

CYNGOR SIR POWYS COUNTY COUNCIL.

**CABINET EXECUTIVE
27th September 2016**

**REPORT AUTHOR: County Councillor Arwel Jones
Portfolio Holder for Education**

**SUBJECT: Secondary School Reorganisation Programme
- Brecon and Gwernyfed High Schools**

REPORT FOR: Decision

Summary

1. Further to the decision made by Cabinet on the 23rd February 2016, the Authority has carried out formal consultation on the following proposal:
 - a) To close Brecon High School and Gwernyfed High School on the 31st August 2017, and to establish a new English-medium 11 – 16 secondary school that will operate across the current sites of the two schools from 1st September 2017 (“**the New School**”);
 - b) From the 1st September 2017, Post-16 provision (academic and vocational) to be delivered by NPTC Group of Colleges in Brecon;
 - c) From the 1st September 2017, Welsh-medium secondary education to be delivered at the Builth Wells site of the proposed new school in Mid Powys (provided that the Proposal is approved by Cabinet following consultation); and
 - d) To close the school sites at Gwernyfed and Brecon upon the opening of a new school in Brecon, in 2019/20 (“**the New School Building**”).
2. The purpose of this report is for Cabinet to consider the Consultation Report and Responses, and to receive the Portfolio Holder’s recommendations.
3. At a meeting of the full County Council that was held on the 8th September 2016, all members had an opportunity to discuss the Portfolio Holder’s draft recommendations – minutes of the meeting are available at Appendix E.
4. The report is supported by the following appendices:
 - Appendix A – Consultation Report
 - Appendix B – Consultation Report – Responses
 - Appendix C – Impact Assessments
 - Appendix D – Final Welsh Language Impact Assessment South & Mid Powys
 - Appendix E – Copy of Minutes of the Council meeting on 8.9.16.

Background

4. On the 23rd February 2016, Cabinet approved the commencement of consultation on the proposal outlined above. The consultation period commenced on the 6th April 2016, and ended on the 1st June 2016.
5. The Consultation Document was available on the Council's website throughout the consultation period. The Document was also distributed to stakeholders as required by the School Organisation Code (2013).
6. Opinion Research Services (ORS) were commissioned by the Authority to support the consultation. Consultees were invited to respond to the consultation by either completing a questionnaire, online and paper, or by writing to ORS.
7. A total of 1047 questionnaires were analysed, of which 625 were responses to the main consultation questionnaire, 148 to the Young Persons' questionnaire, and 274 to the primary school consultation questionnaire;
8. **29 statutory written submissions** were received concerning the proposals for Brecon and Gwernyfed High Schools. These were from: Assembly Members and Members of Parliament; Estyn, other political groups; school Governing Bodies; Town and Community Councils; and other affected local organisations. In addition, **409 other submissions** were received from local residents and non-statutory organisations. The vast majority of submissions were sent in by those within the Gwernyfed catchment area.
9. During the consultation period, meetings were also held with the following:
 - School Councils and other pupils of Brecon and Gwernyfed High Schools
 - School Councils and other pupils of all primary schools in both catchment areas
 - Staff of Brecon and Gwernyfed High Schools
 - Governors of Brecon and Gwernyfed High Schools
 - Parents / community of both schools
 - Protected Characteristics Group
10. ORS have prepared a comprehensive Consultation Report, attached as Appendix A, which outlines all the issues raised, along with the Authority's response (Appendix B) to these issues.
- 10.1 At a meeting of the full Council on the 8th September 2016, members received and debated my draft recommendations, which are outlined in paragraph 11 below and the relevant extract from the minutes of that meeting can be found at Appendix E.

Recommendation

11. On the basis of the issues raised during the consultation, the following recommendations are made:
- To abandon elements A, B and D of the Proposal and to bring a new report back to Cabinet with **draft recommendations** for Brecon and Gwernyfed High Schools, in accordance with the Schools Reorganisation Policy 2015;
 - To re-consult on element C of the Proposal, i.e. the closure of the Welsh-stream at Brecon High School from September 2017;
 - To submit a revised Outline Business Case to Welsh Government's 21st C Schools Programme for capital investment in both campuses. This will include a new build 11 – 18 campus in Brecon and improvements to the Gwernyfed campus.

Options Considered/Available

12. The options available were
- To publish the Proposal as consulted on with any appropriate modifications;
 - To abandon the Proposal;
 - To significantly recast the Proposals and re-consult.

Preferred Choice and Reasons

13. **The preferred choice is to abandon elements A, B and D of the Proposal outlined in 1).** The reasons for this are as follows:

- As stated in the Consultation Document, the secondary school sector in Powys continues to face a number of significant challenges. Although the Proposal to close Brecon and Gwernyfed High Schools and to build a new larger 11 – 16 school in Brecon has many benefits, it is not the right solution for these challenges which has been evidenced in the consultation responses. The Impact Assessments clearly indicate that there would be a detrimental impact on the communities in the Gwernyfed catchment, and travel/transport has been raised as a significant issue for pupils and parents. There was also a significant degree of opposition to a tertiary post-16 model.
- A number of alternative options were suggested during the consultation period which merit further investigation.
- Estyn's response concludes that:

'The proposer has provided a clear rationale for the proposal to close both schools and establish a new English-medium 11 – 16 school, initially operating across two sites at Brecon and Gwernyfed. It sets out clearly the proposals relating to the transfer of post-16 education to the NPTC group of colleges and the transfer of Welsh-medium education to the Builth Wells site of the proposed new school in mid-Powys.'

Overall, many aspects of the proposal receive appropriate consideration. However, the proposal does not sufficiently consider standards currently achieved at both schools or demonstrate how the changes will lead to improved standards in relation to pupils' outcomes or the leadership and management of the new school. It does not consider sufficiently the risks involved in the proposal, particularly given the short timescales of its proposals.

As a result, it is Estyn's opinion that the proposal is unlikely to improve the present standard of education provision in the area'.

14. The preferred choice is to re-consult on element C of the Proposal. The reasons for this is as follows:

- The Authority recognises that concerns were raised by many participants during the consultation period about the proposed removal of the Welsh-stream from the proposed new school in Brecon. However, the Authority's intention is to provide equality of provision. Builth Wells High School provides a more equitable distribution of subjects between English-medium and Welsh-medium streams. The Authority believes that building the critical mass in one school will develop a vibrant and viable Welsh stream. The improved choice and Welsh-medium experience will enable them to be even more confident Welsh speakers who can still contribute to the development of the Welsh language in Brecon. We believe that learners will be more attracted to Welsh-medium provision in future if there are clear progression routes and continuity of provision throughout their educational life – this is currently not the case in Brecon High School.
- The Welsh Government's Welsh – medium Education Strategy states 'Welsh-medium education from the early years, with robust linguistic progression through every phase of education, offers the best conditions for developing future bilingual citizens.'
- 'The term 'bilingual provision' is used to refer to a wide range of teaching and learning settings which include varying amounts of Welsh language in the delivery. Bilingual schools can include those where a large proportion of the curriculum is delivered through the medium of Welsh, those where there are two streams – Welsh-medium and English-medium – taught separately (sometimes called 'dual stream' schools), and those where only a few elements of the curriculum or only a small number are taught through the medium of Welsh.'
- The linguistic outcomes of these different types of provision will vary significantly. Where a pupil from a Welsh-speaking background attends a bilingual school, a balanced curriculum through the medium of Welsh and English can be effective in ensuring fluency in both languages. This is the case in some areas of Wales. However, where learners' linguistic skills in Welsh are not reinforced by family or community, they are unlikely to achieve full fluency and confidence in Welsh when learning in a bilingual setting. Bilingual provision, therefore, does not always ensure that an individual becomes a bilingual speaker.'

- Whilst there are no designated Welsh-medium primary schools in the Builth Wells High School catchment, there are a greater number of primary Welsh-medium streams and a greater number of Welsh-medium pupils compared with the Brecon High School catchment.
 - Evidence shows that Welsh-medium provision in terms of pupil numbers and subjects available has grown over the last five years. The Authority has provided the same guidance and support to Builth Wells and Brecon High School over this time.
 - Whilst Welsh-medium pupils would be leaving Brecon to access Welsh-medium secondary provision, they will continue to live in the town and surrounding areas, and will continue to be able to participate in Welsh language activities in the local community. The Council's view is that the increased level of Welsh-medium provision available to them will enable all Welsh-medium pupils to become more confident Welsh speakers, who will be able to play a greater role in terms of the Welsh language in the community.
15. **The preferred choice is to submit a revised Outline Business Case to Welsh Government's 21st C Schools Programme for capital investment in both campuses and to increase the budget for the Project by £8m finance by a Welsh Government capital grant and Prudential Borrowing**
- This will include a new build 11 – 18 campus in Brecon and improvements to the Gwernyfed campus.** The reasons for this is as follows:
- Submitting a revised Outline Business Case for capital investment in both campuses will address the building condition issues of both schools. This will enable the Authority to draw upon Welsh Government capital funding to support the investment within Band A (2014 – 2019) of the 21st C Schools Programme. Brecon High School is categorised as a Condition D and Gwernyfed High School is categorised as a Condition C.
 - The Authority has already submitted a **draft revised** Outline Business Case to the Welsh Government, without prejudice to Cabinet's decision. The reason for doing so prior to Cabinet making a decision on the future of both schools was to understand whether capital funding was available for a revised scheme. If Cabinet do not agreed to support the recommendation above, then capital funding from Welsh Government for the revised scheme will not be
 - The budget for the project has increased by £8m to £28m. 50% of this will be financed by Welsh Government capital grant and 50% from an increase in Prudential Borrowing of the Authority. The cost of Prudential Borrowing is estimated to be approximately £155k per annum, which is 3% over a 50 year loan. This funding from Welsh Government is dependent on either finding capacity within existing 21st Century Schools Programme or requesting an increase to the Authority's overall Band A (2014 – 19) Programme.
17. **Revenue Savings.** The estimated revenue savings of these recommendations, based on the 2016/17 formula, are £119k. This includes

the revenue savings of closure of the Welsh stream and revised revenue commitment following the capital investment in both schools.

No additional transport costs have been included as it is estimated that pupils could be accommodated on existing transport.

The savings estimated do not include redundancy costs.

One Powys Plan

‘Transforming Learning and Skills’ is one of the priorities within the One Powys Plan. Within this priority, the Plan states that *‘We need to re-organise schools (primary, secondary and post 16) to ensure affordability, sustainability and appropriate leadership capacity.’*

Sustainability and Environmental Issues/Equalities/Crime and Disorder/Welsh Language/Other Policies etc

A Single Integrated Impact Assessment has been produced in respect of the original Proposal which concludes: **‘It is concluded that there are too many risks for the Council and stakeholders to proceed with elements a,b, and d of the Proposal, but there are benefits to proceeding with element C of the Proposal.’**

The Equality Impact Assessment, Community Impact Assessment and Welsh Language Impact Assessment in respect of the original Proposal have been updated following the consultation period.

Children and Young People's Impact Statement - Safeguarding and Wellbeing

The Authority’s Schools Transformation Programme is intended to improve educational outcomes for children and young people. This aligns with the aspiration to improve safeguarding and well-being for children and young people.

Local Member(s)

Comments from Cllr Matthew Dorrance in relation to Cabinet papers on Secondary School Reorganisation Programme - Brecon and Gwernyfed High Schools:

I welcome the Council’s ambition to provide a twenty-first century facility for learners in Brecon. I welcome the Cabinet Members recommendation to abandon proposals to close Brecon High School’s sixth form which would have put the school at a distinct disadvantage compared to other Powys Schools.

Two consultations on the future of Welsh Medium Education at Brecon High School have already been undertaken by the Cabinet. I am not convinced that the Cabinet has explained in enough detail why another consultation is needed so soon after the community told the administration they opposed plans to move the Welsh Medium stream from Brecon to Builth Wells.

The report notes that Builth Wells does not have a Welsh Medium Primary School. Brecon does and the climate of uncertainty created by the Cabinet is

damaging learners, parents and the community's confidence in the Council. This must be resolved as a matter of urgency.

The census data referred to in Appendix D shows the population of Builth and Brecon with 'one or more skill in Welsh' with a differential of under 2%. This in my view is too small a sample of the community to base a decision about educational provision on. I would urge the Cabinet to consider population growth forecasts, the Local Development Plan and the Welsh Labour Government's ambitions for increasing the number of Welsh speakers – all of which could wipe out the small census differential.

I firmly believe that the decision of the Cabinet Member to fund transport from Brecon to Builth for learners accessing education in Welsh before any consultation took place was an error of judgement that damaged provision at Brecon High School.

Other Front Line Services

N/A

Support Services (Legal, Finance, Corporate Property, HR, ICT, Business Services)

Legal: The recommendations can be supported from a legal point of view

The Finance Business Partner comments: 'The estimated savings based on the 2016/17 formula are £119k. This includes the revenue savings of closure of the Welsh stream and revised revenue commitment following the capital investment in both schools.

No additional transport costs have been included as it is estimated that pupils could be accommodated on existing transport.

The savings estimated do not include redundancy costs.

Finance will continue to work with schools to manage any future changes.'

The Capital and Financial Planning Accountant notes "the increase in the budget required to complete this project and will work with colleagues in Schools and Property to either identify capacity within the 21st Century School Programme or to apply for an increase in the Programme."

HR: 'Any implication on staffing will be managed by the school governors in line with Human Resource policies and in consultation with the recognised trade unions'.

Local Service Board/Partnerships/Stakeholders etc

N/A

Corporate Communications

Communications Comment: “This issue is of significant public interest and Cabinet’s decision should be publicised widely by press release and through all the council’s social media channels.”

Statutory Officers

The Solicitor to the Council (Monitoring Officer) has commented as follows: “ I note the legal comment and have nothing to add to the report”

The Strategic Director Resources (Section 151 Officer) notes the comments of the Finance Business Partner and the Capital and Financial Planning Accountant.

Members’ Interests

The Monitoring Officer is not aware of any specific interests that may arise in relation to this report. If Members have an interest they should declare it at the start of the meeting and complete the relevant notification form.

Recommendation:	Reason for Recommendation:
<ol style="list-style-type: none">1. To consider the Consultation Report and Responses Report2. To abandon elements A,B, and D of the Proposal and to bring a new report back to Cabinet with draft recommendations for Brecon and Gwernyfed High Schools, in accordance with the Schools Reorganisation Policy 2015;3. To re-consult on element C of the Proposal, i.e. the closure of the Welsh-stream at Brecon High School from September 2017;4. To submit a revised Outline Business Case to Welsh Government’s 21st C Schools Programme for capital investment in both campuses and to increase the budget for the Project by £8m financed by a Welsh Government capital grant and Prudential Borrowing. This will include a new build 11 – 18 campus in Brecon and improvements to the Gwernyfed campus.	<ul style="list-style-type: none">• To understand the issues raised during consultation;• To enable officers to bring forward alternative options that will address the challenges faced by the secondary school sector in Powys;• To provide a more sustainable, educationally and linguistically viable model of Welsh-medium secondary education;• Submitting a revised OBC will enable the Council to draw down Welsh Government funding to support a capital investment in both campuses.

Relevant Policy (ies):	School Transformation Policy		
Within Policy:	Y	Within Budget:	Y

Relevant Local Member(s):	
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Person(s) To Implement Decision:	Marianne Evans
Date By When Decision To Be Implemented:	September 2016

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Background Papers used to prepare Report: