

# NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

## CABINET

20<sup>th</sup> October 2021

DIRECTOR OF EDUCATION,  
LEISURE AND LIFELONG LEARNING  
ANDREW THOMAS

### MATTER FOR DECISION

**WARDS AFFECTED:** Alltwen, Godre'rgraig, Pontardawe, Rhos Trebanos, Ystalyfera,

**STRATEGIC SCHOOL IMPROVEMENT PROGRAMME - PROPOSAL TO ESTABLISH AN ENGLISH- MEDIUM 3-11 SCHOOL TO REPLACE ALLTWEN, GODRE'RGRAIG AND LLANGIWG PRIMARY SCHOOLS ALL OF WHICH WILL BE DISCONTINUED ON 31<sup>ST</sup> AUGUST 2024**

### Purpose of report

1. To obtain Cabinet approval to implement a proposal to establish an English-medium 3-11 school with a specialist Learning Support Centre (LSC) for 16 pupils with a statement of special educational needs relating to Autistic Spectrum Disorder (ASD), in new build premises to accommodate pupils from the current catchment areas of Alltwen Primary, Godre'rgraig Primary and Llangiwg Primary, all of which will be discontinued<sup>1</sup> on 31<sup>st</sup> August 2024.
2. This Cabinet report needs to be read in conjunction with
  - Objection report (appendix A)
  - Consultation Report (appendix B)
  - Consultation document (appendix C)

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<sup>1</sup>Discontinued is the term used in the School Standards and Organisation (Wales) Act 2013, section 40, to mean permanent closure of a school or schools

- Cabinet report – June 2021 (appendix D)
  - Cabinet Report - October 2020 (appendix E)
  - Legal Implications (appendix F)
  - Statutory notice (appendix G)
  - Integrated Impact Assessment (appendix H)
  - Risk Assessment (appendix I)
  - Community Impact Assessment (appendix J)
  - Welsh language Impact assessment (appendix K)
3. Members must read the Cabinet report and appendices before taking a decision and must act in accordance with the legal provision set out in appendix F. Members may wish to read or refer to the documents listed as 'background papers' below

### **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. Neath Port Talbot's 21st Century Schools Band B Strategic Outline Plan included a proposal for a new build 3-16 middle school for the area, however following informal discussions with stakeholders it was decided that the scheme should be amended. It is proposed therefore to establish an English-medium 3-11 school with a specialist LSC for 16 pupils with a statement of special educational needs relating to Autistic Spectrum Disorder (ASD), in new build premises to accommodate pupils from the current catchment areas of Alltwen Primary, Godre'rgraig Primary and Llangiwg Primary, all of which would close on 31st August 2024, with the new school opening on 1<sup>st</sup> September 2024. It is proposed that, subject to planning permission being granted, the new school will be built on land in Council ownership at Parc Ynysderw, Pontardawe and that it will form part of learning, health and wellbeing community campus

made up of Cwmtawe Community School and Pontardawe Leisure Centre. The campus will be further enhanced by the addition of a new build 25 metre, 6 lane swimming pool with additional learner pool on the site, also subject to planning approval, to complement the current health and wellbeing offer for pupils and the wider community.

6. The new build will be funded jointly from Welsh Government 21st Century School Programme capital grant monies and from the Council's prudential borrowing capacity. Welsh Government 21st Century Schools Programme capital grant funding has been approved, in principle.
7. At its meeting of 20th October 2020 Cabinet approved consultation on the proposal to establish an English-medium 3-11 school with a specialist LSC, in new build premises to accommodate pupils from the current catchment areas of Alltwen Primary, Godre'rgraig Primary and Llangiwg Primary, all of which would be discontinued on 31st August 2024.
8. 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 28th May 2021.
9. At its meeting of 16<sup>th</sup> June 2021 Cabinet received a report on the outcome of consultation and having given it due consideration Members determined to proceed with the proposal, approving publication of statutory notices for the proposal. This process provides for the submission of objections. The period for submitting objections has now ended.
10. In total 297 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. The objections must now be conscientiously considered alongside the arguments in favour of the proposals and other relevant factors referred to in this report and the appendices.

12. Officers believe that 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 31<sup>st</sup> August 2024/1<sup>st</sup> September 2024.

## **Background**

13. The Council is responsible for promoting high educational standards and for delivering efficient primary and secondary education. Having the right schools in the right place and ensuring that they are fit for the 21<sup>st</sup> century learner is the challenge facing the Council. Achieving this will involve reviewing the number and type of schools the Council has in its area and assessing whether or not best use is being made of resources and facilities in order to ensure future provision is sustainable.
14. 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.
15. 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**

16. It is proposed to establish an English-medium 3-11 school with a specialist LSC for 16 pupils with a statement of special educational needs relating to Autistic Spectrum Disorder (ASD), in new build premises to accommodate pupils from the current catchment areas of Alltwen Primary, Godre'rgraig Primary and Llangiwg Primary, all of which would be discontinued on 31st August 2024 with the new school opening concurrently.
17. It is proposed that the new school will be built on land in Council ownership at Parc Ynysderw, Pontardawe and that it will form part of learning, health and wellbeing community campus made up of Cwmtawe Community School and Pontardawe Leisure Centre. The campus would be further enhanced by the addition of a new build 25 metre, 6 lane swimming pool with additional learner pool on the site, to complement the current health and wellbeing offer for pupils and the wider community. Matters concerning the proposed new swimming pool will be subject to a separate report to be considered by Members.
18. The new English-medium community primary school for boys and girls aged 3-11 years will accommodate 630 full-time pupils and 140 part-time (70 a.m./70 p.m.) nursery age pupils. It will be managed with one head teacher and one governing body and will have one budget allocation and one group of staff.
19. The new school will serve the combined catchment areas of Alltwen, Llangiwg and Godre'rgraig Primary schools. Pupils from the three existing schools will automatically transfer to the new school subject to parental preference.
20. The new school will provide primary education for children aged 3-11 in a new build 21st century facility which will provide a stimulating teaching and learning environment in state of the art facilities .

21. Additionally the new school will provide support for pupils through the establishment of an LSC for 16 pupils with a statement of special educational needs relating to Autistic Spectrum Disorder (ASD). The LSC will also provide the opportunity to become a community hub for the area, building on the work already being undertaken by other well established primary school LSCs, by providing support and training for other mainstream primary school across Neath Port Talbot.
22. The new build will be funded jointly from Welsh Government 21st century School Programme capital grant monies and from the Council's prudential borrowing capacity.
23. The scheme is planned to include a new build 25 metre 6 lane swimming pool with additional learner pool, to further enhance the physical activity and wellbeing opportunities for pupils who currently attend Alltwen, Godre'rgraig and Llangiwg primary schools and Cwmtawe Community School, as well as pupils attending nearby YGG Trebannws and YGG Pontardawe.
24. The facilities will provide sustainable opportunities for swimming curriculum development for potentially 2500 pupils aged 3-16 in the nearby communities. The swimming pool will complement the current school and community facilities on site to deliver a 21st century health and wellbeing offer for pupils aged 3-16 and for wider community use.
25. The combined new build School, specialist ASD provision and pool will form part of a learning, health and wellbeing community campus at the Parc Ynysderw site, complementing the existing Cwmtawe Community School and Pontardawe Leisure Centre provision. In locating the new build facilities close to Cwmtawe Community School the development will enable pupils and staff from both schools to benefit from increased partnership working, made easier due to their close proximity.

## **Statutory Notice – decision to publish**

26. At the Cabinet meeting of 16<sup>th</sup> June 2021 the outcome of consultation was considered. Comments opposing the proposal did not, on balance, present a convincing argument suggesting modification or abandonment of the proposal. As such, the case for the proposal remained strong and Members approved the statutory publication of the proposal.
27. To this effect a statutory notice was published on 17<sup>th</sup> June 2021 allowing the 28 day period for submitting objections, which ran until 14<sup>th</sup> July 2021.
28. The statutory notice is attached as appendix G

## **Objections to the proposal**

29. In total 297 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.
30. Not all objectors identified themselves other than giving their name, but of those that did the following categories were noted

*Table 1*

<b>Alltwen, Godre'rgraig or Llangiwig primary schools</b>	<b>Other Swansea Valley schools</b>
28 parents/carers, 2 members of staff 4 Governors /Governing Bodies	3 parents 2 Governors/Governing Bodies

<b>Resident/community member of the Swansea Valley</b> 16	<b>Resident from outside Swansea Valley</b> 8
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Objections were also received from:

- Cllr Andrew Nicholson
- MS Sioned Williams
- Tegwech
- Mentor Iaith
- RHag
- UCAC
- Ty'r Gwrhyd
- Cymdeithas yr Iaith
- Dyfodol I'r Iaith
- Hoots Childcare
- Lullaby's Nursery
- Pontardawe Town Council
- Ystalyfera Community Council
- Cilybebyll Community Council

Two further written objections were received on 16th July 2021, after the closing date, these have been included for consideration.

31. A number of the emails received were largely or wholly in standardised form.
32. 35 of the objections received related specifically to the concerns that the proposal could negatively impact on the development of the Welsh language, 13 of these being standard emails, with some personalisation.
33. Copies of all written objections have been made available to Members for consideration prior to the meeting of the Council's Cabinet on 20<sup>th</sup> October 2021 at which the proposal will be

determined. Members will have also received and considered, prior to that meeting, this Objection Report.

34. The full Objection Report is attached as appendix A

### ***Summary of objections received***

35. Objections received relate to the following themes:

- Education
- Impact on the community
- Proposed site and traffic management , (including Parc Ynysderw playing fields)
- Transport and travel
- Alternative options
- Pupil numbers
- Godre'rgraig Primary school, Graig Road site
- Consultation process
- Impact on Welsh language development

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

### **Consideration of the proposal**

36. The proposal consulted upon and subsequently published seeks to establish an English-medium 3-11 school with a specialist Learning Support Centre (LSC) for 16 pupils with a statement of Autistic Spectrum Disorder (ASD), in new build premises to accommodate pupils from the current catchment areas of Alltwen Primary, Godre'rgraig Primary and Llangiwig Primary, all of which will be discontinued on 31<sup>st</sup> August 2024, with the new school being established from 1<sup>st</sup> September 2024.

37. Although objections have been received it is the opinion of officers that alternative options presented to the Council for consideration do not represent acceptable alternative models.

38. In addition, comments opposing the proposal do not, on balance, present a convincing argument suggesting its modification or abandonment.
39. As such, the case for the proposal remains strong. Officers recommend that members should determine to adopt the proposal, with an implementation date of 1<sup>st</sup> September 2024.

### **Impact on special needs education provision**

40. There are no specialist units for children with statements of special educational needs at any of the three schools which would close, i.e. provision recognised by the Council as reserved for pupils with SEN. Pupils with additional learning needs, including children with statements of special educational needs, are supported in a mainstream setting with appropriate funding for this purpose. The new school will continue to offer this level of support.
41. Data analysis suggests that a number of pupils within the Swansea Valley travel to gain additional learning support in specialist units elsewhere within Neath Port Talbot. The data also shows increasing demand for specialist support at primary age for pupils in NPT with ASD.
42. Pupils attending the proposed LSC provision within the new school will benefit from being taught by specialist staff, experienced in working with pupils with ASD needs. There is also the possibility that mainstream pupils with ASD could also benefit from the expertise available as the specialist knowledge and skills-set of the staff employed to work at the proposed LSC will be available to share with mainstream staff and, as such, will indirectly benefit SEN provision at the new school.
43. It is also envisaged that the LSC provision will be able to provide support and training for other mainstream primary schools across Neath Port Talbot, building skills, competencies, expertise and capacity of all staff working with children with ASD.

## Financial impact

44. The cost of the new build is estimated at c. £22,705,000 apportioned as per table 2 below.

Table 2

Project	NPT Investment	WG Investment	Total Investment
Ysgol Newydd Swansea Valley	7,946,750	14,758,250	22,705,000

45. The funding from the Welsh Government is 21<sup>st</sup> Century Schools Programme capital grant funding which has been approved at the Outline Business Case stage of project development. Full business case approval has also been awarded subject to conditions.
46. Combined backlog maintenance and accessibility costs for the existing schools amounts to circa. £2m which would be removed by this proposal along with the ongoing need to fund the associated costs of Godre'rgraig Primary School's current off-site hired/leased accommodation. Additionally backlog maintenance costs for the current pool at Pontardawe amounting to £1,221,783 would also be removed by this proposal.
47. 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.
48. Most of the revenue budget allocation to Alltwen, Godre'rgraig and Llangiwg Primary schools is generated by pupil numbers. Similarly, the new primary school's budget will be based mainly on the combined pupil roll. Efficiencies will be secured as the new school will have one head teacher and one management structure. Revenue savings will be re-invested in the education budget. In this regard, the proposal supports the Council's management of its education budget and promotes the more equitable distribution of funding across local schools.

49. The proposed new school will receive additional funding to manage the LSC provision for up to 16 pupils. Meeting the special needs education of pupils in local settings, i.e. within the County Borough, avoids having to secure expensive out-of-county provision. The cost of providing education outside the County Borough for pupils with specialist needs is high, and can amount to circa. £80k per pupil per year. This annually presents a significant demand on the Council's education budget.
50. Additional recurring revenue costs associated may be incurred, similarly there will be revenue efficiency savings associated with this proposal.
51. Based on the funding delegated to schools in the 2021/2022 financial year, per pupil funding for Alltwen Primary school is £3,890 whilst for Llangiwig Primary school per pupil funding is £4,081 and for Godre'rgraig Primary school £4,033. This compares with the average for NPT primary schools at £4,095
52. Based on a school of 770 pupils (700 F.T.E) the projected budget share for the proposed new school is estimated to be £2,450,505. Per pupil funding for the proposed new school would be approximately £3,501.
53. Additional transport costs are likely to be incurred should the proposal be implemented. Currently annual transport costs for Godre'rgraig Primary School amount to £97,850. It was agreed when Godre'rgraig Primary School moved from Graig Road to the temporary location at Parc Ynysderw that nursery pupils would be granted discretionary transport assistance, this is an additional annual cost of £15,004. Approximately 176 pupils live further than 2 miles from the proposed school (based on current figures). This would suggest an additional annual transport cost of £40,000 should the proposal progress.
54. Prior to the proposed new primary school opening on 1<sup>st</sup> September 2024 Alltwen, Godre'rgraig and Llangiwig primary schools will

receive their annual school budget shares for the 5/12<sup>th</sup> of the financial year 2023/2024. When the new school opens on 1<sup>st</sup> September 2024 it will receive a budget share based on the number of pupils on roll at that time.

## **Integrated Impact Assessment**

55. An Integrated impact assessment, attached at appendix D, has been undertaken. The proposal would create a new build, 21<sup>st</sup> Century School for pupils which would enhance well-being, and would provide the conditions to improve standards. The addition of an LSC for primary aged ASD pupils would address the need for additional provision in Neath Port Talbot and would seek to improve opportunities for these pupils as well as provide training and development for mainstream staff in the proposed school and the wider area. The proposed new pool would complement current provision and enhance the health and wellbeing offer for pupils and the wider community.
56. As relevant to the Public Sector Equality Duty under s.149 of the Equality Act 2010, the proposal can be seen to have positive impacts on Age and Disability and a neutral impact on all other protected characteristics. A new build 21<sup>st</sup> Century school would impact positively on pupils from all socio economic groups, due to the significantly improved facilities provided and would also positively impact on community cohesion, and social exclusion. An explanation of the Public Sector Equality Duty can be found at paragraphs 19-31 of Appendix F
57. With the implementation of mitigating actions the proposal should have at least a neutral impact on biodiversity.
58. The Wellbeing of Future generations has been considered and the proposal directly supports the Council's wellbeing objectives.

59. Members are reminded that 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'.
60. The Council's well-being objectives and the supporting improvement priorities are set out in the Council's Corporate Plan. This proposal directly supports wellbeing objective 1 – 'to improve the wellbeing of children and young people' through the provision of a 21st century school for current and future generations of primary aged pupils.
61. Through creating facilities that can be used by the community the proposal also supports wellbeing objective 2 – 'to improve the wellbeing of all adults who live in the county borough'.
62. Wellbeing objective 3 'to develop the local economy and environment so that the well-being of people can be improved' is also directly relevant to this proposal. To obtain WG approval of the business plan involves ensuring that community benefits are fully explored and implemented throughout the construction phase. Part of this work will ensure that local businesses are used to supply labour and materials whenever feasible, local people will benefit from employment schemes and the local economy will benefit due to an increased number of people working in the area.

### **Welsh in Education Strategic Plan**

63. The Council recognises that language and culture are essential parts of an individual's identity and is committed to promoting and celebrating the Welsh language and culture in a pro-active and inclusive way. The Council's Welsh in Education Strategic Plan (WESP) details how it intends to

support and further develop Welsh language education in schools.

64. WESP objective ' To ensure that second language provision across all schools provides pupils with the skills and ability to become confident and sustained speakers of Welsh and that the provision develops a meaningful relationship between the language and the learner' is of particular relevance to this proposal.
65. Currently the new 10 year WESP is under development with stakeholders and it is expected that consultation on the plan will take place in November 2021, subject to member approval.

### **Welsh Language Impact Assessment**

66. A Welsh Language Impact Assessment has been undertaken, and is included as Appendix K to this document.
67. Whilst these proposals directly affect English-medium school provision, there is also a potential effect (that may be positive, negative or neutral) on Welsh-medium schools in the county, which should also be considered.
68. This is due not only to Welsh Government regulations on Education provision, but also considerations under a range of other statutory duties identified in this assessment, and in particular due to the requirements of the Welsh Language (Wales) Measure 2011, further details of which are set out in Appendix K..
69. The Welsh Language Standards that stem from the Measure require policy decisions of any kind to be assessed as to their effect on the Welsh language in the policy and/or geographic area in question. Those same policy-making standards apply

to both Welsh Government and Neath Port Talbot County Council.

70. A council's policy framework is an interlinked set of documents, and in the same way, an impact assessment's contents are interlinked and cannot be regarded section by section in isolation, but as a cumulative whole. Even when driven by a primary policy or legislative requirement, other policies and legislative requirements have to be acknowledged and considered, even if they do not ultimately change the final decision that is made. Accordingly, members are required to consider all factors as part of decision making.
71. The Swansea Valley area is a linguistically significant area as it contains the highest number and percentages of Welsh speakers in Neath Port Talbot, and is amongst the highest in Wales as a whole. The term 'linguistic sensitivity' is used to define those areas in Wales which require targeted and additional support where the language is deemed to be in a weakened state and where the number of speakers are in serious decline, and where the linguistic community may face challenges around the daily use of their language.
72. In preparation for the consultation a first stage screening assessment was undertaken which identified possible causes for concern. A Welsh language Impact Assessment was then developed by an independent consultant, including comments which were received during the consultation period. The impact assessment identifies potential impacts, both positive and negative, and also possible mitigating actions.
73. Further opportunities to comment explicitly on the Welsh Language Impact Assessment were available during the objection period. The Welsh Language Impact Assessment has always been a document which is developed as part of the process of school reorganisation, taking into account new information gained through consultation with stakeholders as

the proposal progresses, not just in this instance but for all proposals brought forward in Neath Port Talbot. As a result of comments received during this period it was recognised that in some respects the Welsh Language Impact Assessment could benefit from additional information which was not received during the consultation period, and officers have therefore met with Welsh Government representatives to discuss the further development of the Welsh Language Impact Assessment in preparation for this report.

74. A report was subsequently commissioned by Welsh Government in August 2021 to further explore the following in more detail
- Defining and providing context to the term 'linguistic sensitivity'
  - Setting out the principles for safeguarding and promoting language in such an area
  - Consider how these principles could be applied to Pontardawe, within the context of the Swansea Valley proposal.
  - Provide options around mitigating actions to reduce negative impacts on the stability and future growth of the Welsh language in the short, medium and long term.
75. The Welsh Government commissioned report notes the following '...it should be clearly underlined that, in terms of the language planning principles and processes noted above, no mitigating actions in the context of the future of the Welsh language in the Swansea Valley will compensate for continuing with this proposal as it stands'. It also notes that 'In bilingual communities, languages increasingly become a matter of choice. To support bilingualism within these communities, bilingualism must be an easy choice. This proposal takes away that easy choice.'
76. However, the report then identifies a further 11 possible mitigations, many of which have already been identified as

actions in the draft WESP. These actions, along with officer comments are included in the revised WLIA document.

77. Alltwn, Godre'rgraig and Llangiwig primary schools teach Welsh as a second language and this will also be the case for the new school. Standards of Welsh in the three current schools are good; it is expected that the good practice that already exists would transfer to the proposed new school. Currently 25% of staff across the three schools are fluent or fairly fluent Welsh speakers. By combining the three schools Welsh language provision could be improved as there could be greater impact on having a more concentrated group of Welsh speakers able to support pupil and staff language development skills through the medium of Welsh.
78. Primary education through the medium of Welsh is available at Ysgol Gynradd Gymraeg Pontardawe and Ysgol Gynradd Gymraeg Trebannws, both of which are approx. 1.2miles from the proposed site. Additionally Ysgol Gymraeg Ystalyfera –Bro Dur, which is approximately 5 miles from the proposed site, provides all through 3-19 education through the medium of Welsh.
79. Significant investment has taken place at Ysgol Gymraeg Ystalyfera –Bro Dur through projects in both Band A (circ.£18m) and Band B (circ. £9m) of the 21st Century Schools Capital Funding Programme.
80. In addition funding of £1.6m has been secured to improve provision at Ysgol Gynradd Gymraeg Pontardawe, including extended and enhanced childcare and Foundation Phase facilities. Work is expected to be completed in 2021.

## **Workforce impacts**

### **– School staff**

81. The proposal will mean changes that impact on the employment of school staff as the existing schools will be discontinued on 31<sup>st</sup>

August 2024. Upon closure all staff will cease to be employed at their respective schools. The new school will set a new staffing structure appropriate to its needs and budget.

82. A temporary governing body will be established before the opening of the new primary school. The temporary governing body will have the responsibility of appointing a head teacher. Specifically in relation to the posts of head teacher and deputy head teacher, the Council's policy is for these to be advertised nationally. Once the head teacher has been appointed that person will, together with the temporary governing body, be responsible for determining the staffing structure for the new primary school.
83. The new primary school will open on 1<sup>st</sup> September 2024 and school staff will be employed by the new governing body for the primary school (albeit appointed by the temporary governing body).
84. There are potential teaching and learning benefits for staff working at a large primary school, including greater opportunity for staff development and career progression through a broader range of experiences.

– ***Centrally employed staff***

85. Although this proposal rationalises provision across the three schools, there will be employment opportunities at the new school for centrally employed catering and cleaning staff.

– ***Staff support***

86. 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 some staff wish to secure employment in the new school but others take the opportunity to take on 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 good track record for supporting staff in such situations.

## **Legal Impacts**

87. Members are referred to appendix F which sets out in detail the relevant legislation and legal implications relating to a decision on this proposal.
88. The proposal requires the establishment and discontinuation of schools. The School Standards & Organisation (Wales) Act 2013 (the Act) provides the legislative framework by which the Council may implement the proposal. The Welsh Government's School Organisation Code, November 2018, made under Sections 38 and 39 of the Act, imposes on the Council requirements and guidelines on matters relating to school organisation, including consultation.
89. 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.
90. Revenue funding will be in line with the requirements of the School Standards and Framework Act 1998; the School Funding (Wales) Regulations 2010; and the Council's approved formula for funding schools.
91. The management of staff affected by the proposal will follow the relevant school policy and procedure requirements.
92. The legislation referred to above is available using the electronic links in the section on background papers, below.

## Community impact assessment

93. A Community Impact Assessment (CIA), which is at Appendix J 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 three schools. It has been prepared in line with the requirements of the Welsh Government's School Organisation Code. The CIA has been prepared using a range of sources and evidence, including discussion with various partner organisations in the Swansea Valley and the schools and provides further information all of which enables decision makers to have a fuller understanding of the possible consequences on communities as a result of school closure. 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 CIA 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.
94. The Community Impact Assessment recognises the importance of Alltwen, Godre'rgrraig and Llangiwg Primary School in providing a venue for school based events, extracurricular activity and community use.
95. Following evaluation, officers believe that under this proposal the existing interaction between the community and the pupils is either retained, preserved, relocated or enhanced as appropriate with no adverse effect or loss of amenity to the wider community. It is recommended that the community use developed over an extended period should not be lost for example Pontardawe Library and Yr Hwb already work with all three schools and there is no reason why

this couldn't continue, or even be enhanced under this proposal as working with one school management team should prove to be easier than working with three separate management teams.

96. There is general perceived apprehension about the proposal to establish the new 21<sup>st</sup> Century 3-11, English- medium school at Parc Ynysderw. There is a view that the proposal may be detrimental or damaging to the three communities under review.
97. Should this proposal be implemented then the proposed new school with its additional facilities will be available for use by all the communities in its extended catchment area. Additionally the proposal includes the provision of a new build 25 metre, 6 lane swimming pool with additional learner pool on the site to complement current provision and enhance the health and wellbeing offer for pupils and the wider community
98. Whereas the need to understand and mitigate the impact of a school reorganisation proposal on a community is a significant consideration, the Code states that in determining school organisation proposals the Council should place the interest of learners above all others.

## **Risk management**

99. A risk assessment has been carried out under the Council's Risk Management Policy 2018. The full risk assessment is attached to this report as appendix I and like all the appendices, must be considered carefully. It will be seen that there are a number of different potential risk areas in implementing the proposal and in not implementing them.
100. Officers are of the view that the benefits of implementing the proposal outweigh the effects of identified risks. A new school provides greater prospects for improving educational attainment for pupils. Estyn (Jan 2007) reported on the performance of schools before and after moving into new buildings, stating that ageing school buildings which are in a poor state of repair cannot meet modern teaching and learning needs. The report also states that

inadequate buildings make improvements in standards more challenging and that in nearly all schools with new or refurbished buildings, pupils attainment and achievement have improved and in some cases the improvement has been significant.

## **Determining a proposal**

101. In determining a proposal the Code sets out certain 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. Appendix F sets out other relevant duties and factors which are also relevant to the decision to be taken.

## **Recommendation**

102. Having given due regard to the consultation, objections and the impact assessments in relation to equality, risk, community usage and Welsh language together with the legal implications, and in the light of all the material, 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 establish with effect from 1<sup>st</sup> September 2024 an English-medium 3-11 school with an LSC, in new build premises to accommodate pupils from the current catchment areas of Alltwen Primary, Godre'rgraig Primary and Llangiwig Primary, all of which would be discontinued on 31<sup>st</sup> August 2024.
103. The proposed date of implementation to be 31<sup>st</sup> August/1<sup>st</sup> September 2024.
104. The sites and buildings of the three vacated schools be declared surplus to the operational requirements of the Education Leisure and Lifelong Learning Service.

## **Reasons for proposed decision**

105. This decision is necessary to comply with the legislative requirements that provide for the implementation of the proposal.

106. 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**

107. The decision is proposed for implementation on the dates referred to above after the 3-day call-in period.

## **Appendices**

- Objection report (appendix A)
- Consultation Report (appendix B)
- Consultation document (appendix C)
- Cabinet report – June 2021 (appendix D)
- Cabinet Report - October 2020 (appendix E)
- Legal Implications (appendix F)
- Statutory notice (appendix G)
- Integrated Impact Assessment (appendix H)
- Risk Assessment (appendix I)
- Community Impact Assessment (appendix J)
- Welsh language Impact assessment (appendix K)

## **List of background papers**

a. Cabinet Report:

<http://modern.gov.npt.gov.uk/ieListDocuments.aspx?CId=158&MIId=7426&Ver=4>

b. 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)

c. Welsh Government - School Organisation Code: November 2018

<https://gov.wales/sites/default/files/publications/2018-10/school-organisation-code-second-edition.pdf>

- d. School Standards & Organisation (Wales) Act 2013  
[http://www.legislation.gov.uk/anaw/2013/1/pdfs/anaw\\_20130001\\_en.pdf](http://www.legislation.gov.uk/anaw/2013/1/pdfs/anaw_20130001_en.pdf)
- e. Well-being of Future generations (Wales) Act 2015  
<https://gov.wales/well-being-of-future-generations-wales>
- f. Learner Travel (Wales) Measure: 2008 & the Learner Travel Statutory Provision and Operational Guidance: 2014.  
[http://www.legislation.gov.uk/mwa/2008/2/pdfs/mwa\\_20080002\\_en.pdf](http://www.legislation.gov.uk/mwa/2008/2/pdfs/mwa_20080002_en.pdf)
- g. Home to School Travel Policy: 2017  
[https://www.npt.gov.uk/media/4231/npt\\_home\\_to\\_school\\_travel\\_policy\\_2017.pdf?v=20170627002146](https://www.npt.gov.uk/media/4231/npt_home_to_school_travel_policy_2017.pdf?v=20170627002146)
- h. Corporate Plan 2019-2022  
<https://www.npt.gov.uk/19450>
- i. Estyn  
<https://www.estyn.gov.wales/inspection/search>

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