promoted in schools and pupils who are experiencing bullying are encouraged to speak out in an effort to prevent further incidents. Research<sup>5</sup> also indicates that there is as much as a 10% increase in pupils' awareness of bullying and of what steps can be taken to prevent bullying in larger schools (975 pupils or above) than smaller schools (258 pupils or below). There is also no firm evidence to suggest that bullies identify victims because of where they live, and it seems very unlikely that upper Afan Valley pupils will be victimised or bullied because of this, particularly in a school such as Ysgol Cwm Brombil which will have pupils from many different areas of Port Talbot. Once pupils start at Ysgol Cwm Brombil they will become pupils of that school and will be treated as such by staff and by peers. It is reported that at Dyffryn School there are few incidents of bullying or harassment and where these occur they are dealt with immediately in line with school policies. Additionally pupil

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<sup>4</sup> What Children are telling us about Bullying , ChildLine Bullying Report 2015/2016

<sup>5</sup> A Survey into the Prevalence and Incidence of School Bullying in Wales, Welsh Assembly Government 2016

voice surveys report that 99% of pupils feel safe in school and value the secure environment that the school offers. Estyn also confirm that 99% of pupils in Dyffryn School reported that they feel safe in school when surveyed during inspection in 2016.

Comments have also been received relating to the management of pupils with additional learning needs (ALN) at Cymer Afan Comprehensive school and the perceived inability of other schools to support pupils as effectively. All schools are required to make provision for pupils with ALN and both Cymer Afan Comprehensive and Dyffryn School have ALN pupils within their classes. The support currently received by Cymer Afan Comprehensive school pupils is likely to be of at least the same standard if they transfer to Ysgol Cwm Brombil.

It is recognised that currently Cymer Afan Comprehensive school operates a support facility entitled Place of Development (POD) and that Estyn reported that the POD supports vulnerable pupils well and is of high quality. The POD provides intervention for groups of pupils with ALN including those who have difficulties with communication, social skills, behaviour, emotional needs and sensory/physical needs. Year 6 pupils are also able to have access for one morning a week.

The intervention programmes which take place in the POD are similar to those taking place in similar provisions in every secondary school in Neath Port Talbot, albeit under different titles in every school. For example, ELSA<sup>6</sup> provision has been noted to be an intervention programme delivered by learning support assistants in the POD, and this is also known to be successfully delivered in Dyffryn School.

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<sup>6</sup> ELSA – Emotional Literacy Support Assistant

Neath Port Talbot and every local authority in Wales has a statutory duty to ensure that pupils with a statement of special educational needs (SEN) have their individual learning requirements fully met while at a mainstream school. All schools strive to ensure that every statemented pupil has their needs met and are no different to Cymer Afan Comprehensive in this respect. Ysgol Cwm Brombil has appointed a SENCO and an ALNCO to oversee the full range of needs that are likely to be present in the new school, and an area of the building has already been designated as a student services hub where all pupils will be able to access additional support appropriate to their needs.

Should this proposal be approved, it is expected that work will take place between Cymer Afan Comprehensive school and Ysgol Cwm Brombil to ensure that each pupil's statement or individual educational plan has been reviewed and appropriate provision has been identified and planned in order to meet individual needs. This will further ensure that procedures are in place to fully support pupils with additional learning needs.

Various teams exist in Neath Port Talbot Council to support and advise schools, parents and pupils themselves on all matters relating to additional learning needs (ALN). Specialist support is available for example for speech and language difficulties, ASD<sup>7</sup>, hearing impairment and learning difficulties. If this proposal is approved these teams would be available to support and assist pupils through the transition from Cymer Afan Comprehensive to Ysgol Cwm Brombil, as it is recognised that pupils with ALN can often find change difficult. Good communication and planning between the schools will also aid transition and enable pupils to

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<sup>7</sup> ASD – Autism Spectrum Disorder

feel more confident and at ease with the move, and local authority officers will endeavour to encourage and facilitate good relationships between the two schools for the sake of all the pupils involved. It should be noted that for those pupils who choose not to transfer to Ysgol Cwm Brombil support would still be available at other Neath Port Talbot schools. For pupils who transfer to schools outside of Neath Port Talbot, support may be more difficult to arrange as it would involve working with other local authorities with different ALN support systems.

It is acknowledged that Cymer Afan Comprehensive school serves one of the most deprived areas of Neath Port Talbot, as demonstrated in the Welsh Index of Multiple Deprivation (WIMD). WIMD is the Welsh Government's official measure of relative deprivation for small areas in Wales and aims to identify those small areas where there are the highest concentrations of several different types of deprivation.

WIMD is currently made up of eight separate types of deprivation – income, employment, health, education, access to services, community safety, physical environment and housing. Specifically for education, the WIMD is designed to reflect educational disadvantage within an area in terms of lack of qualifications and skills, using indicators which capture low attainment among children and young people and the lack of qualifications in adults.

Ensuring that aspects of educational deprivation are addressed is a key factor of this proposal and it is the view of officers that those pupils who transfer to Ysgol Cwm Brombil will have enhanced opportunities and experiences which will benefit them during their school years and beyond. This proposal seeks to improve educational experiences for pupils in the upper Afan valley by providing access to a 21<sup>st</sup> century learning environment, high

quality teaching and learning experiences (as demonstrated through Dyffryn School's consistently high pupil outcomes) and the opportunity to benefit from greater curriculum provision made possible in a larger school. This proposal also provides pupils from the upper Afan Valley with the opportunity to experience all the benefits that a new, modern school can bring to teaching and learning, ensuring that they have more advantages than many secondary pupils across Neath Port Talbot who are taught in ageing buildings in need of modernisation and repair.

Objectors have raised concerns over provision for pupils in Year 10 and 11 who will be sitting GCSE examinations at the time of the proposed move. This point was also raised during the consultation period and as stated then (see section 8 and appendix E of the Consultation Report), should there be a decision to implement the proposal to close Cymer Afan Comprehensive school then early discussions are required so that all involved can understand the curriculum implications and impact on pupils. Thorough planning and good communication between the two schools and support from local authority officers should alleviate these concerns and minimise disruption for pupils. Early discussions and planning will also help address pupils concerns and anxieties about transferring schools.

## **6. Federation**

- *What will the future be for the remaining schools in the federation if the comprehensive is closed?*
- *We already have 3-16 education in the valley.*
- *Transition from primary to secondary has never been as easy as it is now – will pupils have this experience when they transition into Ysgol Cwm Brombil?*



***Officer response:***

Objectors expressed opposition to the proposal on the basis that it would undermine the federated arrangement that currently exists within the upper Afan Valley schools. As stated in previous reports (see section 9 of the Consultation Report, in particular) there is no reason for the primary schools to not continue with a federated approach. Currently, the Council has no plans to close any of the federated primary schools. The four remaining schools are able to continue to operate as a federation, benefiting from the advantages a federated arrangement can bring. This can be achieved with some amendment to the leadership arrangements and governance structure currently in place.

This proposal impacts on the federation specifically in relation to the secondary school element of that arrangement. It is recognised that removing the secondary school from the federation will significantly change the character and dynamics of the current arrangement and a different arrangement with the secondary school serving the area - Ysgol Cwm Brombil under this proposal, will need to be developed. However, a change to the current federation does not diminish the case for retaining a federated arrangement amongst the primary schools of the upper Afan Valley nor prevent a reconstituted federation from being formed.

Whereas, providing advice on how a primary federation should be organised are outside the scope of this report it is important to note that the federation of schools in the upper Afan Valley was formed to manage the impact of falling school rolls and the financial pressures that this has placed on each school, particularly in respect of ensuring that the curriculum needs of the pupils could be met. By federating and operating under the management of

one governing body, the budgets allocated to individual schools could be 'pooled' and resources directed to where needed most. It also provided the legislative framework to enable staffing structures to be changed in order to deliver education in a way that is more cost effective and efficient, the most recognisable change being the appointment of one head teacher across the five schools. The effect of this meant more resources for teaching and learning as all five schools are funded as though there was a head teacher employed at each school. The salary savings resulting from the single leadership structure allows the federated governing body to use its resources to best effect across the federation. This model of financial benefit will continue to be available to a federated governing body serving primary schools alone. Similarly, a single leadership structure serving the four primary schools is able to continue should the secondary school close. There is much to be gained by the four primary schools from a federated arrangement. In Wales schools are managed by governing bodies under a local management of schools scheme which gives governors the power to take decisions about how schools are run. Should a decision be taken to implement the proposal, with an intended closure date of 31<sup>st</sup> August 2019 there is time to make alternative arrangements for a federation of the primary schools.

Transition between key stages two and three is acknowledged to be a successful aspect of the upper Afan Valley federation and concerns have been expressed that this successful transition cannot be maintained if the pupils transfer to Ysgol Cwm Brombil. While it will require thorough planning - due to greater distances between the primary schools and Ysgol Cwm Brombil, it does not mean that transition cannot take place equally as well as current arrangements. Many schools across the County Borough have very good transition arrangements, even where there are distances

between the secondary and partner primary schools that make the arrangements more challenging.

If parents choose to send their children to schools other than Ysgol Cwm Brombil then transition work would be more of a challenge as the upper Afan Valley primary schools would need to work with a greater number of secondary schools.

Objectors contended that there was no benefit to be had by pupils from Cymer Afan Comprehensive school joining a 3-16 middle school in Margam as the federated arrangement in the upper Afan Valley already operated on 3-16 principles. It is acknowledged that school management and curriculum delivery across the upper Afan Valley schools is founded on a 3-16 model. However, that is not the basis of the Council's proposal for change which seeks to increase educational opportunities, remove the high cost of sustaining a small secondary school and deliver education more efficiently and effectively across the County Borough. The day to day running costs (revenue) at Cymer Afan Comprehensive are high compared to other secondary schools in the County Borough. The assessed cost of maintaining the school building (capital) compounds this financial situation.

## **7. Transport and travel**

- *The journey is too far and will be exhausting for pupils*
- *There will be a negative impact on pupil health and well-being*
- *Pupils will not be able to access extracurricular activities*
- *Poor transport links between the upper Afan Valley and Margam will impact on school attendance if pupils miss the bus or need to attend medical appointments*

- *Lack of access to a car will mean that many families will be unable to attend school events or collect children who are taken ill at school.*
- *The roads are unsafe especially in winter, and this will impact on pupil attendance*
- *Margam is heavily congested at peak times*

**Officer response:**

The objections relating to transport and travel have been addressed in previous reports (see section 10 of the Consultation Report, in particular). However, given the prominence of this matter at both consultation and objection stages of the process, the initial response, which still stands, has been repeated here and added to as appropriate.

For pupils living in Neath Port Talbot, the Council is responsible for assessing the suitability of travel between home and school to enable pupils to attend school regularly. Free transport is provided for secondary age pupils living 3 miles or more from their nearest suitable school. In the case of the Council's proposal to provide education at Ysgol Cwm Brombil for pupils living in the upper Afan Valley, although not the nearest suitable school, free transport will be made available. Detailed information on travel assistance can be found in the Council's Home to School Travel Policy<sup>8</sup>.

The distance between Gwynfi, the furthest community in the upper Afan Valley from Margam, and Ysgol Cwm Brombil is approx. 13 miles with a journey time, including stops, of approx. 45 minutes. There are no specified travel time or travel distance limits that determine the length of journey between home and school. The

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<sup>8</sup> Home to School Travel Policy  
[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)

guidance in Wales does not specify journey times and relies on an assessment of reasonable journey time.

An assessment of reasonable journey time or distance is one that takes into account the learner's age, ability and the locality of the pupil's home in relation to the available schools in the vicinity. A trial bus run between the upper Afan Valley and Margam has initially assessed the route as suitable.

There is very little evidence available to either support or disprove the notion that commuting can significantly affect children and young people's health and well-being. Discussions with pupils in various schools show that, for some, travelling to school by bus can lead to anxiety and stress, while for others the same journey can be an enjoyable and productive experience, where the opportunity to socialise with peers at the start and end of a school day is welcomed. An understanding that pupils are individuals who will react differently to the same situation will ensure that transition activities can be used to directly target support for those pupils who may initially be anxious and unhappy about travelling arrangements in an effort to alleviate their concerns.

Many schools, including all secondary schools in Neath Port Talbot, admit pupils from outside of the immediate vicinity of the school and very many children and young people are transported to school every day from all parts of the County Borough. These challenges are faced by schools on a daily basis and are appropriately and sensitively managed to suit the particular needs of the schools and the communities they serve.

Arrangements for extra-curricular activities are not an uncommon challenge for schools that have pupils attending from outside the immediate area of the school but, with effective management,

schools ensure that all pupils have the opportunity to participate. Ysgol Cwm Brombil will also seek to put in place the necessary arrangements to ensure equality of provision and experiences for all pupils, but those are management decisions that will be taken when the outcome of this proposal is known. The temporary governing body of Ysgol Cwm Brombil has stated that they will welcome pupils and parents of the upper Afan Valley as full members of the school community. In this respect they will be keen to ensure their responsibilities towards all pupils are met equally and similarly towards parents so that they are able to access meetings and events.

There are a range of solutions to this problem found by other schools that include: arrangements with public transport companies, using school minibuses, arranging activities at lunchtime or other times during the school day or facilitating car shares with parents. Extra transport for extra-curricular activities, or for other reasons, is not provided by the local authority, although some schools do make provision for this. It has been contended that extra-curricular activities organised during the school day will provide less time for pupils to socialise. In response it could be argued that participating in extra-curricular activities provides the opportunity to engage with others which supports socialisation.

The same active management arrangements will apply where pupils become unwell or need to leave school during the day. Contingency arrangements are made and schools manage the situation in the best and most appropriate way possible, always with the pupil's well-being foremost in mind.

It is noted that public transport between the upper Afan Valley and Margam is not direct and that this could cause difficulties for families without access to a vehicle. Families would not be

penalised for a pupil's late arrival at school where the delay has been caused by heavy traffic, road works or other unforeseen circumstances which causes authorised home to school transport to be late. Similarly, if a pupil is required to attend a medical appointment there will be no penalty. However, getting a child to school after a medical appointment will be the responsibility of the parent in the same way as it falls to the parent to make arrangements for transport to a hospital for an appointment. With regard to the use of detention, schools with pupils relying on school transport will manage behavioural issues in ways that do not place a pupil at risk of not returning home safely.

It is the responsibility of parents/carers to ensure that their child catches the school bus on time every day, as is the case for all other pupils in Neath Port Talbot using school or public transport, or to make other arrangements for their child to make his/her way to school. Elsewhere, where pupils are transported to school there has been no noted detrimental effect on punctuality or on attendance and there is no local evidence to suggest that pupils who travel to school by bus are more likely to have issues with attendance. Concern has been expressed that the Education Welfare Service will be diminished by this proposal. The Education Welfare Service is a central provision with officers based at secondary schools. It will be for the Council to ensure that, operating from Ysgol Cwm Brombil, the support for attendance provided by the Education Welfare Service in the upper Afan Valley is as effective as the current arrangements.

It is recognised that weather conditions in the upper Afan Valley can differ significantly from those occurring nearer the coastline and that during the winter months snow and ice can be more of an issue. There is nothing to suggest significant disruption of the bus services because of main highway conditions and an analysis of

school closure information due to inclement weather reveals that over the previous four winters, Cymer Afan Comprehensive School has been closed for snow on only three occasions and these were in January 2013. There have been some late starts because of weather conditions and this winter has seen further closures, although on 19th March (2018), when snowfall resulted in all schools in the upper Afan Valley closing, the main roads were open to vehicles and all local bus services operated as normal including all home to school routes from the upper Afan Valley to Maesteg, Neath and Port Talbot. The only services in the area that did not operate were those cancelled because of school closures in the upper Afan Valley.

During inclement weather, such as snowfall, it is the bus operator's decision, in conjunction with the Council and the school, as to whether or not school buses should run. Should there be concerns over pupil safety because of inclement weather or road conditions then decisions regarding transportation will be taken at the time the concerns arise and will involve good communication between transport managers, operators and the school. If a vehicle is not able to go any further on a route, the operator must contact the Council's Transport Unit and, depending on weather conditions, road conditions and weather forecast, a decision will be taken about how best to proceed and what action to take. These can range from waiting for the weather to pass over, the re-prioritising of the supply of 4x4 vehicles and gritting vehicles to clear roads, to requesting assistance from the emergency services. Until alternative arrangements are in place, pupils should remain with the vehicle. To the Council's knowledge no children attending schools in Neath Port Talbot have been left stranded at school due to adverse weather conditions and good communication between all parties is vital to ensure this doesn't happen in the future. While removing groups of children from school early could be disruptive



and mean that teaching time is lost, it is doubtful that this would impact significantly on pupil progress unless it were to happen on a regular basis, which is highly unlikely.

The road between Cymmer and Port Talbot is claimed by one objector to be a 'terrible road for accidents'. The personal injury accident data base (Stats19) shows that during 2016 there were 6 slight, 0 serious and 0 fatal personal injury collisions on the A4107 between Cymmer and Port Talbot. Two of these slight collisions occurred during times coinciding with possible travel times between home and school. This year the Council has received a Welsh Government Road Safety Grant to implement road safety measures to raise driver awareness and improve road safety along this route.

One objector has commented that Margam is heavily congested at peak times and the additional pupils from the upper Afan Valley will add to this congestion causing delays. A full transport assessment was undertaken and submitted as part of the planning application for the school and which required planning approval before it could be built.

### **8.21<sup>st</sup> century school projects**

- *Neath Port Talbot Council have a vested interest in the closure of Cymer Afan Comprehensive and should not have been involved in decision making on its future.*
- *This proposal is being considered because Ysgol Cwm Brombil has been built too big and there is a need to fill surplus places.*
- *Parents from the upper Afan Valley will not send their children to Ysgol Cwm Brombil to rectify the Council's mistake in building the school bigger than it should be.*

- *Ysgol Cwm Brombil funding has been agreed on the certainty that Cymer Afan will close to enable surplus places to be filled.*
- *Members have to determine to close Cymer Afan Comprehensive to avoid clawback from Welsh Government for the Ysgol Cwm Brombil build.*
- *When submitting the business case for Ysgol Cwm Brombil the Council did not declare their intention to close Cymer Afan Comprehensive school.*
- *Cymer Afan Comprehensive school should have been involved in the consultation process to establish Ysgol Cwm Brombil – as they were not involved at that point, this current consultation is illegal.*
- *The Council continues to deny that extra surplus places have been created in Ysgol Cwm Brombil accommodate Cymer Afan pupils.*
- *A 21<sup>st</sup> century environment does not mean the school building – the environment will include the steel works and the M4*
- *Pollution in Margam will impact on health and well-being*
- *Why is it practical for the inclusion of Cymer Afan Comprehensive school pupils [at Ysgol Cwm Brombil] when it was deemed impractical for the inclusion of [two nearby primary schools] in terms of size and vehicular access?*

***Officer response:***

There are a number of objections to the proposal founded on misconceptions relating to the relationship between this proposal and the Council's successful bid for 21<sup>st</sup> century funding for Ysgol Cwm Brombil. These were raised at consultation stage and responded to in reports (see section 14 of the Consultation Report, in particular). They have been raised again by objectors.

To contextualise, in July 2015 a report was presented to Cabinet seeking permission to reconfigure the Council's 21<sup>st</sup> century schools Band A programme to omit the original 3-16 faith school project and replace it with a new build 11 -16 school to replace Dyffryn School. In October 2016 the project was further developed to include a 3-11 primary element and permission to consult on closing Dyffryn and Groes School and creating a new 3-16 all through middle school on the current Dyffryn upper school/Groes site was sought and subsequently granted.

The statutory processes were duly completed, with very few comments received from the two school stakeholder groups, and with no objections received the proposal was approved with an implementation date of September 2018. A tight deadline for completion of the build project was necessary to comply with the requirements of the Band A funding and as such the build project was being developed alongside the statutory procedures to establish the new school and application for funding. During this time an outline business case was submitted and approved and Welsh Government awarded funding for the scheme subject to the usual conditions of grant being met. One such condition relates to the clawback of up 25% of the funding granted where pupil projections for the school are not realised and there is consequent over capacity in the build. Other conditions also need to be met to ensure that the full funding is received, as is the case in every project of this kind.

At the time of developing the business case there were no plans to close Cymer Afan Comprehensive school. Any such plans would have required the formal school closure processes, including consultation with stakeholders that this current proposal is following. In addition, the financial case for funding the capital

build element of the new school is not dependent upon the closure of Cymer Afan Comprehensive school or the transfer of pupils from the upper Afan Valley to Ysgol Cwm Brombil.

It is the case that the opportunity to maximise of the development of an 'all-through' middle school at this site by providing for pupils additional to those currently on roll at Dyffryn School and Groes Primary was exploited.

While it is the view of some objectors that Cymer Afan Comprehensive school should have been involved in the proposal to establish Ysgol Cwm Brombil from the outset that position presumes that the only means of fully utilising pupil places at Ysgol Cwm Brombil relies on the closure of Cymer Afan Comprehensive school and the transfer of pupils to the Margam site. Whereas this presents as a possible course of action, it is not necessarily the only available course of action. This proposal, involving the closure of Cymer Afan Comprehensive school, is the one currently being consulted upon. Should this proposal fall, then alternative proposals will need to be considered and consulted upon accordingly. In relation to Cymer Afan Comprehensive school, a separate proposal has also made it possible to allow the consultation on the future of secondary education in the upper Afan Valley to be carried out thoroughly and to ensure that the considerable responses received were fully considered before any final decision is taken.

Furthermore, it is the view of officers that to have extended the scope of the Ysgol Cwm Brombil proposal by including alternative arrangements involving other schools, would likely have delayed the new build proceedings resulting in Ysgol Cwm Brombil not being completed within the required timescales of the Band A projects.

Documents relating to the new build Ysgol Cwm Brombil proposal have been available publicly throughout the statutory processes and beyond. Welsh Government made were aware that increased numbers would be realised through future planning of school places, including the processes needed to establish Ysgol Cwm Brombil which at the time the funding was awarded had not been completed.

It is still the case that an alternative proposal could be developed should this proposal not progress. However, it remains the view of officers that this current proposal still presents the best available educational offer for upper Afan Valley pupils.

Ysgol Cwm Brombil open on 1<sup>st</sup> September 2018, with the new school building will being occupied in October 2018. The consideration and final determination of the proposal to close Cymer Afan Comprehensive and to make arrangements for those pupils to transfer to Ysgol Cwm Brombil for their secondary education, will have no effect on the establishment of the new school or on the completion of the building work. In that respect it is no different to any other school closure proposal undertaken in Neath Port Talbot where a receiving school has been established prior to the closure implementation date. The proposal to establish Ysgol Cwm Brombil was separate to this proposal and should this not be progressed further then Ysgol Cwm Brombil will still exist as planned. It is right and proper that this proposal on the future of secondary education in the upper Afan Valley should be considered in its own right, as should any future proposals involving Ysgol Cwm Brombil.

Neath Port Talbot Council have the authority to determine school reorganisation proposals within the county. Each proposal is

considered separately and decisions are made after full consideration/deliberation of the information presented.

One objector challenged the Council's use of the term 21<sup>st</sup> century environment when referring to Ysgol Cwm Brombil, contending that a school building is not an environment and that such a reference should include mention of the M4 and the steel works which the objector contrasts with the 'beautiful Afan Valley'. Notwithstanding an alternative interpretation of that point of view, the definition of 'environment' equally and appropriately refers to the setting in which an activity is carried on, such as a 'learning environment'.

Concerns have been expressed at the perceived poor air quality in Port Talbot and Margam. These relate to a view held that attending a school near the M4 motorway and in the close vicinity of the steelworks will be detrimental to the health and well-being of pupils from the upper Afan Valley. This view will have been reinforced by recent media reports describing Port Talbot as "Britain's most polluted town". Such media claims follow the publication of a World Health Organisation (WHO) report that quoted figures to support this 'most polluted' view of the town - figures that the WHO now accepts are wrong. In contrast, the correct figure puts Port Talbot, despite being bisected by the M4 and hosting one of Europe's biggest steel mills on a par with, or cleaner than, many other towns and cities. The WHO has taken immediate steps to rectify the mistake on its website and database.

The WHO praises all cities that collect and disseminate information on outdoor air quality for their actions. Neath Port Talbot Council is active in monitoring its air quality and has a longstanding strategy and programme to manage this process. It regularly monitors and reports its local air quality measurements.

The most recent Air Quality Progress Report (July 2017) demonstrates good progress and no cause for concern in the Margam area. This will help to alleviate concerns that pupils will be at risk of suffering ill effects from air pollution if they attend Ysgol Cwm Brombil.

The planning assumptions for Ysgol Cwm Brombil form the basis of an objection particularly in relation to an assessment, undertaken at the formative planning stage, indicating that there is insufficient room on site to accommodate two catchment area primary schools. Ysgol Cwm Brombil is intended to accommodate 210 primary age pupils (plus nursery) and 1200 secondary age pupils. There will be sufficient space within the new school to accommodate secondary age pupils from the existing catchment area of Dyffryn School together with additional pupils from elsewhere, up to the intended capacity limit of 1200. There is insufficient capacity on site to accommodate the intended primary and secondary pupil rolls of 210 (plus nursery) and 1200 respectively together with additional primary school(s). The assessment in relation to additional primary school was intended to explore the maximum potential for a 3-16 provision. Ysgol Cwm Brombil is a 3-16 school, so should the number of secondary age pupils be less than the intended 1200 then, potentially, there could be room to accommodate additional primary school pupils. However, the capacity of the school and associated vehicular access management would remain substantively the same. Additional primary or secondary school pupils above this number would present both capacity and home to school travel challenges.

## **9. Wider Community**

- *Removing education from the valley will have a devastating effect on the community*

- *The impact on local businesses has not been considered.*
- *The upper Afan Valley will become more deprived as much needed amenities are taken away from the area*
- *The Community Impact Assessment is unsatisfactory and has not been drawn up in line with Welsh Government guidance.*
- *There has been no consideration of the detrimental effect on house prices, local businesses and the sustainability of the area as a whole.*
- *Cymer Afan Comprehensive is a rural school.*
- *The closure of Cymer Afan Comprehensive will mean that the adults of the upper Afan Valley will lose an established centre for them to learn and engage with the Welsh language.*
- *The proposal directly prevents two specific actions contained in the ‘Our Valleys, Our Future’ delivery plan—PS4 ‘Use existing – and create new – community hubs, in which the NHS, social services, schools and job centres work together with the third sector to provide services for local communities’ and PS5 ‘Build on the Welsh Government’s 21<sup>st</sup> century schools programme to co-locate services and focus on the community use of school buildings. This will allow schools to be used in a more flexible way so they offer a wide range of public services outside school hours.’*

**Officer response:**

Objectors have contended that the proposal would result in a depopulation of the upper Afan Valley which would detrimentally impact on local businesses. The proposal consults on the closure of the secondary school. It does not seek to remove education as a whole from the area. Currently, there is a primary school in each of the four main villages - Cymmer, Croeserw, Glyncorrwg and



Abergwynfi/Blaengwynfi. There is no primary school in Abercregan, Dyffryn Rhondda or Cynonville. The four primary schools, which along with the secondary school make up the federation, are not currently under review and do not form part of this proposal. It is expected that these schools will remain federated and will continue to provide pupils and staff with the benefits of federation within the communities where they are sited.

If implemented, the proposal would provide secondary education outside the upper Afan Valley, which would mean pupils leaving their communities for the school day. Secondary school pupils attend school during school hours for 190 days of the year. Outside the school day, at weekends and during holiday periods they will be able to contribute to the life and economy of their local communities, as they do now. At present, there are pupils living in the areas affected by this proposal who currently attend schools outside their local communities. Traditionally this has been the case for children seeking Welsh-medium education, faith based education, specialist provision at special schools and units, and parental choice for an alternative school.

It should be noted also that consultees have proposed, as an alternative option to the closure of Cymer Afan Comprehensive school, a new build, single site, 3-16 school. If this option was deliverable it would result in the closure of at least three of the four existing primary schools. Not all objectors favoured the closure of existing primary schools even to achieve this aim. The options for a new build, single site, 3-16 school were explored in detail in the Consultation Report (see section 16 of the Consultation Report) and it was found that the existing site areas of upper Afan Valley schools are insufficient in size to accommodate a single site, 3-16 provision.

It is contended by one objector that residents of the upper Afan Valley are entitled to the same opportunities as others in the County Borough. The proposal seeks to reorganise secondary education provision for pupils living in the upper Afan Valley. It does not remove any entitlement or access to secondary education, rather it aims to provide an enhanced educational experience for the pupils at a location outside the upper Afan Valley. Relocating secondary education does not discriminate against the upper Afan Valley. There are other areas within the County Borough that do not have a secondary school within the community and where pupils have to travel to access secondary education.

A Community Impact Assessment (CIA) has been undertaken for the purpose of providing information on the impact of the proposal on the local community's access to facilities and services currently available at the school. The CIA has been prepared in line with the requirements of the Welsh Government's School Organisation Code, and includes the necessary information suggested in Annex D of the Code. The Code states that "*The prime purpose of schools is the provision of education... Nevertheless, in some areas a school may also be the main focal point for community activity, and its closure could have implications beyond the issue of the provision of education*". The CIA clearly highlights facilities and services that are provided by the school and also suggests where these could be relocated to avoid loss to the community. The CIA document also contains a comprehensive assessment of the facilities and services elsewhere in the upper Afan Valley. The CIA supporting this proposal is not a free standing document; rather it complements, and is complemented by, a series of related documents; namely, the consultation document, the Consultation Report, the equality impact assessment, the Welsh language impact assessment, the risk assessment, the legal impact

assessment and, in this latest instance, the objection report. These are presented to the respective Council Committee as a coherent set of papers annexed to a report. The assessments are iterative, being updated and amended, as appropriate, in response to issues raised by the consultation process. In this regard, the format of this CIA does not in itself provide an opinion on the long term consequences of school closure on the local community as these matters are dealt with in appropriate details in the accompanying documentation of which the CIA is an integral part. The Code suggests that ideally an impact assessment should be included in consultation documents, which this Council has done. The scope of the Council's assessment of community impact is not limited by the initial CIA document. The assessment is responsive to the issues arising from the consultation process and subsequent objections; issues that are clearly set out in the reports and accompanying documentation.

As part of the consideration of the proposal's impact on the wider community, in the case of proposed closure, the Council should give special attention to:

- whether the establishment of multi-site schools might be considered as a means of retaining buildings, or the reasons for not pursuing this option
- whether alternatives to closure, such as clustering, collaboration or federation with other schools, might be considered (taking account of the scope for use of ICT links between school sites) or the reasons for not pursuing these as an alternative
- whether the possibilities of making fuller use of the existing buildings as a community or an educational resource could be explored
- the overall effect of a closure on the local community

- how parents' and pupils' engagement with the alternative school and any
- facilities it may offer could be supported

These issues are addressed in the documentation (see sections 13 & 16 of the Consultation Report which provides considerable detail on the views of stakeholders who fear greater impact on the wider community.)

One objector, raising concerns over the closure of rural schools, cited the statutory guidance issued by the Department of Education 'Opening and closing maintained school, Statutory guidance for proposers and decision makers' April 2016. This guidance relates specifically to proposals for establishment or discontinuation of schools in England. The relevant guidance for Wales is the 'School Organisation Code' July 2013. This document has been referenced throughout the development stages of the proposal. It has been referenced in the consultation document, with further references and associated electronic links contained in the Consultation Report and the respective Council's committee reports.

On the matter of rural schools, the School Organisation Code states that: "There is no presumption in favour or against the closure of any type of school. The prime purpose of schools is the provision of education and any case for closure should be robust and in the best interests of educational provision in the area. Nevertheless, in some areas, a school may also be the main focal point for community activity, and its closure could have implications beyond the issue of the provision of education. This may be a particular feature in rural areas if school buildings are used as a place to provide services to the local community." It further states

that when considering whether a closure is appropriate, special attention should be given to: “the overall effect of a closure on the local community (including the loss of school based facilities which are used by the local community), particularly in rural areas or those receiving funding as part of regeneration activity....” Cymer Afan Comprehensive school does not qualify as a rural school under the designations being proposed for inclusion in the revised School Organisation Code<sup>9</sup> but, in any event, the educational advantages outweigh the disadvantages identified.

Officers would contend that the consultation on this proposal has been thorough and extensive, and that the impact issues that have been raised by the communities of the upper Afan Valley, have received detailed and robust consideration. Of course, the decision will fall to Members.

An objection has been received which states that the closure of the school will result in adults being unable to access Welsh language education. This activity has not been highlighted as a possible loss either during the consultation or when completing the CIA. However, it is the case that there are many other venues which could be suitable for this type of provision in the immediate area including the library and Cymer Afan Primary school. The closure of Cymer Afan Comprehensive would be very unlikely to hinder the development of the Welsh language in the area for adults, and through undertaking a Welsh Language Impact Assessment it is anticipated that transferring Cymer Afan Comprehensive school pupils to Ysgol Cwm Brombil will further enhance and develop their Welsh language skills.

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<sup>9</sup> Village in sparsest context./Other (hamlet or dispersed) in sparsest context/Other (hamlet or dispersed) in less sparse context

The Consultation Report sets out why the proposal does not hinder the key priorities of the Valleys Taskforce Strategy (see section 12 of the Consultation Report, in particular). Additionally, the proposal does not prevent PS4 or PS5 of the 'Our Valleys, Our Future' delivery plan from being implemented. Four primary schools will remain in the upper Afan Valley and one or all of these could be suitable for the further development of a community hub if necessary. The Council's Band B 21<sup>st</sup> century schools programme will indeed strive to ensure that new build schools can be used in a more community centred way, however this target does not suggest that every community should receive a new build school. Furthermore, it was highlighted at the Cabinet meeting of 20<sup>th</sup> June 2018 that the work of the Neath Port Talbot Valleys' Task Force was a vision and was not fully funded, as such the Council was unable to deliver all objectives with Welsh funding decreasing.

It should be noted that while the need to understand and mitigate the impact of a school closure proposal on a community is a right and proper consideration, the deciding factor in determining school organisation proposals should principally be one of securing the best educational offer for pupils.

## **10. Consultation process**

- *The process has been rushed and not enough time has been allowed to explore alternative options*
- *No consideration has been given to the consultation responses*
- *The consultation process has ignored the objections made by parents, schools and local councillors*
- *Incorrect information and answers have been given*
- *The Consultation Report did not indicate how many of the 3137 respondents supported or opposed the proposal*

- *Nothing that was outlined at the public meetings have been taken into consideration*
- *The Councils approach to the proposal has been in breach of the requirements of the Well-being of Future Generations (Wales) Act.*
- *A child's rights impact assessment has not been undertaken and this is unacceptable.*

**Officer response:**

The School Organisation Code requires that the consultation document must be issued during the term time of the schools affected and that consultees must be given at least 42 days to respond to the document. The consultation period in this case ran from December 11<sup>th</sup> 2017 to 14<sup>th</sup> February 2018, with the period for consultation exceeding this requirement. During this period face to face meetings were held with key stakeholders and the consultation generated over 3000 written responses.

One objector complained that the meetings were not informative as the officers provided no helpful responses to the issues that were raised. Officers do not accept that assertion and the notes of the consultation meetings, as published in the Consultation Report, are evidence to the contrary.

A comprehensive 136 page Consultation Report was published on 15<sup>th</sup> May which contained a summary of the comments received along with officer responses. This report contained detailed responses to alternative proposals, and it is unlikely that a longer consultation period would have generated any new viable proposals, or that further consideration of the proposals suggested would have led to a different outcome. However, the 28 day objection period also allowed consultees to further submit their

views in the form of objections ensuring that any additional information, proposals or comments could be considered before a final determination is made.

Previous evaluations of consultations involving proposals to close a school have suggested that the longer the process takes the more stressful it can be for those directly involved, especially staff and pupils who can find themselves in a prolonged period of uncertainty about the future. This particular proposal has involved extending the statutory periods as set out in the School Organisation Code in an effort to provide consultees with as much time as possible to respond to the consultation. The number of written comments received would suggest that there was enough time available to gather the views of a large number of stakeholders and interested parties. While a further extension of the consultation period would be necessary should new information or a new viable proposal be submitted to allow for more detailed investigation or consideration, it is the view of officers that all suggestions and alternative proposals received have been fully explored and further time would not add to the matters for consideration. As such, and with no new information of significance coming forward, there would appear to be no good reason for further delay and an extension of the consultation period would lead to a longer period of uncertainty for those directly involved.

It is not the case that the consultation responses have not been considered or that comments and objections have been ignored. The Council holds the view that the purpose of consultation is to gain the opinion of stakeholders and others who have an interest in a proposal and, with this in mind, it ensures that all views and comments are taken into consideration and used to inform the decision making process.



The Consultation Report has set out in some detail the views of the consultees who responded and the officer responses to their comments. Many of the comments received have highlighted concerns that will need to be addressed should the proposal be implemented, one example being the issue of ensuring good transition arrangements for vulnerable pupils. This does not mean the proposal should be abandoned but rather that greater care should be taken to ensure that these pupils have their needs met if the proposal is progressed. This matter has been reported and has in turn been fully considered by Members when making their decision to publish the statutory notice. It is, therefore, not the case that these comments have been ignored or not taken into consideration.

All information provided by officers has been as accurate as possible and while objectors have commented that incorrect answers and information have been given, it is the case that specific detail of these suggested inaccuracies has not been provided, making it impossible, therefore, to clarify or address any errors, if these have indeed been made.

Objectors have commented that the Consultation Report did not indicate how many of the 3137 written responses received were in support or opposed the proposal. It should be noted that while this comment is correct, the report does emphasise that *'no particular weight is given to the number [of responses] received as it is the views expressed and issues raised which informed this Consultation Report.'*

However, for clarity it can be confirmed that while not all consultees clearly indicated that they opposed the proposal, it has been assumed that unless stated otherwise all respondents were

opposed to the proposal as a whole, or to certain elements of the proposal at least. In this regard all 3,137 could be considered as opposing the proposal with none positively supporting the proposal.

As stated in the Consultation Report a child's rights impact assessment (CRIA) has not been completed for this proposal as it is not required. In Wales, CRIAs have been in place for a number of years and, although not mandatory, are seen as a primary tool for delivering Ministerial duties on children's rights. While there may have been discussion within the National Assembly regarding the need to transfer these duties, it is a fact that at this present time those duties lie specifically with Welsh Ministers and is not required for this process.

Nevertheless, while a CRIA has not been completed, this consultation has appropriately taken into account and has had due regard for the United Nations Convention on the Rights of the Child, with the clear aim of making sure that the rights of children are duly protected which is a duty of elected Members and public bodies. The School Organisation Code requires that the Council makes suitable arrangements to consult with the pupils of any school which is affected by school organisation proposals and, where possible, children and young people who are likely to attend that school. All pupil consultations conducted as part of the Council's Strategic School Improvement Programme are conducted within the framework provided by the National Standards for Children and Young People's Participation in Wales and adhere to the principle that 'Children have the right to say what they think should happen, when adults are making decisions that affect them, and to have their opinions taken into account' - Article 12: The United Nations Convention on the Rights of the Child.

Officers consider that this proposal is in the best interests of the children of the upper Afan Valley.

Full details of the consultation undertaken with children and young people as part of this proposal are documented in the Consultation Report (see section 14 & appendix E), and pupil versions of both the consultation document and report were produced.

It has been stated that this proposal is in breach of the requirements of the Well-being of Future Generations (Wales) Act 2015, specifically in relation to the impact of the closure on the local community. It is not clear why this is considered to be the case. Officers do not consider that the proposal would breach the Act as alleged, or at all. Neath Port Talbot Council produces a corporate plan which includes well-being objectives. The three well-being objectives enable the Council to maximise its contribution to the seven well-being goals that Welsh Ministers have set for the whole of Wales in their Well-being of Future Generations (Wales) Act 2015. The first of the three objectives specifically relates to children and young people - 'To improve the well-being of children and young people', and the plan sets out in detail how this objective contributes to the seven well-being goals. It is the view of officers that this proposal can enable the Council to meet many aspects of this objective including through providing equality of educational provision for pupils in the upper Afan Valley, to be able to experience the benefits of the technological investment made possible through the 21<sup>st</sup> century schools programme and to better equip children and young people with the skills, behaviours and support they need for the future. In this regard, the proposal supports the requirements of the Well-being of Future Generations (Wales) Act by enhancing the educational opportunities of pupils from the upper Afan Valley, increasing their skills and knowledge base to enable them to become, as adults,

more prosperous, more resilient, and more equal. By providing access to 21<sup>st</sup> century school facilities and by broadening social and cultural experiences the proposal contributes to healthier individuals and more cohesive communities.

The proposal does not seek to remove access to education for pupils from the upper Afan Valley, but to provide 21<sup>st</sup> century teaching and learning opportunities outside the Valley. The potential impact on job losses as a result of this proposal is acknowledged but, on balance, it could be contended that the benefit to 'future generations' outweighs this consideration. (see also section 14 of the Consultation Report)

## **11. Finance**

- *It is claimed that this proposal is about education but it is clear it is about saving money*
- *The Council has not worked with the school to address budget concerns*
- *The 'price per pupil' should be focussed on the whole federation not just the secondary school*
- *The savings claimed in the report would not be given back to education*
- *NPT have pledged that any funding saved by closure will be redistributed so that the spend per pupil will be the same across NPT*
- *Cymer Afan pupils have higher levels of need which justifies the higher costs of educating them.*

### **Officer response:**

On the matter of the relatively high cost of providing secondary education in the upper Afan Valley, one objector challenged the basis of associating the cost of Cymer Afan Comprehensive with

the Council's responsibility for ensuring best value of public funds in the delivery of education across the 20,000 children and young people within the County Borough. The issue of best value has two distinct, although interrelated, cost bases. The first relates to the capital element of schools; that is, the maintenance and repair costs of the buildings and the external areas, and the second to the revenue expenditure of schools which includes salaries, teaching materials and general running costs, such as heating, lighting and electricity. It is the latter that is more often referred to when discussing savings and, for ease of comparison, this is usually shown as a 'cost per pupil'. Substantively, this latter expenditure forms a school's allocated budget which is derived from a distribution of Council funding set aside for this purpose. Given that the money all schools receive from the Council is distributed from the same central fund, if one school receives a greater share 'per pupil' than the remaining schools then there is less available for the others. Conversely, if a school supported by high 'per pupil' costs receives the same as the remaining schools then the other schools have a more equitable share. For the reasons set out above, maintaining a small secondary school is not cost effective when there is room available at other schools that are accessible and have surplus capacity.

Objections have been received which query why the 'per pupil funding' hasn't been calculated using all the federation schools rather than just the secondary school. In a federation - and in a 3-16 middle school arrangement, the respective schools receive their funding allocation as separate primary/secondary schools. In Wales there is no bespoke formula for funding schools in a federation or in a 3-16 middle school arrangement. As such, the five schools in the upper Afan Valley federation receive funding as separate entities, i.e. as if they were not federated. The federated arrangement into which they have entered provides for one

governance arrangement across the five schools and allows the federated governing body to combine the five separate budgets and to re-allocate that funding as the governors feel appropriate. As stated in the Consultation Report (see section 15), averaging the 'per pupil' cost of the primary and secondary schools in the federation would not give a true reflection of the funding needs of Cymer Afan Comprehensive school pupils. It would also have the unintended consequence of over inflating the cost of providing primary education, bringing the value for money for the primary schools into question.

It is contended that the Council have not worked with the school to address budget concerns, however it is not clear what concerns are being referred to in this context. The school will have day to day management of their allocated budget and so will be aware of the high costs of running a small secondary school and the extra funding that has been allocated to them to support this. School budgets are determined, for the most part, by pupil numbers on roll, and the greatest costs are usually to provide staff. A reduction in staffing would reduce costs however it would likely mean that curriculum delivery would be severely compromised and may not meet statutory requirements, or that support for pupils with SEN would not be provided, again placing statutory duties at risk. It is therefore unlikely that the school could identify any meaningful savings, which highlights once more that maintaining a school with such a small number of pupils results in high costs.

Many objectors state that pupils at Cymer Afan deserve higher levels of funding due to the greater deprivation that exists in the upper Afan Valley. The high costs of delivering education in Cymer Afan are not related to the levels of deprivation but to the need to provide the basic education offer which all pupils are entitled to and receive across Neath Port Talbot. The higher level

of funding does not specifically support pupils identified as being from deprived areas, instead extra support for pupils from deprived areas is provided through other means including grants, such as the Pupil Development Grant which is allocated to schools based on the number of pupils eligible for free school meals (eFSM). This funding follows the individual child - for example an eFSM pupil transferring into Ysgol Cwm Brombil would mean that Ysgol Cwm Brombil would receive the grant funding applicable to that pupil and would, therefore, be able to provide appropriately funded support.

The savings made from school reorganisations are ring fenced to the Council's budget for education. School reorganisations resulting in financial efficiencies through economies of scale facilitate a more equitable distribution of funds resulting in school budget allocations having a more equal 'per pupil' funding base. Funding for specialist needs, such as SEN provision and pupil deprivation grant allocations, will continue to recognise and provide additional finance to schools in order to support areas of specific need. (see section 15 of the Consultation Document)

## **12. Alternative school organisation**

- *The Consultation Report did not give an accurate assessment of the community hub option; this is something that should be explored further*
- *More time should be allowed to explore further options*

### **Officer response:**

The principal focus of this proposal is the future of secondary education in the upper Afan Valley. During the consultation, it was requested that consideration be given to a range of options for alternative school organisation in the upper Afan Valley in order to

maintain secondary education provision there. These consisted of options that involved new school builds, the remodelling of existing premises and combinations of both, together with proposals for a hub of community services. In all, 13 options were explored. Each option has been individually assessed with detailed evaluations set out in the Consultation Report (see section 16 of the Consultation Report). For the sake of completeness, additional options for school organisation were also been considered. A community hub arrangement has to supplement the provision of a school. As such the need to ensure the provision of a school in the first instance was given priority in the evaluations. 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 situation has a direct impact on any plans to create a hub of services, particularly where additional accommodation onsite is sought. The accommodation and external area assessments have been based on building bulletin specifications which set out the basic accommodation requirements for a school. Whereas community use of school premises through the hire of facilities is encouraged and promoted, this has to be an additional usage and secondary to the needs of the school, as the principal users.

Accommodating community services located offsite in buildings adjacent to the school is beyond the scope of this consultation report's option assessment process. Concern has been raised that a partnership venture involving shared accommodation with the Health Authority has not been more fully explored. At the Cabinet meeting of 20<sup>th</sup> June 2018 it was stated that if the Health Board was thinking of improving health facilities in the upper Afan Valley, then it would be for the Health Board to come forward with a plan for delivering the necessary health facilities and providing the appropriate accommodation, not the Local Authority.



Furthermore, discussions have been held with NPTC Group regarding 14 -16 education and, whereas, it is possible to deliver the junior apprenticeship programme from a number of different locations, including the upper Afan Valley, there is no obvious substantive benefit to any host school in this approach.

Discussions have also been held with the Community Library and with Pen Y Cymoedd Wind Farm regarding access to the Wind Farm's Community Fund. Potential developments involving other services providers, including the private and voluntary sectors, require a longer planning and preparation cycle than allowed for in this consultation.

Given the constraints identified in the alternative options considered, a hub based on a primary school only model still presents greater opportunity in relation to meeting space and traffic requirements, and cost effectiveness and efficiency.

In respect of the proposal to close Cymer Afan Comprehensive school, officers contend that sufficient time for the consideration of alternative options has been allowed .

## Consultees

Cymer Afan Comprehensive School, together with the other federated schools of the upper Afan Valley	Pupils Parents Federated school staff Federated governing body School community groups/users Local community
Other schools	NPT schools (incl. the temporary Governing Body of Ysgol Cwm Brombil) Maesteg School
Trade Unions	Regional Organisers
Secondary Head Teachers' Group Primary Head Teachers' Group	NAASH LLAN
NPT Schools Forum	
NPT Elected Members	All
Town/Community Council	Pelenna
AM for Aberafan AM for Neath	David Rees Jeremy Miles
Regional AMs (South Wales West)	Suzy Davies Bethan Jenkins Caroline Jones Dai Lloyd
MP for Aberafan MP for Neath	Stephen Kinnock Christina Rees
Bordering Authorities	Swansea Bridgend Carmarthenshire Powys Rhondda Cynon Taf
Faith school education authorities	The Diocese of Menevia The Diocese of Llandaff
Regional Education Consortium Estyn	ERW

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Children & Young Person Partnership  
(incl. Early Years Development and  
Childcare)

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Communities First Partnership

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NPTC Group

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Neath Port Talbot 14-19 Network

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SEN Partners

Action for Children  
Child & Adult Mental Health Services  
(CAMHS)  
Consultant Community Paediatrician  
The Children's Centre NPT Hospital  
(Physiotherapy)

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NPTCBC Integrated Transport Unit

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Police & Crime Commissioner

Alun Michael

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WG Schools Management Division

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