

REPORT TO THE CABINET

23 June 2015

Cabinet Member: Councillor Gareth Thomas

Subject: Ysgol Machreth, Llanfachreth, Y Gader Catchment Area

Contact Officer: Iwan T Jones – Corporate Director

Decision sought

- Withdraw the statutory notice regarding Ysgol Machreth.
 - Approve the commencement of an alternative process based on the proposal to close the school early in 2016.
 - By following the statutory processes, offer places to Ysgol Machreth pupils at Ysgol Ieuan Gwynedd, Rhydymain during the transition period prior to the establishment of the All-through Catchment Area School on 1 September 2017.
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Local Member's Views

Any observations by the Local Member will be submitted at the meeting.

1. INTRODUCTION

The purpose of this report is to request the Cabinet's approval to re-visit the situation at Ysgol Machreth, Llanfachreth for the following reasons:

- On **12 May 2015**, a letter was received from the Chair of Governors of Ysgol Machreth stating that the Governing Body was concerned that the school was no longer sustainable. There appears to be a staffing crisis and school governors, in co-operation with parents, have arranged to move pupils to an alternative school in accordance with the usual admissions procedure.
- In the January 2015 Pupil Level Annual School Census (PLASC), there were 11 pupils on the school's register. By **13 May 2015**, admission requests had been received to transfer 10 of the 11 pupils to other schools in the catchment area by 1 September 2015.

2. BACKGROUND

2.1 A report was submitted before the Full Council on **14 July, 2011** regarding the reorganisation of schools within the Gader catchment area. A further report was submitted before the Cabinet on **16 July, 2013** and at that meeting an outline vision was adopted for the catchment area.

2.2 The essence of the outline vision would be to aim at ensuring the following outcomes;

- The same opportunities and experiences for all pupils in the catchment area
- More consistency across the entire catchment area
- Better continuity across the age range
- Opportunities to share staff expertise and more opportunities in terms of professional development
- Wider opportunities to coordinate public services especially support for families
- Strengthening the education provision across the catchment area and set the foundations for collaboration, joint planning and joint development in the future

2.3 There is an aspiration to ensure robust and sustainable education provision in the entire catchment area and across all sectors. This will involve considering the rationalisation of the number, nature and status of the schools in some parts of the catchment area. In realising the vision in full it will mean that it will be possible to strengthen the education provision in the Gader catchment area.

2.4 On **16 September 2014** a report was submitted to Cabinet and during the meeting the following recommendations were approved:

- i. *To undertake a process of statutory consultation in accordance with the requirements of Section 48 of the Schools Standards and Organisation Act 2013 to close Ysgol y Gader, Ysgol Gynradd Dolgellau, Ysgol Brithdir, Ysgol Machreth (Llanfachreth), Ysgol Ieuan Gwynedd (Rhydymain), Ysgol Dinas Mawddwy, Ysgol Llanelltyd, Ysgol Friog, Ysgol Clogau (Bontddu) and Ysgol Ganllwyd on 31 August 2017.*
- ii. *To undertake a process of statutory consultation in accordance with the requirements of Section 48 of the Schools Standards and Organisation Act 2013 on the preferred option, namely to establish a community catchment area All Through School for 3-16 year olds on the existing sites of Ysgol y Gader, Ysgol Gynradd Dolgellau, Ysgol Ieuan Gwynedd (Rhydymain), Ysgol Dinas Mawddwy, Ysgol Llanelltyd and Ysgol Friog, on 1 September 2017.*

2.5 In order to draft a long list of possible realistic models, the sites of each of the 10 schools in the catchment area were considered. As part of this research, the Ysgol Machreth site was disregarded as a possible site for an area school or multi-site area school, due to its location compared to the pupil population and the difficulties of reaching the site when considering the roads and the possible need to transport a high number of pupils.

2.6 In the favoured option, the existing sites at the schools of Llanelltyd, Friog, Ieuan Gwynedd (Rhydymain), Dinas Mawddwy, Gader and Dolgellau Primary School would remain open as sites for the new school. The sites at the schools of Ganllwyd, Clogau (Bontddu), Machreth and Brithdir would close and these sites would not re-open.

2.7 In accordance with the statutory requirements of the School Organisation Code (006/2013) and the Schools Standards and Organisation Act 2013, a **period of statutory consultation** on the proposal was held with relevant consultees between 10 October and 1pm on 24 November 2014.

2.8 A statutory consultation document was prepared, in accordance with the requirements and guidance of the Schools Organisation Code (006/2013) and the document was distributed to relevant consultees. The document and all other background documents can be seen on the Council's website www.gwynedd.gov.uk/schoolorganisation.

2.9 On **13 January 2015**, a report was submitted to the Cabinet containing all the observations received during the consultation period. At the meeting, it was decided:

- i. *To approve the proposal to close Ysgol y Gader, Ysgol Gynradd Dolgellau, Ysgol Brithdir, Ysgol Machreth (Llanfachreth), Ysgol Ieuan Gwynedd (Rhydymain), Ysgol Dinas Mawddwy, Ysgol Llanelltyd, Ysgol Friog, Ysgol Clogau (Bontddu) and Ysgol Ganllwyd on 31 August 2017 and establish a Welsh-medium Community Catchment Area All Through School for 3-16 year olds on the existing sites of Ysgol y Gader, Ysgol Gynradd Dolgellau, Ysgol Ieuan Gwynedd (Rhydymain), Ysgol Dinas Mawddwy, Ysgol Llanelltyd and Ysgol Friog on 1 September 2017.*
- ii. *To approve issuing statutory notices on the proposal in (i) above in accordance with the requirements of Section 48 of the Schools Standards and Organisation Act 2013.*
- iii. *Following consideration of comments received during the consultation regarding the importance of appointing a Head teacher and the need for the appointment to be made in good time, to approve financing the Head teacher for the all-through catchment school from the scheme savings for at least a year before the school opens in September 2017.*

2.10 In accordance with the Schools Standards and Organisation Act 2013 and guidance in the Schools Organisation Code (006/2013) **statutory notices were issued on 25 February 2015** and a **statutory objection period** on the proposal was held with relevant consultees between 25 February and 25 March 2015.

2.11 The statutory notices were issued on the school day of 25 February 2015 and posted on the gates of the ten schools and on the Council's website www.gwynedd.gov.uk/schoolorganisation. Electronic and hard copies of the notices were distributed in accordance with the requirements of the Schools Organisation Code. It was clearly stated in the notices that it was possible for anybody to object and how it was possible to do so.

Five statutory notices were issued:

- CLOSURE OF YSGOL Y GADER, Dolgellau, LL40 1HY; YSGOL GYNRADD DOLGELLAU (Church in Wales Voluntary Controlled School), Dolgellau, LL40 2YW; YSGOL DINAS MAWDDWY, Machynlleth, SY20 9LN; YSGOL LLANELLYD, Dolgellau, LL40 2TA; YSGOL IEUAN GWYNEDD, Rhydymain, Dolgellau, LL40 2AS; YSGOL FRIOG, Fairbourne, LL38 2RQ on 31 August 2017. and ESTABLISH a new 3-16 All-through Catchment School ("the 3-16 school") on 1 September 2017. The 3-16 School will be on six sites, the existing sites of Ysgol Uwchradd y Gader, Dolgellau, LL40 1HY, Ysgol Gynradd Dolgellau, Dolgellau, LL40 2YW, Ysgol Ieuan Gwynedd, Rhydymain, Dolgellau, LL40 2AS, Ysgol Dinas Mawddwy, Machynlleth, SY20 9LN, Ysgol Llanelltyd, Dolgellau, LL40 2TA and Ysgol Friog, Fairbourne, Dolgellau, LL38 2RQ.
- CLOSURE OF YSGOL MACHRETH on 31 August 2017.
- CLOSURE OF YSGOL BRITHDIR on 31 August 2017.
- CLOSURE OF YSGOL Y CLOGAU on 31 August 2017.
- CLOSURE OF YSGOL GANLLWYD on 31 August 2017.

2.12 Following the period for objections, the Cabinet was asked to consider a formal report of the objections and the response to them prior to reaching a final decision to implement the proposal or otherwise.

2.13 On **11 May 2015**, the Cabinet report was published (19 May 2015) that included the following recommendations:

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| <p>i. <i>To implement the proposal to close Ysgol y Gader, Ysgol Gynradd Dolgellau, Ysgol Brithdir, Ysgol Machreth (Llanfachreth), Ysgol Ieuan Gwynedd (Rhydymain), Ysgol Dinas Mawddwy, Ysgol Llanelltyd, Ysgol Friog, Ysgol Clogau (Bontddu) and Ysgol Ganllwyd on 31 August 2017 and establish a Welsh-medium Community Catchment Area All Through School for 3-16 year olds on the existing sites of Ysgol y Gader, Ysgol Gynradd Dolgellau, Ysgol Ieuan Gwynedd (Rhydymain), Ysgol Dinas Mawddwy, Ysgol Llanelltyd and Ysgol Friog on 1 September 2017.</i></p> <p>ii. <i>As a result of the importance of appointing a head teacher and the need for him/her to be appointed in advance, to approve the establishment of a shadow governing body during the Summer Term of 2015 and finance the head teacher of the Catchment All-through School from the scheme savings as soon as possible.</i></p> |
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2.14 On **12 May 2015**, a letter was received from the Chair of the Governors of Ysgol Machreth, Llanfachreth stating concerns that the school was not sustainable. Due to this new information this meant a significant change in the position of Ysgol Machreth. At the Cabinet meeting on 19 May it was recommended to revisit the school's position and defer confirming the notice regarding its closure on 31 August 2017 (issued on 25 February 2015).

Therefore, the decision at the meeting on **19 May 2015** was:

- i. *To implement the proposal to close Ysgol y Gader, Ysgol Gynradd Dolgellau, Ysgol Brithdir, Ysgol Ieuan Gwynedd (Rhydymain), Ysgol Dinas Mawddwy, Ysgol Llanelltyd, Ysgol Friog, Ysgol Clogau (Bontddu) and Ysgol Ganllwyd on 31 August 2017 and establish a Welsh-medium Community Catchment Area All Through School for 3-16 year olds on the existing sites of Ysgol y Gader, Ysgol Gynradd Dolgellau, Ysgol Ieuan Gwynedd (Rhydymain), Ysgol Dinas Mawddwy, Ysgol Llanelltyd and Ysgol Friog on 1 September 2017.*
- ii. *As a result of the importance of appointing a head teacher and the need for him/her to be appointed in advance, to approve the establishment of a shadow governing body during the Summer Term of 2015 and finance the head teacher of the Catchment All-through School from the scheme savings as soon as possible.*
- iii. *Defer confirmation to implement the Ysgol Machreth (Llanfachreth) statutory notice in order to get further clarification following recent developments with the school.*

2.15 The matter is presented once again to Cabinet in order to consider whether or not to confirm the Statutory Notice. The Cabinet’s attention is drawn to the report presented on 19 May 2015 which considered the objections and responses received (the Objections Report) as well as the appendices.

3. POSITION OF YSGOL MACHRETH, LLANFCHRETH

3.1 Ysgol Machreth is located in the village of Llanfachreth in Y Gader catchment area, approximately four miles from the town of Dolgellau, and is a Church in Wales Voluntary Controlled School (VC). The school offers places for pupils from its own natural catchment area and from villages within the Gader catchment area. Pupils are admitted to school part-time in the September following their third birthday and full-time in the September following their fourth birthday.

3.2 Ysgol Machreth is a Voluntary Controlled School with a religious designation (Church in Wales) (VC). The religious character of the Voluntary Controlled School is an important consideration in terms of:

- Character of the school
- Membership of the governing body
- Ownership of the site

3.3 The majority of the teaching at Ysgol Machreth is through the medium of Welsh. In September 2013 100% of the pupils were fluent in Welsh. In January 2013, 13% of the pupils were entitled to free school meals, a significantly lower figure than the comparative figures for Gwynedd and Wales.

3.4 The following table shows the statistics for Ysgol Machreth based on the data for September 2014.

| Distance from Dolgellau Primary School (Miles) | Age Range | Number of Pupils Sept 2013 | Capacity | Surplus Places | Number of Pupils Sept 2014 | Surplus Spaces | Projections 2015/16 | | Projections 2016/17 | |
|--|-----------|----------------------------|----------|----------------|----------------------------|----------------|---------------------|----------------|---------------------|----------------|
| | | | | | | | No. of Pupils | Surplus Places | No. of Pupils | Surplus Places |
| | | | | | | | 3.8 | 3 - 11 | 16 | 46 |

3.5 By the Pupil Level Annual School Census (PLASCC) in January 2015, there were 11 pupils on the school’s register. Of these 11 pupils, four live in the Ysgol Machreth catchment area and seven live outside the catchment area. By 13 May 2015, following discussions between the Governors and parents, the admissions applications had been received to transfer ten of the pupils to other schools in the catchment area by 1 September 2015.

3.6 As shown in the following table, the school is not suitable for learning in the twenty first century. There is no purpose-built hall in the school, the school has not been adapted to teach foundation phase, there is no room for the head teacher and there are no small rooms for group work or special education.

| School | Condition Category | Suitability Deficiencies | | Maintenance back-log |
|----------|--------------------|---|--|----------------------|
| Machreth | B | <ul style="list-style-type: none"> Not foundation phase adapted No playing field No class storage No hall | <ul style="list-style-type: none"> No small group room / SENco No resource area No ICT room No Head teacher's office | £86,500 |

3.7 Ysgol Machreth receives additional funding via the staffing safety net policy. This policy ensures that schools with fewer than 40 pupils employ a head teacher and a teacher, and that a school with fewer than 15 pupils can employ a head teacher and a senior classroom assistant. The table below shows the financial data for Ysgol Machreth in the last three financial years. It shows that the cost per pupil has been double the county average in 2013/14 and in 2014/15, and this year, in 2015/16, it is three times the county average:

| Ysgol Machreth | | | | County Average |
|----------------|----------------------|---|----------------|----------------|
| Financial Year | Financial Allocation | Extra Funding – Staffing Protection Policy (Safety net) | Cost per pupil | |
| 2013/2014 | £126,949 | £23,687 | £8,865 | £3,910 |
| 2014/2015 | £149,002 | £42,510 | £9,650 | £3,856 |
| 2015/2016 | £119,704 | £33,695 | £12,116 | £3,857 |

3.8 Discussions have taken place between the Governing Body of Ysgol Machreth and the Education Department regarding the school's future over a period of time and further discussions regarding this took place recently. The Council has been monitoring the school in terms of the number of pupils and the staffing situation and now the school's position is not sustainable. The staffing situation at the school is very fragile and it may be possible that there will be no teaching staff by September 2015.

3.9 The existing Ysgol Machreth (Llanfachreth) statutory notice states that the school will close on 31 August 2017. This notice stated that the school's pupils would transfer to the new All-through School established on 1 September 2017.

3.10 Given the current position of the school and in the interests of the pupils' educational and social welfare, it appears that it is necessary to proceed and consider the closure of Ysgol Machreth, Llanfachreth earlier than August 2017, as noted in the current statutory notice.

4. OPTIONS

4.1 In accordance with the Schools Organisation Code, there are three possible options in order to proceed with the closure of the school:

4.2 OPTION 1 – Close the school on 31 August 2017

This option would entail confirming the original statutory notice issued on 25 February 2015 and that the school continues until the end of August 2017.

Given that it is likely that there will be no teaching staff or pupils at the school in September 2015, this would mean an empty building for a period of two years. There would also be financial implications for this option. The school would receive a financial allocation until August 2017 as well as additional finance via the staffing safety net policy. As Ysgol Machreth will receive a financial allocation and staffing protection, there will be an impact on the remainder of the County's schools during this period.

4.3 **OPTION 2 – Follow the full statutory process**

| Action | Outline Timetable |
|---|-----------------------------------|
| Pre-consultation period (28 days) | 8 July 2015 - 5 August 2015 |
| Cabinet to approve commencement of statutory consultation following consideration of the Church's comments and pre-consultation (date to implement the decision 30 September 2015) | 15 September 2015 |
| Statutory Consultation Period (42 days with at least 20 school days) | 1 October 2015 – 12 November 2015 |
| Cabinet to discuss the report following the consultation and determine if the proposal should continue or otherwise, i.e. issue a statutory notice or not. (date to implement the decision 31 December) | 15 December 2015 |
| Issue statutory notice and commence the Objection Period (28 days) | 1 January 2016 – 1 February 2016 |
| Cabinet to discuss the objection report to confirm the notice or not. | 15 March 2016 |
| Cabinet decision becomes operational | 30 March 2016 |
| End of period to refer the decision to Government. | 30 April 2016 |
| Act on the decision to close Ysgol Machreth, Llanfachreth | 1 May 2016 |

This timetable may be reduced a little if the Cabinet Member for Education was responsible for reaching the decision on behalf of the Cabinet rather than it be discussed and determined at Cabinet meetings, in accordance with Gwynedd Council's constitution. This will not significantly reduce the timetable.

4.4 **OPTION 3 - Process for 'Closure of a school with fewer than 10 registered pupils' following the Pupils' School Census – January 2016**

Section 48 (3) of the Schools Standard and Organisation Act (Wales) 2013 omits the need to conduct statutory consultation processes on proposals in relation to small schools. For the provisions of the Act, a Small School is defined as being with fewer than 10 registered pupils on the third Tuesday in the month of January before the proposals are presented.

| Action | Outline Timetable |
|--|-------------------------------|
| Pupil Census | 19 January 2016 |
| Cabinet Member for Education to publish a decision notice to approve the issuing of statutory notices | 21 January 2016 |
| Publish statutory notices and commence Objection Period (28 days) | 29 January – 26 February 2016 |
| Cabinet Member for Education to consider objection report | 26 February – 2 March 2016 |
| Cabinet Member for Education to publish decision notice | 2 March 2016 |
| Cabinet decision becomes operational (subject to the decision not being 'called in' or referred to the Welsh Government) | 10 March 2016 |
| Ysgol Machreth, Llanfachreth closes | 31 March 2016 |

In association with this option, it is anticipated that the Cabinet Member for Education will make the decisions from now on. If the situation changes significantly it will be possible to submit a further report to the Cabinet.

4.5 Considering the possible options, and the implications in terms of the financial elements, the time and resources to complete the work and the possible action date to close the school, it is recommended that the favoured option is Option 3. Dependent on the census of pupil numbers in January 2016, it is recommended that the statutory process is followed for the closure of a school with fewer than 10 registered pupils (section 7 School Organisation Code 006/2013). This would mean that the school would close by 31 March 2016.

5. **IMPLICATIONS OF THE CLOSURE OF YSGOL MACHRETH**

5.1 Applications for admissions have already been received to transfer ten existing Ysgol Machreth pupils to other schools in the catchment area by 1 September 2015. In the original proposal it was intended for Ysgol Machreth pupils to be offered a place in the new all-through school. There are currently surplus spaces at

Ysgol Ieuan Gwynedd, Rhydymain and therefore it is recommended that Ysgol Machreth pupils are offered a place there during the transition period until the Catchment Area All-through School is established on 1 September 2017.

- 5.2 It should be considered that the Ysgol Machreth building will be empty sooner than the original proposal intended, and discussions will need to be commenced in accordance with the post-closure usage of school buildings to correspond with the revised timetable.
- 5.3 In terms of staffing of Ysgol Machreth, until the end of August 2015, the Strategic Head is responsible for Ysgol Machreth and Ysgol Llanelltyd. The full-time teacher at Ysgol Machreth will finish at the end of August 2015. Discussions will need to commence with all school staff – teaching and ancillary - following the recent developments.
- 5.4 Free transport will be provided in accordance with the County's school transport policy.

6. SUMMARY

- 6.1 The timescale needs to be reconsidered, given that
- re-organisation discussions have already favoured the option to close the school in 2017
 - the current fragile position of Ysgol Machreth, Llanfachreth, has recently changed considerably
 - a letter has been received from the school's Governing body expressing the view that the school is not sustainable
 - and the fact that a Cabinet decision has already been reached on 19 May 2015 to implement the wider development in the catchment area
- 6.2 Ysgol Machreth is a Voluntary Controlled (Church in Wales) school and if the recommendation is approved, moving forward with the process will involve engagement with the Church in Wales.
- 6.3 As part of the wider process in Y Gader Catchment Area, community and language impact assessments were conducted as well as an equality impact assessment. The conclusions of these assessments are considered to be current and relevant to this decision and if the need arises, they will be revised during the process.

7. RECOMMENDATIONS:

- Withdraw the statutory notice regarding Ysgol Machreth.
- Approve the commencement of an alternative process based on the proposal to close the school early in 2016.
- By following the statutory processes, offer places to Ysgol Machreth pupils at Ysgol Ieuan Gwynedd, Rhydymain during the transition period prior to the establishment of the All-through Catchment Area School on 1 September 2017.

OPINION OF THE STATUTORY OFFICERS

The Chief Executive:

"This situation is unique and the practical situation regarding the sustainability of the school within the original timescale, which has been recognised by the governors, means that there is a need to give separate attention to this. The recommendation in this report offers a flexible option which can be implemented expediently, for the educational and social welfare of pupils, as the situation develops."

Head of Finance Department:

"I believe that the report demonstrates that there are obvious reasons (including financial ones) that support the proposal to close Ysgol Machreth on the earliest possible date, namely Option 3."

Monitoring Officer:

“Considering the significant changes in Ysgol Machreth during the last few weeks, it is appropriate that a review of the situation takes place. The recommendation means that the Cabinet will not come to a decision on the objections to this specific statutory notice. It will be necessary to follow the relevant statutory processes with any alternative option as well as engagement or consultation arrangements which would be appropriate under the circumstances. “

BACKGROUND DOCUMENTS

All background documents relevant to the proposal can be seen on the Council’s website by following this link www.gwynedd.gov.uk/trefniadaethysgolion.

The background documents include:

- School Organisation Code 006/2013
- Schools Standards and Organisation Act (Wales) 2013
- Excellent Primary Education for the Children of Gwynedd Strategy
- Priorities Plan – Reorganisation of Education Provision
- Welsh Government Faith in Education Document
- Agenda and Minutes of the Gader Catchment Review Panel Meetings
- Statistics Pack
- Language Impact Assessment Report
- Community Impact Assessment Report
- Equality Assessment
- Assessment of the Need for Different Types of Schools
- Cabinet Report and Decision Notice – 16 July 2013
- Cabinet Report and Decision Notice – 17 December 2013
- Cabinet Report and Decision Notice – 16 September 2014
- Cabinet Report and Decision Notice – 13 January 2015
- Cabinet Report and Decision Notice – 19 May 2015
- Statutory Consultation Document 10 October - 24 November 2014
- Primary and Secondary Pupils Consultation Document
- The Council’s analysis and response to the comments received during the statutory consultation period
- Analysis of the consultation with children and young people by a specialist facilitator
- Statutory Notices published on 25 February 2015